



Council of the
European Union

026402/EU XXVI. GP
Eingelangt am 14/06/18

Brussels, 14 June 2018
(OR. en)

12712/06
DCL 1

SCH-EVAL 131
FRONT 172
COMIX 741

DECLASSIFICATION

of document:	ST12712/06 RESTREINT UE/EU RESTRICTED
dated:	18 September 2006
new status:	Public

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

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

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

RESTREINT



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 September 2006

12712/06

RESTREINT UE

**SCH-EVAL 131
FRONT 172
COMIX 741**

REPORT

from: Air Borders Evaluation Committee

to: Schengen Evaluation Working Party

Subject : Schengen evaluation of the new Member States

- SLOVENIA : report on Air Borders

This report was made by the Evaluation Committee and is brought to the attention of the Sch-Eval Working Party which will provide a report and the presentation of the follow-up to the Council.

RESTREINT

TABLE OF CONTENTS

1.	Introduction	3
2.	Management summary	4
3.	General information	5
3.1.	Strategy	5
3.2.	Organisational (functional) structure	11
3.3.	Operational effectiveness	15
3.4.	Risk analysis, intelligence and data flow management	17
3.5.	Investigation and alien policing	20
3.6.	Staff and training	22
3.7.	Readmission, expulsion and illegal immigration, carriers' liability	27
3.8.	Comments and recommendations of the Evaluation Committee:	29
4.	Ljubljana International Airport	30
4.1.	General information	30
4.2.	Infrastructure and equipment	34
4.3.	Controls and procedures	38
4.4.	Border surveillance	42
4.5.	Staff and training	42
4.6.	Readmission, expulsion and illegal immigration, carriers' liability	45
4.7.	Comments and recommendations of the Evaluation Committee:	46
5.	Portorož International Airport	47
5.1.	General information	47
5.2.	Infrastructure and equipment	50
5.3.	Controls and procedures	52
5.4.	Border surveillance	54
5.5.	Staff and training	55
5.6.	Readmission, expulsion and illegal immigration, carriers' liability	56
5.7.	Comments and recommendations of the Evaluation Committee:	56
6.	General conclusions, including recommendations and follow-up	57

*

*

*

RESTREINT

1. INTRODUCTION

Based on the mandate of the Schengen Evaluation Group (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 expert team visited the air borders of the Republic of Slovenia from 25 to 28 June 2006.

Participants:

Austria	Mr Peter BENCZA (leading expert)
Cyprus	Mr Emiliós LAMBROU
Finland	Mr Olli LAMPINEN
France	Mr Francis GUILBERT
Luxembourg	Mr Raoul UEBERECKEN
Netherlands	Ms Swaan ZONNEVELD
Spain	Mr Daniel VAZQUEZ LLORENS
Sweden	Mr Evald WIGGER
Portugal	Ms Anabela NEVES
Commission	Ms Monika MOSSHAMMER
Council Secretariat	Mr Aare EVISALU

The Evaluation Committees visited the following sites: Ljubljana Airport, Airport Police Station (APS) Brnik and Portorož Airport.

The projects and the status of the reconstruction works at the airports for the separation of Schengen and non-Schengen flights were presented by the administration of Ljubljana International Airport.

The Committee would like to thank the Ministry of the Interior and the General Police Directorate of the Republic of Slovenia, the Border Police Section of the General Police Directorate, the Police Directorate of Kranj, the Police Directorate of Koper and the representatives of the airports for the excellent organisation of the visits, the well prepared and structured materials, their hospitality, and the open attitude and commitment shown by the coordinators and interpreters who accompanied the Committee.

RESTREINT

2. MANAGEMENT SUMMARY

The Committee is of the opinion that the border management strategy of the Republic of Slovenia conforms to the basic Schengen principles of integrated border management. National legislation seems to conform to the Schengen acquis and along with the Police Border Management Strategy provides a solid basis for border management. The professional and motivated personnel of the Border Police of the Republic of Slovenia provide a good level of border control, which in general meets the Schengen requirements.

The necessary resources have been allocated to perform border control to a sufficient level. The Slovenian Police has acknowledged the need to increase the number of personnel for border control at the Brnik Airport Police Station to ensure an efficient, high and uniform level of control.

The current buildings of Ljubljana International Airport and the infrastructure used for carrying out border checks are not in line with requirements and do not separate passengers on Schengen and non-Schengen flights. Necessary reconstructions have been planned and have to be implemented as a precondition for full accession to the Schengen area. The Committee invites the competent authorities of the Republic of Slovenia to further brief the Schengen Evaluation Working Party about progress in the development of the infrastructure. Adoption of the infrastructure for the separation of passengers on Schengen and non-Schengen flights according to the Schengen Borders Code needs follow-up.

The Committee would like to highlight the great efforts of the Ministry of the Interior and the General Police Directorate of the Republic of Slovenia in providing specialised and proper training for the border police units and supplying them with the necessary amount of modern border control equipment, means of transportation, communication techniques and IT systems. The Committee stresses the need to continue preparation for the implementation of SIS II, VIS, and the use of FADO at the border.

Current EU legislation formed the bases of the evaluation of the Committee. The responsible authorities of the Republic of Slovenia are aware of the fact that the new Schengen Borders Code will enter into force on 13 October 2006. All the procedures have to be adopted by this date.

3. GENERAL INFORMATION

3.1. Strategy

3.1.1. Legislation

The organisation and measures undertaken in the Republic of Slovenia with regard to state border control are governed in great detail by the State Border Control Act (2002, 2003, 2006) and Rules on the Implementation of the State Border Control Act. The State Border Control Act also contains provisions on the implementation of police measures within the country and international police cooperation. The Rules on the Implementation of the State Border Act provide indications of the border line, border crossing point areas and the method of implementation of border checks and designating entry and exit points.

The Police Act (1998, 2001, 2003, 2004, 2005, 2006) defines the powers of the Police and is complemented by so-called Rules on the Powers of the Police.

The Aliens Act (1999, 2002, 2005, 2006) defines conditions for entry of aliens and ways in which aliens enter, leave and reside in the Republic in Slovenia. The Act defines the powers of state authorities in procedures with aliens, as well as the rights and obligations of aliens.

Besides the abovementioned Acts the following acts have been implemented:

- Penal Code (1995, 1999, 2004)
- Criminal Procedure Act (1995, 1998, 1999, 2001, 2003, 2004, 2005)
- Civil Aviation Act (2001, 2006)

Related International Agreements and Treaties exist and subordinated legal acts (regulations, decisions, etc.) have been followed.

3.1.2. General strategy for border management

The total length of the state border of the Republic of Slovenia is 1 382 km, of which the length of the external land border is 670 km and the future internal border is 664 km. The length of the sea border is 48 km. The Republic of Slovenia has 144 Border Crossing Points (BCP) at all borders.

RESTREINT

The general strategy for border management is broadly based on the Schengen four-tier integrated border security model and is defined by the Police Border Management Strategy approved by the Director General of the Slovenian Police in September 1996 and supplemented in January 2005. The Strategy governs in detail the fields of border checks and state border surveillance. The main objective of the border checks and border surveillance is the prevention of illegal migration, illegal residence and work, organised crime and violation of the integrity of the state border. Pursuant to the first paragraph of Article 4 of the State Border Control Act, the implementation of state border control falls within the jurisdiction of the Police. The Police is charged with protecting the state border and carrying out border checks in accordance with the Police Act. Border control in Slovenia is mainly carried out by special border police officers who have obtained suitable qualifications for performing border checks and border surveillance during their education and advanced training.

There is no independent and specialised border police organisation in Slovenia. The units and police officers that carry out border management tasks belong to the structure of the Slovenian uniformed Police. The units carrying out border management are called Border Police. Border checks are carried out mainly by specialised border police stations.

The organisation of police work for state border surveillance is based on a division of the border into segments (a part of the state border falling within the area of a Police directorate), sectors (a part of the state border falling within the area of a police station) and sections (the smallest operational area at the state border). Border surveillance is performed within the sectors by police officers from police stations located along the state border, deploying the available technical means and equipment. The tactics used in state border surveillance are changed regularly in order to make sure that unauthorised border crossings are always at risk of being detected. Intelligence and risk analysis provide a basis for border control measures.

On the basis of risk assessment relating to individual parts of the state border, other police structures may also be assigned to carry out state border surveillance, i.e.: police dog handlers, mounted police, crime investigators, Specialised Unit for State Border Control, Call-Up Unit.

RESTREINT

Activities carried out at the border crossing points include:

- border checks;
- second-line activities;
- processing of refusals and asylum applications;
- removal and readmission of non-admitted persons;
- issuing visas; and
- imposing sanctions on carriers.

Border checks have been carried out according to unified standards, by professional and specialised personnel in possession of special equipment for carrying out the checks.

In addition to border surveillance and border checks, operational measures are implemented within the country. The objective of the activities inside the country is to combat illegal immigration and crime and to remove illegally resident foreigners.

Inland activities have been carried out mostly by the general police stations and all other police structures in the form of the police operative controls of the legality of the residence of foreigners in Slovenia. Controls are organised at bus and rail stations, in hotels, motels and other housing facilities as residence registration control, at work places and night clubs. The same type of control will be performed by 8 specialised mobile units at the future internal border areas in accordance with the concept of compensatory measures.

Active internal and international cooperation has been organised for performing border controls. The activities at the external border and inside the country are carried out in cooperation with the foreigners centre, criminal police, Police IT office, internal administrative affairs directorate and asylum section of the Ministry of the Interior.

Several tasks in the framework of integrated border management are carried out by other police structures. Thus, combating of all forms of cross-border crime, including illegal migration, misuse of documents, smuggling of people and trafficking in human beings is basically the responsibility of the Criminal Police. To carry out these tasks, the Criminal Police operates over the entire territory of Slovenia and on the state border.

RESTREINT

Hidden/covert investigation measures, detection and surveillance of criminal focal points in border areas, ambushes, operational surveillance and other forms of criminal investigation activities, gathering and transmission of data regarding criminal groups dealing with smuggling of people and other forms of criminal investigation work are performed by the Criminal Police. The Criminal Police directs the work of the police stations in the field of crime investigation.

Inter-agency cooperation is organised with the public prosecutor, Customs, the Ministry of Foreign Affairs, the Ministry of Transport, the Ministry of Labour, Family and Social Affairs and with the Information Commissioner.

3.1.3. Analysis of environment and threats

At local and regional levels, analyses and situation evaluations are performed more and more by activity area (illegal migrations, vehicle theft, drug smuggling, etc), allowing for a quick response. At national level, the data on illegal migration and cross-border crime is monitored daily, and regional authorities receive daily reports on these controls.

There is a regular information exchange carried out between different services at the border crossing point.

The most exposed areas for illegal border crossings lie within the areas of the Nova Gorica and Koper Police Directorates, due to the short distance at those points between Croatia and Italy. The area of Maribor Police Directorate is also a seriously exposed area, as it is a part of the so-called "Balkan Route" that runs from the Balkans via Croatia towards Slovenia. A large number of persons, have also been detected illegally residing in the country in the Ljubljana area, where international road links intersect.

In 2005, 5 890 illegal crossings were detected at all borders. Of these, 4 647 (almost 79%) were detected at the Croatian border. In the same year 960 facilitators were arrested, for a total of 1 497 facilitated aliens. During the first 4 months of 2006, 1 182 illegal immigrants were apprehended. The main countries of origin are Serbia and Montenegro, Albania and FYROM.

RESTREINT

The number of persons detected residing illegally within the country (without residence permit or visa and after the expiry of their validity) was:

- 383 in 2002;
- 406 in 2003;
- 323 in 2004; and
- 245 in the first nine months of 2005.

In the period between 1 January and 30 September 2005, 1 389 aliens sought political asylum in Slovenia.

At the border crossing points at Ljubljana Airport, up to 200 persons have been refused entry annually, for various reasons.

Year	2003	2004	2005
Number of refused persons	142	200	164
<i>Reasons for refusal</i>			
Insufficiently documented purpose of entry	15	38	44
Threat to public order, criminal offences, terrorism	5	-	-
No permission to enter	98	143	95
Insufficient means of subsistence	14	12	19
Invalid documents	7	7	5
Suspicion of illegal work	2	-	-
Valid measure refusing entry	1	-	1

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

International police cooperation exists with the law enforcement authorities of the neighbouring countries, countries in the Balkan region, EU Member States, USA and Russia.

In the framework of multilateral cooperation in the area of border management and foreigners, the Slovenian police is actively involved in the activities of the International Border Police Conference and the Geneva Centre for the Democratic Control of Armed Forces (DCAF).

There is also cooperation with the Italian National Police, the Carabinieri and the Guardia di Finanza, and the Austrian Police at the trilateral centre for police cooperation established in Thörl Maglern/Vrata Megvarje in Austria. It is based on an agreement signed by the Governments of Italy, Austria and Slovenia.

RESTREINT

Slovenia has concluded bilateral agreements on police cooperation with its four neighbouring countries, namely Austria, Hungary, Croatia and Italy. There is also cooperation at both regional and national level in the field of prevention of illegal crossings of the national border and trafficking in human beings.

There is an agreement with Croatia on cross-border police cooperation. On the basis of this agreement, several protocols have been concluded in order to conduct joint patrols and official transit (already implemented in practice) and on seconding a liaison officer to Croatia. This officer will be seconded to Zagreb in the near future.

Two other implementing protocols are still in the phase of technical coordination for the establishment of a common contact point and the setting up of common working groups.

The police liaison officers have a duty to provide support in combating illegal migration.

3.1.5. Cooperation with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

With regard to cooperation with FRONTEX, the Slovenian Border Police has implemented the following activities:

- Slovenia is represented on the Management Board of FRONTEX;
- a National FRONTEX Point of Contact has been established;
- units of the Slovenian Border Police participated in joint operations organised in the framework of FRONTEX at the land borders in 2005 and 2006 and in operation "Torino" in 2006;
- participation in different meetings (RAU-Meeting, Meeting on Research and Development, MEDSEA Support Group);
- implementation of a Common Core Curriculum and EU-Training Day;
- the secondment of a National Expert to FRONTEX is in progress.

RESTREINT

In the framework of the former Centre for Land Borders, Slovenia established the Border Crossing Points of Gruškovje and Obrežje as so-called Focal Point Offices (FPO), which hosted guest officers from several EU Member States. At the Airport Police Station of Brnik, Slovenia established a national Air Border Contact Point and at the Maritime Police Station of Koper a national Sea Border Contact Point.

3.2. Organisational (functional) structure

3.2.1. *Centralised supervision and instructions*

The Police is an authority within the Ministry of the Interior. It consists of the General Police Directorate, Police Directorates and police stations. The internal organisation of the Police is defined in the Decree on the Internal Organisation, Systematisation, Posts and Titles within the Police. The Police is organised at three levels, i.e. the national, regional and local levels. Units responsible for border management exist at all the three levels of organisation of the Police.

At national level, the Border Police Section operates within the Uniformed Police Directorate, which is an internal organisational unit of the General Police Directorate. The Border Police Section consists of the State Border Division, the Specialised Unit for State Border Control, the Illegal Migration and Aliens Division and the Compensatory Measures Division. The tasks of the Section are to plan, organise and provide professional guidance, 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 and to cooperate with foreign security authorities and international institutions.

At regional level, border management is organised by the regional Police Directorates. There are 11 Police Directorates in the Republic of Slovenia. At each Police Directorate, within the framework of the Uniformed Police Sections, tasks in the field of state border control and aliens regulations are performed by the State Border and Foreigners Divisions. Their work and tasks are similar to those carried out at national level, except that they are limited to the jurisdiction of each individual Police Directorate.

RESTREINT

At local level, there are 107 police stations in Slovenia. Special border police stations and so-called "combined" police stations are responsible for border management. Border checks at border crossing points are as a rule carried out by specialised border police stations. However, under special circumstances border checks may be carried out by the general police stations.

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

Border checks at the air borders are performed by the Airport Police Station Brnik, Border Police Station Sečovelje and the "Combined" Police Station Rače.

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

Inter-agency cooperation is coordinated by the Border Police Section within the Uniformed Police Directorate of the General Police Directorate.

Cooperation between Police and Customs is based on the Agreement on Mutual Cooperation between Police and Customs (2003). Cooperation in the area of detecting and investigating criminal and administrative offences is also envisaged.

Forms of cooperation:

- joint meetings;
- appointment of contact persons at regional and state level;
- mutual exchange of information;
- joint liaison officers;
- offering technical and other assistance;
- joint planning and coordination of operative work;
- joint training activities; and
- other forms of cooperation.

RESTREINT

Cooperation with the Civil Aviation authorities, administrations of the airports and carriers is organised with the aim of ensuring fulfilment of border control tasks and providing security for civil aviation.

At central level, there is cooperation within the Council of the Republic of Slovenia for Security in Civil Aviation. The border police take part in preparing and applying the Air Traffic Security Programme for the Republic of Slovenia. Cooperation is also organised with the Directorate for Civil Aviation.

Cooperation with the airport administration includes:

- surveys on the performance of security checks;
- carrying out basic security checks of passengers and hand baggage and persons entering secured areas (this task is expected to be handed over to the airport security service by the end of 2006)¹;
- performing special security checks and measures; and
- common preparation of projects for changes in (adaptation of) airport infrastructure.

Cooperation with carriers consists of:

- training of employees of air carriers in the field of detecting abuse of documents;
- regular exchange of information on current forms of document misuse and legal conditions for crossing the state border; and
- providing information to update the "Travel information manual - TIM".

3.2.3. *Specialised services*

In addition to the tasks of border management, some border police stations implement security measures at airports and railways. There are special groups in the structure of the border police stations for this function. The Group for Security Tasks and the Group for General Police Tasks operate at Ljubljana Airport.

¹ SI: Act amending and supplementing law on aviation was notified on 27 July 2006. Preparation for handing over basic security checks of passengers and hand baggage and persons entering secured areas to the airport security service has already started.

RESTREINT

Some border management functions are performed by other police units. At national level, the **Specialised Unit for State Border Control** was created at the end of June 2002 for the prevention of uncontrolled migration. The basic tasks of the Unit are to provide stricter and targeted controls of the State border and to detect trans-border crime, especially illegal migration and facilitation of illegal migration. The Unit assists the police directorates with surveillance on the state border, performing tasks which require special skills, knowledge and equipment.

The Unit also performs targeted police controls on main road communications and international trains. Currently the Unit operates at the central level and comprises 33 officers.

Mobile units will be responsible for "compensatory measures". Two units have already been established and a further six units will be created at regional level in the police directorates at the internal borders, with a total of 240 officers. The remaining six units will be created gradually but will be completed before full implementation of the Schengen acquis. The Slovenian authorities underline that these police units for "compensatory measures" will act within the terms of Article 21(a) of the Schengen Borders Code.

The Call Up Unit, composed of the members of the regular police units of police directorates, has been created for the execution of certain police tasks, especially for maintaining and establishing public order and for circumstances when harmonised activity by a large number of trained police officers is needed. Currently, the Special Police Unit consists of 727 officers. When they are needed, a suitable number of these police officers is "activated" according to the decision of the Director General of the Police, who also defines the tasks, implementation and deployment of this unit. One part of the Special Police Unit is the alpine unit, which also carries out surveillance of the state border on terrain that is difficult to access.

The Special Police Unit (Swat unit) is available in the event of major incidents at border crossing points or at the green border, but does not have border management competences.

RESTREINT

In addition to these "specialised" groups, police stations have set up **local crime investigation groups**, to which crime investigators are assigned. They are composed of police officers who are especially qualified to work in the field of detecting and investigating criminal offences. As in the case of the crime investigation groups at police stations, staff reinforcements have also been provided to the criminal investigation police at the regional and national levels, which ensures coordination of work between local crime investigation groups, and also detects and investigates cross-border crime within a wider area.

3.3. Operational effectiveness

3.3.1. Resources

Human resources

Slovenia has a total of 9 680 employees in the Police, of whom 2 769 are Border Police officers. On the external border at local level (police stations), 1 852 police officers are assigned to the land border, 51 police officers to the maritime border and 89 police officers to the air border. 916 police officers are assigned to border crossing-points.

From the end of 2005 until, most probably, October 2007, staff reinforcements are envisaged through the employment of new police officers and the transfer of police officers from the interior of the country to the external border.

With regard to the redeployment of staff from future internal borders, most positions at the future internal borders will be closed (except for those necessary to carry out compensatory measures) and transferred to future external borders to be filled by police officers as well as administrative and technical personnel.

The decisions on personnel transfers will be taken in early 2007. Most personnel will be transferred to the future external border within the same Police Directorate (PD), i.e. Koper PD, Maribor PD and Murska Sobota PD. Some personnel will however be transferred from their police directorates to the nearest police directorate at the future external border, i.e. from Slovenj Gradec PD to Celje PD, from Nova Gorica PD to Koper PD and Postojna PD, and from Kranj PD to Ljubljana PD and Krško PD.

The total number of Customs staff for customs controls is 880.

RESTREINT

Technical resources

The type and amount of technical equipment for each category of border crossing point are defined by the Rules on the Systematisation of Material-Technical Assets and Equipment. Police officers performing border checks use all the necessary equipment for effective border controls in accordance with the Schengen standards.

At one part of the border (Police Directorate Koper), the digital radio system Astra is used for radio communication, which has an enhanced encryption capacity.

The digital radio system TETRA is currently being installed all over the country. By the end of 2008, all Police Directorates involved in external border surveillance will be fully equipped. In the interim period, analogue radio systems are used for the purpose of communication between mobile units.

3.3.2. Level of controls at external border

According to the information presented by the Slovenian authorities and obtained by the Committee as a result of observations during the evaluation mission, all persons crossing the state border of the Slovenian Republic have been checked on entry and exit. Surveillance of the territory and perimeter of the airports was provided by patrols and video surveillance to prevent illegal entry of aliens. Border surveillance has been organised between border crossing points.

On the basis of definition and statistically comparable data, Slovenia has concluded that the level of detection and apprehending of persons illegally crossing the state border was as follows over the past four years:

Year	Illegal crossings	Readmitted by 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 evaluation of a level of filtration is based on the proportion of persons who were returned to Slovenian authorities by foreign security authorities in relation to the number of recorded illegal crossings of the border in the Republic of Slovenia.

3.3.3. *Availability and permanency of resources (human, technical)*

See point 4.4 of this report.

3.4. **Risk analysis, intelligence and data flow management**

3.4.1. *Organisation*

In the area of combating cross-border and organised crime and illegal migration, the Slovenian Police prepares and produces both statistical and descriptive analyses on these topics.

Risk analyses are prepared on the basis of instructions approved by the Director General of the Police, specifying the purpose of the analysis, the sources of information, the structure of the analysis, content of information and reporting. This is a permanent process that covers all organisational levels of Police. The time for the preparation of the analyses is determined by instruction (monthly, quarterly or according to circumstances).

Risk evaluation is thus carried out at both national and regional levels after the end of each quarter. At the national level, risk evaluation 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 levels, risk evaluation covers current trends at the relevant border section, taking into consideration the conclusions of the risk evaluation at the national level. At local level, police officers design and implement appropriate measures on the basis of these evaluations in order to prevent and detect border-related crime.

Risk analyses provide, above all, a basis for:

- decision-making and planning the work of the internal organisational units of the Police at all levels;
- proposing amendments to legislation, other regulations and internal acts;
- exchanging information or results of analyses with the prosecution and other law enforcement authorities as well as the border management authorities of other countries;
- imposing and providing expert assistance to police units;
- making decisions about changes in the border management system and operational instructions;
- and
- applying good practices to training and further educational programmes.

3.4.2. *Methods*

The following procedures are used in the preparation of risk analyses by the Border Police of Slovenia:

- collecting data from internal and external sources;
- data assessment;
- choosing the method; and
- preparation of the risk analysis.

The tactical method of analysing illegal migration flows applied by the Slovenian Police is the calculation of the percentage of filtration. This means that at local, regional and national level, the data on how many aliens have successfully crossed the state border at individual locations are monitored and compared with the number of aliens apprehended within the country and the number of aliens who have 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.

3.4.3. *Responsibilities*

The basic agency for collecting information on illegal migration is the Police. Various police departments gather information in accordance with their legal competences, while performing their regular tasks. The Police is also responsible at the national level for including, in information exchanges, information from other state agencies (as well as information obtained through other forms of international cooperation).

Risk analysis at the regional level consists of:

- assessment of statistical data based on computer databases;
- analysis of the operative information;
- monthly and periodical analyses and reports concerning illegal crossing of the state border;
- periodical analyses and reports about documents abuse at the BCP;
- quarterly, semi-annual and annual reports about the work of the Police Directorate;
- communications of the General Police Directorate about new forms and the most frequent forms of illegal crossings of the state border, use of falsified documents and other forms of cross-border crime.

RESTREINT

3.4.4. *Horizontal and vertical data flows*

The handling of police information is generally governed by the Police Act, the Act on Access to Information of a Public Character, the Public Media Act and other legal instruments. 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.

The risk analysis is based on an administrative order dated from May 2006 that defines the reporting system and the methods of data collection.

All relevant information on border control and surveillance is recorded in the police database at all levels of the organisation (state, regional, local). The Telecommunication System of the Slovenian Police connects all Police Directorates, all Police Stations and Border Crossing Points to the General Police Directorate in Ljubljana.

The broadest access is provided to criminal analysts who have an overall view of all information in the system. At national level, the crime analysis unit employs a special analyst for the field of illegal migration. In handling information relating to illegal migration, cross-border crime and organised crime, it is necessary to distinguish between general information, such as statistical data, trends and directions in illegal migration 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.

General information is to a great extent also accessible to the public and it helps to increase the public's awareness of the existence and the problem of illegal migration, as well as serving as a basis for shaping common measures of several state services in this area. In combination with risk analysis and evaluation being transferred quarterly from national to regional level, it also helps in planning measures to control the state border and detect any illegal residence in the country.

Through cooperation, the Police provides information exchange and verification at the local (cooperation with administrative units, employment offices), regional (cooperation and designing common measures with inspection services responsible for individual fields) and national levels (cooperation with other Ministries and government services, updating and presentation of problems).

3.5. Investigation and alien policing

3.5.1. Legal background

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 borders other than at a designated border crossing, or in contradiction with its intended purpose, outside its working hours or ranges;
- a natural person crossing the state border due to "force majeure", but failing to immediately notify the Police about it;
- a natural person avoiding border checks; and
- a natural person attempting to avoid border checks, or arbitrarily leaving the border crossing area before the completion of the border checks, or attempting to avoid border control in any other way.

Persons engaging in facilitating/assisting or attempting to facilitate/assist an alien to enter, travel in transit or reside in 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 1 000) shall be imposed. If the offence is committed by a legal person, a fine of SIT 500 000 to 1 000 000 (approx. EUR 2 083 to 4 167) shall be imposed on such a person and a fine of SIT 150 000 to 300 000 (approx. EUR 625 to 1 250 EUR) on the responsible person of the legal person.

Anyone engaged in unlawfully bringing aliens to the territory of the Republic of Slovenia, transporting them in the territory of Slovenia, 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 shall be fined under Article 311 of the Penal Code.

RESTREINT

An official who abuses his/her official position or rights by enabling an alien to unlawfully enter the territory of the Republic of Slovenia or unlawfully reside in Slovenian territory shall be subject to the same fine as specified in the preceding paragraph.

If, by committing the offences described in the preceding paragraph, the perpetrator obtains for himself/herself or for another person a disproportionate pecuniary advantage, procures illegal labour force, or commits such offences as a member of a criminal association, he/she shall be sentenced to between one and eight years' imprisonment and fined.

Offences relating to illegal labour are specified in the Employment and Work of Aliens Act. For such offences, fines of SIT 100 000 (approximately EUR 417) are imposed for legal persons.

A further fine of SIT 100 000 (approx. EUR 417) is imposed 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.

3.5.2. Organisation

The Ministry of the Interior plays a leading role in combating illegal immigration in Slovenia. Within the Ministry, the Police and the Internal Administrative Affairs Directorate combat illegal immigration. The Police monitor the legality of residence and, in the event of verified violations, initiate legal procedures for the removal of an alien from the country. In exercising their surveillance, the Police and the Internal Administrative Affairs Directorate, which is authorised to manage citizenship-related matters and residence permits, as well as procedures for refugees, cooperate directly and shape the measures, while ensuring the flow of the required general and specific information.

In compliance with Article 64 of the Aliens Act, at the Ministry of the Interior there is a working group of representatives of all the aforementioned services to facilitate and coordinate the elaboration of immigration-related measures.

RESTREINT

The Committee was of the opinion that in Slovenia the Criminal Police has the main role in the investigation of crime in the area of illegal migration, document misuse, smuggling of people and trafficking in human beings. The Criminal Police directs the work of police stations in the field of crime investigation.

3.6. Staff and training

3.6.1. Adequacy and level of professionalism

The total number of police employees in Slovenia is 9 680. The current number of staff dedicated to border police tasks is 2 769 police officers. It is estimated that in 2007 there will be 3 092 police officers dealing with border management. There are 916 police officers assigned to border crossing points at the external border; 89 of them are assigned to the air border.

The entire staff of the border police consists of specialised and properly trained professionals.

3.6.2. Responsibilities of the Border Guards

The tasks of the Border Police are:

- carrying out border checks at border crossing points;
- border surveillance at the "green" and "blue" borders;
- combating illegal immigration;
- readmission and admission of foreigners;
- combating cross-border crime;
- dealing with incidents at the state border; and
- international cooperation on questions of border and immigration management.

3.6.3. Selection criteria

A person may be recruited to the police if he/she:

- has finished secondary professional school or college (the fifth degree of education);
- is a citizen of the Republic of Slovenia with permanent residence in Slovenia and does not have a dual citizenship;
- is not more than 30 years of age;
- has not been sentenced with a final judgment for any intentionally committed criminal offence that has been publicly prosecuted and has not been sentenced to unconditional imprisonment for more than three months;
- has not been prosecuted for any offence as mentioned above;
- has not asserted the right of conscientious objection to military service;
- possesses a valid driving licence of category B; and
- is in adequate psycho-physical condition.

RESTREINT

The police verify adequacy of psycho-physical condition by means of a special pre-selection test, a test of physical capabilities, a medical check and a selection interview.

Through the selection interview, the following criteria are established:

- working history, education;
- how the candidate spends his/her free time;
- motivation, ambitions, interests;
- abilities and skills (communication skills, capacity for team work, special skills); and
- personal characteristics and style (responsibility, reliability, autonomy and initiative, enthusiasm for the job).

3.6.4. *Basic training*

The training of the Slovenian Police is divided into three levels: basic training (Police School), middle management (Police College) and higher management (University).

The basic training takes 18 months. At the Police School, 50 hours are dedicated to border and alien affairs, and within this the following topics are studied: history of the EU, EU bodies and law, Schengen acquis, Dublin Convention, national legislation (for instance, State Border Control Act and Foreigners Act).

After the first six months of studies at the Police School, future police officers undertake field training at the future border police station. During the second period of basic training, personnel who will perform border control tasks at the external border of the EU follow a special border-related training for 720 hours (6 months).

3.6.5. *Further continuing education*

Further education is organised at all three levels of the police organisation.

At national level, the following further training courses were conducted in the field of border matters and aliens in 2003-2005:

RESTREINT

In 2003:

- detection and prevention of document abuse at border crossings, 1 x 5 days for 19 multipliers and 1 x 1 day for 47 police officers on abuse of documents of the USA;
- detection of smuggling of stolen vehicles at border crossings, 1 x 3 days for 22 police officers,
- shift leaders at border crossing points, 2 x 3 days for 50 shift leaders;
- deportation of aliens from the country, 1 x 3 days for 20 police officers;
- surveillance of the state from helicopter, 1 x 3 days for 22 police officers; and
- the use of special equipment in state border control, 1 x 2 days for 20 police officers.

In 2004:

- detection and prevention of document abuse at border crossings, basic course 2 x 5 days for 40 multipliers and advanced course 3 x 2 days for 61 multipliers;
- detection of smuggling of stolen vehicles at border crossing points, 1 x 3 days for 23 police officers;
- shift leaders at border crossing points, 1 x 3 days for 21 shift leaders;
- deportation of aliens from the country, 1 x 3 days for 19 police officers;
- surveillance of the state from helicopter, 1 x 3 days for 23 police officers;
- knowledge of the EU acquis and the Schengen acquis, 3 x 5 days for 60 multipliers and 6 x 5 days for 179 instructors;
- recording and use of data from the national data base, 1 x 2 days for 22 police officers; and
- interviewing illegal asylum seekers, 5 x 1 day for 109 police officers.

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 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 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;

RESTREINT

- performance of border checks at border crossing points, 2 x 4 days for 57 police officers; and
- state border surveillance, 10 x 1 day for 297 police officers.

Further training of officers who carry out border check tasks has also been organised at regional and local levels. Whenever individual police directorates find the need for additional training, they organise and conduct training according to verified programmes. Training is conducted by qualified multipliers in the following fields: detection of document abuse, detection of stolen vehicles at border crossings, knowledge of the EU acquis and the Schengen acquis, and use of special equipment in state border control. Multipliers are experienced senior police officers specially trained in certain topics in order to pass on their knowledge to the personnel of their police station.

The EU Training Day in the framework of FRONTEX activities is also used for further training of the Border Police personnel.

Number of training activities at national level:

Subject	2003	2004	2005	Total
Border surveillance	-	-	297	297
Schengen acquis	-	240	51	291
Forged documents	66	101	75	242
Stolen vehicles	22	23	71	116
Shift leaders (BCP)	50	21	30	101
Border checks	-	-	57	57
Helicopter observations	22	23	10	55
Total:	160	408	591	1 159

Number of training activities at regional level

Subject	2004	2005
Schengen acquis	3590	1101
Documents	422	717
Drugs	0	605
Stolen vehicles	0	53

RESTREINT

3.6.6. *Linguistic training*

One of the selection criteria for joining the police is to have completed Secondary School. Because of this, all police officers already have 8 years' language training when they start the Police School. During basic training, police officers receive an upgrade of their language skills in professional terminology. Police officers can periodically attend language courses.

Almost all police officers speak the Serbo-Croatian language. Besides this, the most widely spoken languages are English, German and Italian.

3.6.7. *Specialised document checking training*

A basic training in checking travel documents is provided to the Border Police Officers during the six months' practical training that the officers follow after graduating from the basic training.

At regional and local level, there are training programmes on the detection and prevention of document abuse at border crossing points. For this purpose too, multipliers are used.

3.6.8. *Specialised training for different managerial levels*

In order to be promoted to middle management level, a police officer has to follow training at the Police College. Police officers applying to the Police College should have at least four years' experience at work, obtain a positive written evaluation from their superiors and conclude a contract on education with the employer. The course is intended for the training of senior police officers in leadership and management (police chiefs). The training is based on a publicly valid programme of professional college education and lasts for two years. During the first year, there are 60 compulsory lessons on border and alien matters. In the second year, border and alien matters is an optional subject for those who will continue to work in the field of border police (156 lessons).

High-ranking officers have to have a University degree.

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

3.7.1. *Administrative structures and coordination*

The Republic of Slovenia has signed readmission Agreements with 8 Schengen States (Austria, Belgium, Luxembourg, the Netherlands, Denmark, France, Greece and Italy), 7 other Member States of the EU (the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland and Slovakia) and 7 third countries (Bulgaria, Croatia, Canada, FYROM, Romania, Switzerland and Serbia and Montenegro).

An agreement with Bosnia and Herzegovina is currently being negotiated.²

3.7.2. *Removal and readmission of persons who are not admitted or who are found illegally present (identification, detention, issue of documents, escort, financing)*

Pursuant to Article 50 of the Aliens Act, a total of 8 741 aliens were removed from the Republic of Slovenia in the period 2001-2005, in addition to the aliens who were readmitted to neighbouring countries to their countries of origin on the basis of various agreements.

Since 2000, the Slovenian authorities have removed the following numbers of aliens to the following countries under readmission agreements:

- in 2000, 5 741 persons, of whom 4 413 to Croatia, 1247 to Hungary, 74 to Italy and 7 to Austria;
- in 2001, 5 851 persons, of whom 4 874 to Croatia, 873 to Hungary, 97 to Italy, 5 to Austria and 2 to other states;
- in 2002, 2 372 persons, of whom 2 208 to Croatia, 81 to Hungary, 80 to Italy, and 3 to Austria;
- in 2003, 2 162 persons, of whom 1 930 to Croatia, 112 to Italy, 109 to Hungary, 7 to Austria and 4 to other states;
- in 2004, 1 713 persons, of whom 1 552 to Croatia, 103 to Hungary, 48 to Italy, 9 to Austria and 1 to another state;
- in 2005 2 024 persons, of whom 1 944 to Croatia, 33 to Italy, 40 to Hungary, 3 to Austria and 4 to other states.

² SI: The Agreement with Bosnia and Herzegovina was initialled in July 2006

RESTREINT

Aliens removed at land, air and sea borders:

	2001	2002	2003	2004	2005
Total readmitted	5 851	2 372	2 162	1 713	2 024
Total removed	3 102	2 139	1 326	1 000	1 174
Removed - land border	1 627	929	894	669	616
Removed – airports	1 472	1 210	427	326	557
Removed – ports	3	0	5	5	1
Total readmitted and removed	8 953	4 511	3 488	2 713	3 198

Top 5 nationalities of aliens removed via airports:

Year	Nationalities
2003	SMN (196), Turkey (58), Albania (42), Moldova (32) and FYROM (21)
2004	SMN (144), Albania (103), Turkey (32), BIH (15) and FYROM (6)
2005	SMN (220), Albania (89), Moldova (83), Turkey (81) and FYROM (14)

The Committee noted that the level of readmissions and removals of aliens during the last three years has remained almost the same. Removal via airports increased in 2005 by about 70 % compared to 2004. Aliens have been readmitted mainly to neighbouring countries, the greatest number of these to Croatia. There have been no changes in the top 5 nationalities of the aliens removed via airports.

3.7.3. Means deployed to combat illegal immigration networks

Although there is no general agreement on cooperation between the competent authorities within the country involved in combating illegal immigration, the parliament has adopted a Resolution on migration policies which obliges all ministries concerned to cooperate in this field. The Ministry of the Interior cooperates with other bodies and services by directing and coordinating their work. In the Ministry of the Interior, a special working group has been established to ensure uniform and organised cooperation and coordination.

The Committee is of the opinion that the Criminal Police and the border police structure has the main role in combating illegal immigration networks in Slovenia.

RESTREINT

3.7.4. *Implementation of carriers liability*

Article 24 of the Aliens Act stipulates that a carrier may bring an alien to the state border or to the territory of the Republic of Slovenia by land, air or water only on condition that the alien is in possession of an appropriate document and entry permit, if such is required from him/her as a citizen of a particular country. The carrier is obliged to verify, for every alien brought to the state border, whether he/she is in possession of the appropriate document and an entry permit.

Article 2 of the abovementioned Act defines as a carrier a natural or legal person professionally engaged in the transportation of passengers by air, sea or land.

Therefore, according to Article 95 of the Aliens Act, a legal entity or individual entrepreneur that brings an alien to the state border or to the territory of the Republic of Slovenia by land, air or water without an appropriate document or entry permit, if such a permit is required from the alien as the citizen of a particular country (Article 24(1)), shall be liable to a fine of between SIT 850 000 (EUR 3 547) and 1 500 000 (EUR 6 259) for each alien brought in this manner.

In 2002, fines were imposed on 6 carriers, in 2003 on 74 carriers, in 2004 on 66 carriers and in 2005 on 47 carriers.

3.8. **Comments and recommendations of the Evaluation Committee:**

The experts were appreciative of the following facts:

- The border management strategy of the Republic of Slovenia, described at national level in the Police Border Management Strategy, is based on the integrated border security model. Corresponding national legislation seems to conform to the Schengen Acquis and to provide the necessary legislative basis for border management.
- Several elements of the border security system meet the recommendations of the Schengen Catalogue, such as streamlined and functional ministerial competences for border management, the method performing risk analysis and managing data-flow, planning on the basis of the risk assessment, cooperation with the law enforcement agencies of neighbouring states and allocation of an adequate technical equipment at the BCPs.

RESTREINT

- The professionalism of the Border Police personnel and positive attitude towards duties and threats to be tackled.
- The personnel of the Border Police (from high-ranking officers to lower employees) are well trained in different languages. The Committee would particularly draw attention to the high level of English language skills.
- The Committee regards the system of basic training as well organised and efficient.

4. LJUBLJANA INTERNATIONAL AIRPORT

4.1. General information

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

Ljubljana International Airport, situated about 25 km from the city of Ljubljana, is the central airport of Slovenia. The airport is used for international passenger traffic, general aviation and cargo traffic. The experts were told that there is no need for domestic passenger flights in Slovenia. The Ljubljana airport is managed by Ljubljana Aerodrom, a joint-stock company.

There are 13 parking positions at the main apron and additional parking places for general aviation. The current passenger terminal T-1 has a capacity of 350 pax per hour.

The annual number of passengers for 2005 was 1 352 413, an increase compared to 2004 of about 15%. Of these, 81% of passengers were on scheduled flights. There were 641 443 non-Schengen passengers in 2005 (53 % of the total passenger flow). The main non-Schengen destinations in 2005 were Istanbul, London Stansted, Pristina, London Gatwick and Skopje. The other non-Schengen destinations were Belgrade, Moscow, Ohrid, Podgorica, Sarajevo, Split, Tel Aviv and Tirana. Ljubljana Airport has an important role in the arranging of regional aviation connections. In 2005 about 75% of flights were performed by domestic carriers but the number of flights by foreign carriers has steadily increased.

Over the coming years, annual growth of traffic is expected to be about 6% per year. The strategic goal of Ljubljana Airport is to have about 2 million passengers per year by 2015 and to become a regional hub. In this context, the adaptation and reconstruction of air borders infrastructure will be carried out in two phases.

RESTREINT

During the first phase (2006-2007), the enlargement of the terminal building and the adaptation of the existing passenger terminal to separate passengers on Schengen and non-Schengen flights will be completed. The total area of the terminal will be 13 000 m². There will be 7 departure gates for Schengen and 6 for non-Schengen flights. According to the information presented, reconstruction work will start on 13.6.2006 and should be finished by 15.5.2007. The new premises should be operational from 29.06.2007.

In the second phase, the building of the new passenger terminal T-2, with a capacity of 2,5 million passengers per year (1 700 pax/hour), will be finished in 2010.

Border security related duties at Ljubljana Airport are carried out by the Airport Police Station of Brnik, which belongs to the Police Directorate of Kranj. There are 72 posts (69 police officers and three other employees) at the Airport Police Station.

The Police Station is directed by the Police Commander. The unit leadership also includes 4 assistant commanders, one of whom is responsible for border checks.

Pursuant to the Systematisation Act, police officer posts in this unit are divided into the following three groups: one for border checks, one for security tasks and another for general police tasks.

The border check group has 6 shift leaders. In addition to the shift leaders, the group comprises 4 senior police officers and 12 control police officers.

In case of operational need or increased passenger traffic in arrivals or departures, the officer in charge is responsible for reassigning controllers between specific check points or control booths where the need arises for an additional passenger queue.

The border check group carries out minimal and thorough border checks and control of persons entering and moving in the area of the border crossing point and processes criminal offences and misdemeanours in connection with crossing the state border.

RESTREINT

The security task group consists of 27 police officers and is responsible for air traffic security, performs security checks on departing persons and hand baggage, carries out surveillance on persons entering and moving in the secured area and performs counter-explosives checks of buildings, objects and vehicles.

The general police task group consists of 15 police officers and carries out preventive work and community-oriented police work at the airport, maintains public security and secures public gatherings, protects life and property of persons, processes criminal offences and misdemeanours, and performs road traffic surveillance and management.

The experts were told that crime investigators participate in carrying out border checks, especially in detailed checks, and offer expert help to police officers in control booths.

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

Inter-agency cooperation at the airport is organised with the Customs service, the Airport Council for Civil Aviation Security, the Security Commission, the Security Operational Centre (SOC), the Airport Traffic Control (ATC), the Airport Security Service, the air carriers and with the other airport services and employees.

Police and Customs cooperation at the border crossing point is based on the Agreement on Mutual Cooperation between Police and Customs, and is oriented towards ensuring efficient performance of border and customs checks, prevention, detection and investigation of criminal acts and misdemeanours that fall within the competence of both services (frauds, falsification of documents, illegal arms trafficking, explosives, weapons of mass destruction, dual-use goods, dangerous waste, contraband goods, illicit drugs trafficking, corruption and illegal crossings of the state border).

Cooperation with Customs exists at all levels.

RESTREINT

Cooperation in the framework of the Airport Council for Civil Aviation Security and the Security Commission of the Airport consists of preparation of measures for harmonised work on the part of the various companies, services, agencies and other organisations that prepare and carry out security tasks. The Security Commission of the Airport is directed by the Airport Police Station Commander.

Cooperation with the Security Operational Centre is organised with a view to its tasks:

- SOC is responsible for the technical security of the airport and maintains the CCTV system, consisting of 154 cameras;
- SOC directs security services; and
- SOC notifies other security bodies at the airport on security-related occurrences and events.

Connection with SOC makes it possible to carry out technical surveillance of the movement of persons in the area of the border crossing point, as the subcentre of the CCTV system is installed at the duty officer's working post at the police station.

In the framework of international cooperation, direct cooperation is organised with the Police at Munich Airport (Bundespolizei). Necessary information exchange with neighbouring countries was organised via Focal Point Offices at the BCP Obrežje and Gruškovje. Information exchange with the German contact service in Freillassing is operated via BCP Karavanke. In addition, the Police Cooperation Centre Vrata Megvarje – Thörl Maglern can be used for information exchange with the countries participating in the work of the Centre. The Airport Police Station has been designated as a national point of contact for the Air Borders Centre in Rome. Where necessary, contacts with Liaison Officers can be used for purposes of border control.

The Committee noted that there are no direct contacts with the border control services at destination airports apart from Munich Airport.

4.1.3. Risk analysis and intelligence functions

Risk analysis is based on a brand new administrative order (5/2006) which defines the reporting system and the methods of data collection at all levels of the organisation. Reports at regional and national levels cover all types of crime (not only cross-border crime). The Police Directorate collects information from all reasonable sources. The information is delivered via a data network to all relevant clients (horizontally and vertically). The system of reporting and analysing the situation is clearly structured and the information is also available via intranet.

Risk analysis at the level of the ABPS (Alien and Border Police Service) consists of:

- analyses of statistics based on computer data bases;
- analyses of the operative information obtained as a result of the operative actions;
- periodical analyses concerning falsified and forged documents at border crossing-points;
- periodical analyses concerning refusals of entry; and
- periodical analyses concerning visas issued.

Some examples of risk analysis reports were presented to the Committee. Profiling seems to be known in theory but some border police officers seemed not yet to be fully aware of the current risk indicators.

4.2. Infrastructure and equipment

4.2.1. Signposting

The Committee found signposting to comply with Council Decision 2004/581/EC on the minimum indications on signs at external border crossing points and with Annex III of the Schengen Borders Code. Signs are placed on the front windows of the booths and can be changed from the inside only.

4.2.2. Separation of flows

Currently, arrivals and departures are separated by low walls not more than 2,5m in height. The current separation does not comply with Schengen criteria, either in the building or in the area of the booths. At the three most used aprons, passengers walk between the aircraft and the terminal.

RESTREINT

During the walk, passengers are supervised by two persons from the handling agent and by one armed police officer. The apron is under CCTV surveillance. At the moment of the arrival of the Committee, several office or technical doors of the terminal were open.

The Committee was told that a total Schengen/non-Schengen separation of all arriving and departing passengers is envisaged. Construction of the extension of the current terminal which will allow for this separation has not yet started, but it is planned for completion by June 2007. The plans were shown to the Committee, but no precise information was provided on the envisaged type of separation walls between the future Schengen and non-Schengen areas.

After completion of the extension works, Schengen passengers will arrive either by buses or by two bridges. Passengers will have to go downstairs from the bridges and will be transported to the terminal by bus. The same system is planned for arriving non-Schengen passengers. After getting off the bus, they will proceed to the border check. Behind the border check is the baggage reclaim area, used for the baggage of both Schengen and non-Schengen passengers.

Departing Schengen passengers will use the current departures if they depart through bus gates. If they depart through finger gates, they have to proceed one floor up to the gates. Departing non-Schengen passengers will be channelled directly to the first floor where the border check will be performed. They will depart either from the first floor departure fingers or from the ground floor bus gates.

Schengen-to-non-Schengen transit passengers will be directed to the first floor control booths after entering the building. Non-Schengen-to-Schengen passengers are checked at the non-Schengen border booths and will be channelled to the ground floor or first floor Schengen areas.

Non-Schengen-to-non-Schengen passengers will be led immediately after entering the terminal to the first floor non-Schengen departure area without passing any border checks.

The Committee was told that no flexible gates are planned for the first extension phase. The finger gates are intended for departures only. For departing passengers the finger gates are strictly separated; two gates are established for Schengen traffic and two gates for non-Schengen traffic.

RESTREINT

The finger gates are not used for arrivals. Therefore aircraft can use all fingers whether they are coming from Schengen or non-Schengen destinations. All passenger flows between the planes and the terminal will be organised either by bridges or by buses.

Crews and general aviation are currently channelled in the same way as normal passengers. For crews, this will not change with the extension. A general aviation hangar is under construction and it is planned to check all general aviation crews and passengers there. No separation of passengers is planned. The airport handles approximately 6 000 general aviation persons, corresponding to 10 000 movements. The Committee was informed that separation would be ensured by means of organisational measures.

4.2.3. *Lanes for checks*

Separate lanes are being used for border checks of EU, EEA and CH citizens and of passengers in possession of other passports.

Currently, passengers queue at arrivals in front of the booths immediately after entering the building. After the extension of the building, this situation will remain in place for arriving non-Schengen passengers. The queuing space is sufficient and the booths have a frontal view of the passengers.

At departures, the lanes in front of the booths are very small and not appropriate. With the construction, this situation will change; exiting border checks will take place on the first floor of the building extension.

4.2.4. *Control facilities*

At the first line there are currently four booths at arrivals (after Schengen accession one will disappear) three at departures (only two are in use) and one in the transit area for occasional checks of passengers with airport transit visas. The experts noted that the doors of the booths cannot be locked. There is no way to close the space between the booths when no border check is in progress. The Committee was informed that a permanent police presence is provided at the booth. The film on the glass windows of the booth makes it possible to look inside. Above the booth the space to the ceiling is open. No separation exists. Booths at arrivals and departures have a frontal view of the passengers.

RESTREINT

Booths are under CCTV surveillance and records are stored for approximately 40 days.

A second-line office consisting of two rooms is adjacent to the first line at arrivals. It has a side view of the booths and the passengers. After Schengen accession, this second-line office will remain in place, as the hall will be used for non-Schengen arrivals. A small second-line office is adjacent to the first line at departures. It is only used occasionally and mostly locked.

The Committee was told that a second-line office would be installed on the second floor of the extended building next to the non-Schengen departures.

An office of the border police (a resting room) is located next to the area for screening departure passengers and has a mirrored glass window allowing profiling.

4.2.5. Equipment: first line, second line, mobile

For the border checks at the first line, the booths were equipped with laptop computers in combination with optical passport readers, handheld magnifying glasses and Regula sets, UV and regular light devices. Two booths were equipped with the document examination set Dönges. For stamping travel documents, 18 entry and 15 exit stamps were used.

At the second line, there was a PC with a visa printer and two VSC 4 document examination devices (one in each second line office). In one of the second-line offices there were additionally a stereomicroscope, a printer and a digital photo camera.

One of the booths at departures was not equipped with the computer and other technical control devices.

The experts found the equipment at the first and second line in conformity with the Schengen Catalogue and the Council Recommendation of 28 May 1998 on the provision of forgery detection equipment at ports of entry to the European Union.

RESTREINT

4.2.6. *Communication*

There is a telephone in each booth for communicating with the second line. All booths at the first and second line were connected to the police information and communications network.

4.2.7. *Access control/fencing*

The airport is completely fenced around. The Police monitor the perimeter together with a private security company. There are 154 cameras used for the control of the territory of the airport.

4.2.8. *Detention/readmission premises*

Persons refused entry and waiting for a few hours stay in the departure area under surveillance. There is an international location for refused aliens, with two levels, one room for men (12 persons) and one for women and children (12 persons), bathroom, living room, space outside, within the airport perimeter. Persons can be kept there for up to 48 hours. The police are present only when aliens are being kept at the premise. After 48 hours, aliens are moved inside the country to foreigners' centres.

4.2.9. *Storage of blank visa*

Blank visa stickers are kept in a locked safe at the second-line office at the arrival line in the shift leader's room.

4.3. **Controls and procedures**

4.3.1. *Traffic handling / traffic modes*

All passengers, crews and persons using general aviation are transported to and from the aircraft by bus, or walk to the entry of the terminal under the surveillance of the border police officers, where they are submitted to border checks.

In the future, general aviation will be checked in a separate hangar. The Committee had the impression that there is not yet a concept established for the general aviation checks.

Border police have access to the "Intermoni" database of the airport authority indicating which type of flight (commercial, cargo, general aviation, etc.) is arriving or departing.

RESTREINT

No special national rules exist for checks on gliders, helicopters, etc. There are no exceptions in the State Border Control Act. Slovenia opted not to define any exceptions in this area.

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

EU citizens are submitted to a minimum check, while third-country nationals are submitted to thorough checks. The Committee noted that police officers asked third-country nationals the purpose and duration of their stay and requested documents (invitation, hotel booking and return ticket). However, no questions were asked as to sufficient means of subsistence. All third-country nationals were checked against national databases, either via the data included in the machine-readable zone or via manual introduction of these data.

If need be, thorough checks on EU nationals and additional thorough checks on third-country nationals are carried out in the second-line office, which is located next to the control booths.

All passports of third-country nationals were stamped. The experts noticed that one border police officer affixed the entry stamp not on the visa but on the page facing the one on which visa was affixed, despite the available space on the page on which the visa was affixed.³

Stamps are distributed by the shift leader, and each border police officer has to sign for receipt and delivery of the stamps. The distribution of the stamps is also registered in the internal database, which also indicates when the security needs to be changed. The shift leader keeps the registration book for the stamps. The registration book is stored for five years.

The numerical security codes for uniform entry/exit stamps are changed once a month. The police notify border crossings and police directorates of this by means of dispatch notifications marked with a certain confidentiality level. Numerical security codes are determined by the Border Police Section of the Uniformed Police Directorate.

³ SI: The national instructions on stamping are in accordance with Schengen acquis.

RESTREINT

A police officer can verify the security codes in the police records by logging into the police information system with a user name and password.

Slovenia has implemented Directive 2004/82/EC and receives passenger lists from carriers on request.

4.3.3. *Utilisation of registers*

The Border Police databases MISK and LISK and the Fonetical Index are used for carrying out thorough border checks at the first and second line. During border checks, several police databases and registers, including a register on citizenship, a register of foreign residents, a database of passports and ID cards, the authentic document database of the Slovenian Police and the German database of authentic documents Dokis, can be accessed.

4.3.4. *Utilisation of the Common Manual*

A copy of the Common Manual was available in the booths; it was also available on the intranet.

4.3.5. *Processing of refusals and asylum applications*

The border police officer in the first line is responsible for the refusal decision. He stamps the passport, crosses the entry stamp and adds the letter indicating the reason for refusals. He is also responsible for filling in the refusal form, which is then applied in the second line.

Persons to whom entry is refused can stay for six hours in the departure hall. If there is no return flight within these six hours, the person remains in a detention area for a maximum of a further 48 hours. If the person cannot be returned within that period, he is brought to a foreigners' centre (three months plus another three months as the maximum detention period). The Slovenian authorities reported that to date all persons have been returned within these time periods.

The person has the right to appeal against the refusal decision; this appeal has no suspensive effect.

Numbers of refusals:

2003	140
2004	200
2005	164

RESTREINT

Top five nationalities:

2003: Serbia and Montenegro, Turkey, Macedonia, Ukraine, Albania,

2004: Serbia and Montenegro, Turkey, Macedonia, Ukraine, Albania,

2005: Serbia and Montenegro, Turkey, Albania, Macedonia, Ukraine,

On reasons for refusal, see point 3.1.3 of this report.

No asylum applications have been submitted at the Border Crossing Point over the past ten years.

However, the Committee noted that the border police officers were well aware of the provisions to be followed if a person applies for asylum.

4.3.6. Issuance of visas

The Committee was told that visas are issued only in emergency cases and for seamen in transit.

The visa is issued by the shift leader. All six shift officers have a personal envelope containing visa stickers. They are stored in a locked safe. The issuing of visas is registered in a special journal as well as in the internal database.

	Entry visa	Transit visa	total
2003	306	329	635
2004	169	361	530
2005	127	583	710

Top five nationalities:

2003: Ukraine, Serbia and Montenegro, India, Albania, the Philippines,

2004: Ukraine, the Philippines, India, Albania, Bosnia and Herzegovina,

2005: Ukraine, Russia, Turkey, Serbia and Montenegro, Burma.

4.3.7. Second-line activities

Second-line activities consist of thorough checks on EU citizens and third country nationals, second-line document verification, processing of refusals of entry and issuing of visas.

The shift leader in the second line has a good overview of the queuing passengers from entry into the terminal until the border check is carried out.

RESTREINT

4.4. Border surveillance

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

Security patrols at the airport are carried out by the Police and also by the Airport Security Service. At the moment the Police carry out the security checks, but from September 2006 they will be performed by the Airport Security Service.

There are 154 cameras at the airport. The images recorded by these cameras are stored for 10 to 14 days and are available to the Police. The cameras are operated by the Security Operational Centre (SOC) of the airport. The SOC also stores the footage. The cameras also monitor the fence and the apron.

The movement of passengers from aircraft to airport premises is observed by a representative of the operator and a police officer is present for the surveillance.

4.4.2. *Reaction capability (ability to encounter incidents – routine situations and situations posing an intensified threat)*

There is a Special Police Unit (SWAT) located in Ljubljana, ready to react within 20 minutes in the event of grave emergencies.

4.5. Staff and training

4.5.1. *Adequacy and the level of professionalism*

The Airport Police Station of Brnik has 69 police officers responsible for border police tasks. Of these, 22 specially trained border police officers are involved in border control. On 1 January 2007, the number of border police officers designated for border control will be increased to 39, and the number of officers of the Group for Security Tasks will be decreased to 10. Of these police officers, 61 are male and 8 are female.

The Committee found that the border police officers worked to a good level of professionalism.

RESTREINT

4.5.2. Basic training

The basic training consists of:

- basic training of police officers for border checks;
- basic training of shift leaders;
- detection of falsified and counterfeit documents (PROGLIS I in II);
- training in the area of prevention of smuggling of illicit drugs;
- training according to the Training Catalogue of GPD and PD; and
- foreign language training.

4.5.3. Further continuing education

Officers can follow training according to the Training Catalogue of the General Police Directorate and the Police Directorate of Kranj and language training.

4.5.4. Linguistic skills and training

The committee found that the border guards at the Brnik BCP have good language skills, especially in Serbo-Croatian and English. All police officers speak Serbo-Croatian and 90 % of them speak English.

Language	Level of knowledge			Total number
	basic	intermediate	advanced	
Serbo-Croatian	19	32	18	<u>69</u>
<u>English</u>	<u>31</u>	<u>25</u>	<u>7</u>	<u>63</u>
<u>German</u>	<u>3</u>	<u>1</u>	<u>=</u>	<u>4</u>
<u>Italian</u>	<u>=</u>	<u>1</u>	<u>=</u>	<u>1</u>
<u>French</u>	<u>2</u>	<u>=</u>	<u>=</u>	<u>2</u>
<u>Russian</u>	<u>1</u>	<u>=</u>	<u>=</u>	<u>1</u>

4.5.5. Specialised document checking skills and training

Every officer has to follow a document training courses (Proglis I and II) once every six months. Police officers receive additional training in working with special equipment and are certified in accordance with the instructions issued by the equipment manufacturer.

RESTREINT

Number of counterfeited documents discovered at the ABPS Ljubljana:

	Total	2003	2004	2005
Albania	10	5	5	0
Serbia and Montenegro	16	3	6	7
China	7	0	0	7
Nigeria	2	0	0	2
Tunisia	2	0	0	2
Turkey	2	0	0	2
Venezuela	2	0	0	2
Other	4	2	0	2
Total	45	10	11	24

Type of forgery

	Total	2003	2004	2005
Complete forgery	33	6	7	20
Changed page	1	1	0	0
Changed photo	5	3	1	1
Counterfeited stamp	1	0	0	1
Text erased	1	0	1	0
Text corrected	4	0	2	2
Total	45	10	11	24

4.5.6. Availability and permanency of staff

There is a permanent police presence at the airport, 24 hours a day. The unit leadership works in the morning and afternoon hours depending on the nature of the operational matter and the passenger traffic situation.

The border check group has six shift leaders. These work in 12-hour shifts, ensuring a 24-hour presence at the border crossing. In addition to the shift leaders, the group consists of four senior police officers and 12 control police officers who work in two shifts (morning and afternoon).

The duration of the shifts depends on the amount of traffic at the airport. Border police officers carrying out border checks are on duty only during the hours the airport is open (from 06.30 a.m. to 10.00 p.m.).

In the current situation, during one shift there are five officers in the first line and two in the second line (one shift leader and one crime investigator).

RESTREINT

The majority of police officers are at work during airport working hours. If the need arises at Ljubljana Airport, aircraft can also land outside the stated working hours (the so-called air carrier request), in which case the presence of police officers at the border crossing point is adapted to the special circumstances.

The experts found that every first-line border police officer performs more than 40 000 border checks of non-Schengen passengers per year and the number of personnel for border checks was assessed as not sufficient to perform high-quality checks.

4.6. Readmission, expulsion and illegal immigration, carriers' liability

4.6.1. *Removal and readmission of persons who are not admitted or who are found illegally present (identification, detention, issue of documents, escort, financing)*

Reference to the removal and readmission of persons who are not admitted or who are found illegally present in the Republic of Slovenia via Ljubljana Airport is made in point 3.7. All persons removed at air borders have been removed via Ljubljana Airport.

4.6.2. *Means deployed to combat illegal immigration networks*

Means have been deployed at the national and regional level to combat illegal immigration networks. In case of need, investigators from the group for general police tasks of the APS can be involved.

4.6.3. *Sanctions imposed on carriers*

In 2005, sanctions were imposed on carriers in 47 cases. The number of sanctions imposed has decreased compared to 2004 by about 30 % and compared to 2003 by about 37%.

Number of cases of fines imposed on carriers

2003	74
2004	66
2005	47

RESTREINT

4.7. Comments and recommendations of the Evaluation Committee:

The experts were appreciative of the following facts:

- The personnel of the BPS seemed to be motivated and to have good knowledge of procedures. The Committee highlights the professional attitude of personnel to interviewing (interrogating) the passengers.
- Access to a full range of databases.
- Taking into account the size of the airport and the number of persons refused entry the committee appreciated the existence and the infrastructure of the international location for refused aliens.
- The location of the main second-line office, which is situated next to the first line and allows queuing passengers to be viewed.

The experts took particular note of the following items:

- The Committee was shown plans of the extension of the current building. The plans envisage a separation of passenger flows. It should be noted that no indications were given to the Committee as to the type of vertical separation planned, the type of booths or the planned signposting. It should be ensured that the new infrastructure fully respects the recommendations of the Schengen Catalogue - External borders control, Removal and readmission.
- The Committee recommends that locks be installed on the current booths. It should be possible to close the space between the booths, and the protection film on the glass walls of the current booths should be mounted in such a way as to protect the information on the screen of the computer used for the border checks.
- The speed of network connection should be increased, considering the rise in the data flow after full accession to Schengen (SIS, VIS, FADO).
- The Committee calls attention to the rules of the Common Manual on affixing entry stamps on visas in the passports of third-country nationals.⁴

⁴ See footnote 3.

RESTREINT

The experts consider that there is room for improvement on the following points:

- The Committee invites the Slovenian authorities to reconsider the absence of the concept of separation of passenger flows in the general aviation hangar to be constructed. This concept should take into account the number of movements and passengers, as well as the general size of the airport and the overall amount of flights handled.
- The Committee is of the opinion that the number of border police personnel used for border checks at the APS Brnik does not correspond to the numbers and character of current as well as future passengers flows and destinations and it invites the responsible authorities of the Slovenian Police to assess whether the number of staff deployed to carry out border checks at Ljubljana International Airport is fully in line with Schengen standards.

5. PORTOROŽ INTERNATIONAL AIRPORT

5.1. General information

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

Portorož Airport is an international airport, as there is no difference between airports and aerodromes in Slovenia in national law. As regards number of operations, the airport is in third place in Slovenia and it is currently used only for general aviation traffic. It is capable of receiving general aviation traffic and regional aircraft with up to 50 passengers.

The airport is situated on the edge of the Sečovlje salt-pans, located six kilometres from city of Portorož. The runway is 1 200 metres long and 30 metres wide and is equipped with night flight facilities. The airport is operated by the airport administration. The airport is open from 8 a.m. to 8 p.m. in summer time and from 8 a.m. to 4 p.m. in winter time. With prior notice, air traffic is also possible outside these times.

RESTREINT

The number of passengers has decreased from 15 155 persons in 2003 to 11 937 in 2004 and 10 800 in 2005. Ninety-five percent of flights are from/to Schengen countries (Austria, Germany, Italy). The main non-Schengen destinations are in Switzerland. Only 1% of flights and passengers were from a third country - Croatia in 2005 (54 persons on entry and 54 on exit). The percentage of Slovenian nationals among passengers was only 8%. In 2005, 3 877 aircraft landed at the airport. The number of flights decreased by about 7% compared to 2004. The number of flights per month depends on the season. In 2005, 74 % of the flights were made during the five summer months from May to September.

The owners of the airport are interested in beginning regular charter flights, and certain airports in Italy and Netherlands have been envisaged as the first destinations. If air traffic increases the airport administration sees a need for enlargement of the passenger terminal.

Border controls at the border crossing point at the Portorož International Airport are carried out by the personnel of the Sečovlje Border Police Station (BPS), located in the airport building. In addition to the Airport BCP, the personnel of BPS Sečovlje are used to man two other BCPs. The number of personnel at BPS Sečovlje is 63 persons. The BPS is a part of the structure of the Police Directorate of Koper.

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

At regional level, inter-agency cooperation is organised with Customs and with the airport authorities. Cooperation with the airport authorities is carried out in the interest of border control and for the coordination of activities related to civil aviation security.

There is international cooperation with the Border Police Department of the Istrian Police Directorate (Pula, Croatia) and with the Border Police Department of Trieste (Italy).

At local level, BPS Sečovlje cooperates with the law enforcement authorities of the Republic of Croatia via BCP Sečovlje, with the law enforcement authorities of the Italian Republic via BCP Škofije and with the law enforcement authorities of the Republic of Austria via BCP Karavanke.

RESTREINT

In the framework of FRONTEX operational cooperation, two Focal Points Offices have been set up in BCP Obrežje and BCP Gruškovje.

There is no international cooperation at the level of the BCP at Portorož International Airport.

5.1.3. Risk analysis and intelligence functions

The Division for the State Border and Foreigners in the regional Directorate performs risk analysis at regional level.

Risk analysis at regional level is based on analysis of statistical data from computer databases, operative information, periodical analyses provided by the General Police Directorate or prepared by the regional units and communications of the General Police Directorate on new and most frequent forms of illegal crossings of the state border, use of falsified documents and other forms of cross-border crime.

Risk analysis at local level is based on:

- statistical data from computer databases,
- operative information,
- periodical analyses concerning falsified and forged documents at border crossing points,
- periodical analyses of criminal offences at border crossing points,
- information on customs services.

The risk analysis is carried out by an assistant of the station commander, as one of his several tasks.

Illegal immigration from the territory of Croatia is identified as the main threat in the area of border management. Transit of illegal migrants via Slovenia is fostered by the small distance between the borders of Croatia and Italy over the territory of Slovenia.

In 2005, 1 193 illegal migrants, mainly nationals of Serbia and Montenegro, Moldova and Albania, were detained at the territory of the Police Directorate of Koper. During the first five months of 2006, the number of illegal immigrants detained was 368, and it has decreased about 30% compared to the same period in 2005. The main nationals in 2006 have been the Serbians and Albanians, with much fewer Moldavians.

RESTREINT

5.2. Infrastructure and equipment

5.2.1. Signposting

EU pictograms are used in conformity with the rules. Signs are placed on the front windows of the booths and can be changed from the inside only. During the experts' visit to the airport, all booths bore a sign saying "All passports".

5.2.2. Separation of flows

Given the small number of passengers at ABCP Portorož, the separation of Schengen and non-Schengen passengers is ensured by organisational provisions. Currently there is a physical separation only of departing and arriving international passengers. Domestic passengers arrive at and depart from separate domestic gates. Passengers are accompanied by airport administration staff between the aircraft and the terminal. Additional airport staff are present during the peak summer season. No passenger buses are used within the airport perimeter.

The Committee was informed that there is no mixing of Schengen and non-Schengen passengers, due to the low number of passengers and thanks to the organisational measures in place.

Because of the current frequency and structure of the air traffic and the small number of passengers at ABCP Portorož, separation of passengers on Schengen and non-Schengen flights is ensured by organisational measures. Passengers movements are systematically controlled and monitored. Cooperation with airport personnel provides information on arrivals and departures of aircraft.

5.2.3. Lanes for checks

At arrivals, the booth is situated directly at the entrance of the terminal. This does not allow passengers to queue properly, nor does it permit a front view of the line. However, as the first-line office is located next to the terminal airside glass wall it has a direct view of the apron and the airfield.

At departures, there is one lane just after hand baggage screening. The booth has a front view of the lane. The first-line departure booth has a full view of the departure area.

RESTREINT

5.2.4. *Control facilities*

There is one control booth at arrivals and one at departures, both spacious. The booth at arrivals is wide open. The booth has no door and there is no way to close the space between the booth and the wall. Since the booth has no door, it is possible to see the screen of the computer used for border checks.

The booth at departures can be closed only by an old-fashioned key. Looking into the booth is prevented by a film which impedes any view of the screen. Both first-line booths are under CCTV surveillance.

The second-line office is located next to the office of the shift leader in the administrative part of the building.

5.2.5. *Equipment: first line, second line, mobile*

At the first line, a lap top computer in combination with optical passport reader, a document examination set, a handheld magnifying glass, a UV and regular light device are used. There are four entry and three exit stamps at the border crossing point.

For the second-line control, a document examination device VSC 4CX with a printer, a digital photo camera, a visa printer and a PC with network connection are also used.

The experts found the equipment at the first and second lines to be in conformity with the Schengen Catalogue and the Council Recommendation of 28 May 1998 on the provision of forgery detection equipment at ports of entry to the European Union.

5.2.6. *Communication*

Telephone and VHF radio transmitters are used for communication. A VHF radio network provides communication with the Border Police Station and with the regional directorate. The border crossing point is connected to the computer network, and the police intranet is available. The experts noted that the speed of data transfer is slow due to the low speed of the network.

RESTREINT

5.2.7. *Transportation and mobility*

Necessary means of transportation are available to provide mobility to the police patrols.

5.2.8. *Access control/fencing*

The area is fenced in on its North, East and West sides. On the South side, there is a natural barrier, the channel used for salt production. The perimeter is monitored by the police (during airport operational hours and a private security company. The CCTV system is used for observing the apron and some parts of the fence.

5.2.9. *Detention / readmission premises*

There are no detention facilities at the airport.

5.2.10. *Storage of blank visa*

Blank visas are stored in a small locked box in a safe in the shift leaders office. Issuing of visa stickers is registered in a special journal.

5.3. **Controls and procedures**

5.3.1. *Traffic handling/traffic modes*

Information about the arrival or departure of the plane is provided to the BCP at least 15 minutes before arrival or departure. On arrival, air traffic control informs the shift leader, who in turn informs the border police officer at the first line of the arrival. For departing passengers, the shift leader receives the information from the receptionist. The Committee was told that general declarations and information concerning passengers' identity are not provided to the BCP before the aircraft's take-off from the third country.

Pilots and passengers are escorted from/to the aircraft and to/from the terminal, where the border checks are carried out by airport administration staff under the surveillance of the border police officer who monitors the apron via the cameras to which he/she has access in the control booths.

RESTREINT

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

Due to low traffic, the Committee could only participate in a departure check of two EU citizens, which was carried out according to the rules: EU citizens are submitted to a minimum check; third-country nationals are submitted to thorough checks.

Although there are hardly any refusal decisions, the border police officer was aware of the procedure to be followed. The Committee was told that all passports of third-country nationals are stamped.

The entry and exit stamps are held by the shift leader, and each border police officer has to sign on reception and return of the stamps. The shift leader keeps the stamps registration journal. The security codes are changed on a monthly basis.

5.3.3. *Utilisation of registers*

The Border Police databases MISK and LISK and the Fonetical Index are used for carrying out the thorough border checks at the first and second lines. The experts noticed that the authentic document database in the police intranet does not include the category "Luxembourg". The police have access to a German database of authentic documents, Dokis, which contained the Luxembourg documents. The officer on duty did not know how to use this database, for lack of knowledge of German.

5.3.4. *Utilisation of the Common Manual*

A copy of the Common Manual was available in the booths. It was also available on the intranet.

5.3.5. *Processing of refusals and asylum applications*

The shift leader is responsible for taking decisions on the refusal of entry. When refusing entry, he/she stamps the passport, crosses the entry stamp, adds the letter indicating the reason for the refusal and fills in the refusal form.

RESTREINT

There are no detention facilities at the airport. Given the kind of traffic – only general aviation – persons to whom entry is refused depart immediately. However, if need be, persons can be detained in the police station at Piran for up to 48 hours. If a person could not be sent back within that period, he would be taken to the foreigner centre in Postojna and detained for up to 6 months.

Two persons were refused entry in 2003. There were no refusals in 2004, 2005 and 2006.

No asylum applications have been submitted at the border crossing point over the last three years.

5.3.6. *Issuance of visas*

Issuing visas is the responsibility of the shift leader. However, no visas have been issued. The visa stickers are stored in a locked safe; the issuing of visas is registered in a special journal as well as in the internal database.

5.3.7. *Second-line activities*

Second-line activities consist of thorough checks on EU citizens and third-country nationals and document verification, and are performed by the shift leader.

5.4. **Border surveillance**

The airport is partially fenced. There are nine police cameras at the airport (seven fixed and two movable cameras). In addition, the airport security service has its own video control system, which is also available to the police. Cameras can be controlled from the office of the shift leader and in one of the booths. The recordings are kept for 20 days. The video control system allows monitoring of the movement of persons at BCP Portorož. Various locations at BCP Portorož can be controlled simultaneously.

At night, officers from the police station of Sečovelje patrol the airport. The airport can be seen from the police station. Besides this, the airport security service carries out patrols every two hours.

During the hours when the airport is closed the Police patrol its perimeter every two hours. The airport has its own security service, which provides security during the night when there is no air traffic (protection by technical means and periodical rounds made by personnel).

RESTREINT

In the event of an emergency, two border police officers can be brought from the nearby land border BCP Sečovlje and Dragonja. They are also trained to carry out air border checks.

5.5. Staff and training

5.5.1. *Adequacy and the level of professionalism*

There are nine police officers stationed at Portoroz Airport: One commanding officer (who is also one of the assistant commanders at BCP Sečovlje), two shift leaders and six police officers (four of them also trained in bomb disposal). All nine police officers are trained and perform border checks.

Two police officers carrying out border checks during the visit of the experts to the airport showed a good knowledge of the check procedures and seemed professional and motivated.

5.5.2. *Further continuing education*

In 2003-2005, 184 police officers were trained at the regional level on the detection and prevention of document abuse at border crossing points, using the computer-based training programme PROGLIS. In addition, 341 police officers received training on the issues of the EU acquis and Schengen acquis. At police stations, other forms of training for police officers took place under the abovementioned programmes.

Training courses are offered for police officers at the first line as well as to shift leaders. Among other topics, training is given in performance of border checks in accordance with the Schengen acquis and in foreign languages.

5.5.3. *Linguistic skills and training*

Of the nine police officers in Portorož all speak Serbo-Croatian, three speak English, two speak German and six speak Italian.

5.5.4. *Specialised document checking skills and training*

Special training is offered on detection of documents abuse (Proglis I and II) by the three multipliers in the BCP Sečovlje. Altogether, there are nine multipliers at the Police Directorate of Koper.

RESTREINT

5.5.5. *Availability and permanency of staff*

Two shift leaders and six police officers are used for border checks at the Border Crossing Point at the airport. During airport opening hours, there is always one shift leader and one police officer present for border checks. Police officers' shifts last as long as the airport is open. Some police officers from the land BCP situated a few hundred meters from the air BCP can be used for border checks in case of need. Taking into account the current number of flights and the character of the traffic, the experts accepted the number of border police officers at the shift. Each first-line officer performed about 20 border checks on non-Schengen passengers annually.

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

There have not been any case of removal or readmission of persons at the BCP, and no sanctions have been imposed on carriers over the past three years.

5.7. **Comments and recommendations of the Evaluation Committee:**

The experts were appreciative of the following facts:

- Taking into consideration the size of the airport and the number of passengers, the Committee appreciates the equipment and the general compliance with the Schengen Catalogue.
- The CCTV system is modern and the police make good use of it.
- The number of staff is sufficient, taking into account annual passenger numbers. Staff are well trained to carry out border checks.

The experts took particular note of the following items:

- The lock of the booth at departures should be replaced with a more secure system.

The experts consider that there is room for improvement on the following points:

- Upon entry into force of the Schengen Borders Code, the Slovenian authorities must ensure that relevant information on private flights from third countries is provided to the Border Crossing Point prior to take-off of the aircraft.

RESTREINT

- The booth at arrivals should be renovated in order to allow it to be fully locked up when not in use. The window at the side of the booth should be covered with mirrored glass or a special film protecting the screen of the computer from being viewed by passengers.

6. GENERAL CONCLUSIONS, INCLUDING RECOMMENDATIONS AND FOLLOW-UP

- Border management strategy in the Republic of Slovenia, described at national level in the Police Border Management Strategy, is based on an integrated border security model. The relevant national legislation seems to conform to the Schengen acquis and to provide the necessary legislative basis for border management.
- The Committee found the professionalism of the border police and attitude towards their duties to be at a good level. The personnel are well trained in various languages and the Committee draws particular attention to the high level of Serbo-Croatian and English language skills.
- The system of basic training is regarded by the Committee as well organised and efficient. However, there is room for improvement concerning profiling. Additional training will be needed on this subject in order to provide a higher standard of border checks at the Slovenian borders.
- The Committee is of the opinion that the number of border police personnel used for border checks at APS Brnik does not correspond to passenger flows. It welcomes the decision of the Slovenian Police to increase the number of personnel and invites the responsible authorities of the Slovenian Police to assess the number of staff deployed to carry out border controls at the APS Brnik.
- The Committee is of the opinion that the existing infrastructure for border checks at Ljubljana Airport does not fully meet the Schengen requirements. It is not yet prepared for separation of passengers on Schengen and non-Schengen flights. The Committee invites the responsible authorities of the Republic of Slovenia to remove existing infrastructure gaps and to implement separation of passengers. Follow-up will be necessary.