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From: Slovenian delegation

To: Working Party on Frontiers / Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein)

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Subject: Prolongation of border controls at the Slovenian internal borders in accordance with Articles 25 and 27 of Regulation (EU) 2016/399 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code)

Delegations will find attached a copy of the letter received by the General Secretariat of the Council on 23 May 2023 regarding the prolongation of border controls by Slovenia with Croatia and Hungary as of 22 June 2024 for six months.



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Ljubljana, 22. maj 2024

Spoštovani podpredsednik za spodbujanje evropskega načina življenja,
spoštovana komisarka za notranje zadeve,
spoštovana generalna sekretarka Sveta EU,
spoštovana predsednica Evropskega parlamenta,
spoštovane ministrice in ministri,

pred časom sem vas obvestil, da se je Republika Slovenija odločila za začasno ponovno uvedbo nadzora na notranjih mejah z Republiko Hrvaško in Madžarsko. Ta odločitev, ki je temeljila na 25. in 27. členu Uredbe (EU) 2016/399 Evropskega parlamenta in Sveta z dne 9. marca 2016 o Zakoniku Unije o pravilih, ki urejajo gibanje oseb prek meja (Zakonik o schengenskih mejah) in je stopila v veljavo z 22. decembrom 2023, je bila sprejeta kot ukrep v skrajni sili, kot odziv na izrazito poslabšanje varnostnih razmer na Bližnjem vzhodu, kakor tudi na povečana varnostna tveganja znotraj Evropske unije. Postalo je namreč jasno, da v spremenjenih okoliščinah resne grožnje javnemu redu in notranji varnosti ni več mogoče učinkovito preprečevati z alternativnimi ukrepi.

Glede na razprave na evropski ravni in aktualna situacijska poročila pristojnih agencij Evropske unije je mogoče razumeti, da varnostna tveganja za naše skupno območje žal še naprej ostajajo resna in da je nadaljnji razvoj dogodkov v naši bližnji sosesčini nepredvidljiv. Ob povečanih tveganjih zaradi poslabšanih varnostnih razmer na Bližnjem vzhodu, ki se odražajo tudi v nedavni zaostritvi odnosov med Iranom in Izraelom, ob spremljanju razvoja varnostne situacije v Afganistanu in nasilnih konfliktov v nekaterih afriških državah, velja omeniti še nekatera nova tveganja povezana z nadaljevanjem ruske vojaške agresije nad Ukrajino. V povezavi s slednjo se namreč v zadnjem času krepijo opozorila glede povečanja hibridnih aktivnosti z Rusko federacijo povezanih akterjev po vsej Evropi v prihodnjih mesecih. Republika Slovenija je bila v zadnjih mesecih že tarča kibernetičnih napadov, ti pa se bodo po pričakovanih pristojnih institucij nadaljevali tudi v prihodnje in lahko celo razširili na druge oblike hibridnih aktivnosti.

Prav tako bi lahko ti destabilizirajoči zunanji dogodki povečali napetosti med skupnostmi v državah članicah Evropske unije in povečali radikalizacijo ter ekstremizem v diasporah. V zadnjih letih smo pričali hitrim spremembam vseh oblik terorizma in nasilnega ekstremizma, ki ju zaznamujejo izrazita dinamika, kompleksnost in čedalje večja individualizacija. Ocenjuje se, da največjo grožnjo predstavljajo osamljeni akterji ali majhne celice brez jasne pripadnosti določeni teroristični skupini, ki delujejo neodvisno. V povezavi s slednjimi so še posebej zaskrbljujoči številni pozivi terorističnih organizacij k izvajanju terorističnih in drugih nasilnih dejanj v zahodnih državah. Proces radikalizacije, ki vodi v ekstremizem, nasilni ekstremizem in terorizem, sicer ni nov pojav, vendar se lahko zaradi tehnološkega napredka ta proces močno pospeši, predvsem zaradi dostopnosti interneta, ki ga je mogoče izkoristiti za širjenje informacij, ekstremističnih idej in propagande. Pomemben vpliv na krepitev radikalizacije ima v Evropski Uniji vse bolj prisotno t. i. tuje nezaželeno financiranje, ki v kontekstu hibridnega delovanja, širjenja dezinformacij, ustvarjajo pogoje za nastanek sovražnosti kot vstopne točke v proces radikalizacije.

Teroristično ogroženost in grožnje z obeležjem ekstremizma v Republiki Sloveniji dodatno podkrepiti podatek, da so varnostni organi nekaterih držav članic v okviru protiterorističnih akcij na območju Evropske unije prijeli več oseb, ki so prišli iz tretjih držav. Migracijski tokovi lahko v tem kontekstu predstavljajo varnostno tveganje, ki ga spremljajo druga odklonska ravnanja. V preteklosti je namreč več držav članic Evropske unije potrdilo, da so znotraj migracijskih tokov potovali tudi posamezniki, ki so na območje Evropske unije prihajali iz kriznih območij in so se povezovali s fenomenom tujih terorističnih borcev. Posebno tveganje torej predstavlja vse večja povezanost med mrežami tihotapcev in terorističnimi skupinami oziroma prepletenost kriminalnih ter terorističnih aktivnosti. Zato je zaskrbljivo tudi naraščanje organiziranega kriminala na Zahodnem Balkanu, vključno s tihotapljenjem ljudi.

Slovenska policija izvaja vse potrebne ukrepe za preprečevanje, odkrivanje in preiskovanje nezakonitih migracij, med katerimi je tudi odkrivanje organiziranih hudodelskih združb, ki se ukvarjajo s tihotapljenjem ljudi. Vendar so se mednarodne hudodelske združbe, ki migrante tihotapijo iz regije Zahodnega Balkana, izkazale za zelo prilagodljive glede na spreminjajoče se migracijske poti in trende. To se kaže v tem, da so sposobne hitro spremeniti svoje poslovne modele in poti kot odziv na razvijajoče se dejavnosti varnostnih organov. V letošnjem letu je do 12. 5. 2024 slovenska policija obravnavala 227 primerov tihotapljenja ljudi, kar je enkrat več od primerljivega obdobja v letu 2023, ko je bilo obravnavanih 112 primerov. Prijetih je bilo 257 tihotapcev ljudi, od teh 254 tujih državljanov. Ta podatek kaže, da je policija sicer uspešna pri odkrivanju tihotapcev, vendar pa istočasno opozarja na velik obseg organiziranega tihotapljenja ljudi v tem delu regije. Hkrati kaže na potrebo, da policija pri obravnavi tujcev zagotavlja tudi dosledno prepoznavanje kazalnikov za zgodnje odkrivanje radikalizacije.

Ne gre izključiti tveganja, da bi zahodno-balkansko migracijsko pot, ki poteka čez Republiko Slovenijo, skušali radikalizirani posamezniki in pripadniki terorističnih skupin uporabiti za vstop v Republiko Slovenijo in za prehod v druge države Evropske unije. Zato bodo dodatni ukrepi na mejah za namen boja proti terorizmu in preprečevanja organiziranega kriminala izjemnega pomena za varnost Republike Slovenije in celotnega schengenskega območja tudi v luči dveh prihajajočih športnih prireditev velikega obsega – evropskega nogometnega prvenstva in olimpijskih iger, ki predstavljata mednarodna dogodka z visoko oceno varnostnega tveganja.

Nacionalni varnostni organi pozorno spremljajo morebitna tveganja in varnostne razmere v državi in širši regiji, ter dejavnike, ki bi lahko vplivali na radikalizacijo posameznikov in širjenje nasilnega ekstremizma. Informacije si redno izmenjujejo z organi drugih držav, pristojnimi agencijami Evropske unije in mednarodnimi organizacijami. Medresorska delovna skupina za protiterorizem je 11. aprila 2024 sprejela novo oceno teroristične ogroženosti Republike Slovenije, ki ostaja na predhodni opredeljeni stopnji SREDNJA (tretja od petih stopenj). Ob tem velja spomniti, da v več državah članicah Evropske unije še vedno velja povišana stopnja teroristične ogroženosti – upoštevajoč povezanost schengenskega območja pa lahko grožnja v eni članici predstavlja grožnjo celotnemu območju oziroma lahko povečana ogroženost v naših sosednjih državah vpliva tudi na varnost v Republiki Sloveniji.

V času izvajanja začasne ponovne uvedbe nadzora na notranji meji z Republiko Hrvaško in Madžarsko, od 21. oktobra 2023 do vključno 12. maja 2024, je slovenska policija obravnavala 26 383 nedovoljenih prestopov meje ter na mejnih prehodih zavrnila vstop 1537 osebam, ki niso izpolnjevale pogojev za vstop v Republiko Slovenijo. Znova je zgovoren podatek, da je bilo z izvajanjem mejne kontrole v omenjenem obdobju ugotovljenih kar 1295 ukrepov v Schengenskem informacijskem sistemu. Izvedeni ukrepi so jasen pokazatelj varnostne obremenjenosti obeh meja, na katerih je Republika Slovenija uvedla ponoven nadzor, s čezmejno kriminaliteto, nedovoljenimi migracijami in ostalimi varnostno relevantnimi pojavi, kar ima neposreden vpliv na varnost Republike Slovenije in celotne Evropske unije.

Posledično vas obveščam o nameri, da Republika Slovenija na podlagi 25. in 27. člena Zakonika o schengenskih mejah z 22. junijem 2024 podaljša nadzor na notranjih mejah z Republiko Hrvaško in

Madžarsko, za predvideno obdobje šest mesecev, s čimer želimo zagotoviti visoko stopnjo varnosti vsem prebivalcem.

Zagotavljam vam, da gre za ukrep v skrajni sili, ki je sorazmeren glede na ugotovljeno grožnjo in tveganja. Na mejnih prehodih bodo policisti izvajali ciljno usmerjeno mejno kontrolo glede na razloge uvedbe, podkrepljeno z analizami tveganja in vzpostavljenimi profili tveganja. Organizacija dela policije in način izvajanja mejne kontrole bodo ustrezno prilagojeni, s ciljem čim manjšega negativnega učinka na potnike, gospodarstvo in okolje – tudi z obzirom na bližajočo se poletno turistično sezono, ko je na mejnih prehodih mogoče pričakovati povečan promet. Predvsem pa z namero, da izvajanje ukrepa ne bi oviralo ali bremenilo življenja prebivalstva na obmejnih območjih.

Slovenska policija si bo še naprej prizadevala za dobro koordinacijo in nadaljnje tesno sodelovanje s policijama obeh zadevnih držav. Kljub začasni ponovni uvedbi nadzora na notranji meji z Republiko Hrvaško in Madžarsko ohranjamo oblike policijskega sodelovanja na podlagi dvostranskih sporazumov z vsemi našimi sosednjimi državami. Tako se z vsemi nadaljuje izvajanje mešanih patrolj, ki so usmerjene v preprečevanje čezmejne kriminalitete in odkrivanje nedovoljenih prehodov državne meje, s poudarkom na odkrivanju oseb na podlagi indikatorjev za terorizem in ekstremizem, prav tako pa si stalno izmenjujemo operativne in statistične podatke o problematiki na skupni meji. V zadnjih mesecih se je zelo okrepilo tudi trilateralno sodelovanje z Italijansko republiko in Republiko Hrvaško, ki potrjuje našo skupno predanost nenehnemu naslavljanju perečih izzivov v regiji, vključno novih oblik groženj, kakor tudi nujnost usklajenih prizadevanj za zagotavljanje varnosti vzdolž celotne zahodnobalkanske migracijske poti. Veseli me, da je bil pomen tega sodelovanja prepoznan tudi s strani Evropske komisije.

Kljub navedenim aktivnostim in oblikam skupnega policijskega dela pa je iz rezultatov dosedanjega izvajanja začasne ponovne uvedbe nadzora na obeh notranjih mejah razvidno, da ti ukrepi trenutno ne zadoščajo za zagotavljanje varnosti Republike Slovenije in celotnega območja Evropske unije in da je nujno, da se začasni ponovni nadzor na naših notranjih mejah z Republiko Hrvaško in Madžarsko podaljša.

S spoštovanjem,



Gospod Margaritis Schinas
podpredsednik za spodbujanje evropskega načina življenja

Gospa Ylva Johansson
komisarka za notranje zadeve

Gospa Thérèse Blanchet
generalna sekretarka Sveta EU

Gospa Roberta Metsola
predsednica Evropskega parlamenta

Notranje ministrice in ministri držav članic EU
in pridruženih članic schengenskemu območju

Ljubljana, 22 May 2024

Distinguished Vice President for Promoting our European Way of Life,
Distinguished Commissioner for Home Affairs,
Distinguished Secretary General of the Council of the European Union,
Distinguished President of the European Parliament,
Distinguished Ministers,

Some time ago, I informed you that the Republic of Slovenia decided to temporarily reintroduce controls on the internal borders with the Republic of Croatia and Hungary. The decision that was taken on the basis of Articles 25 and 27 of the Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) entered into force on 22 December 2023. It was adopted as a last resort measure to respond to the significant deterioration of the security situation in the Middle East and the increased security risks in the European Union. It had become evident that in the changed circumstances the serious threats to public order and internal security can no longer be effectively countered with alternative measures.

In the light of the discussions at the European level and the current situational reports by the relevant EU Agencies, it can be understood that security risks for our common area unfortunately remain serious and that future developments in the nearby regions are unpredictable. In addition to the increased risks due to the deteriorating security situation in the Middle East, reflected also in the recent escalation of tensions between Iran and Israel, the evolving security situation in Afghanistan and the violent conflicts in several African countries, it is worth mentioning some new risks related the ongoing Russian military aggression in Ukraine. In this context, warnings of intensified hybrid activities by Russian Federation-linked actors across Europe have been issued for the upcoming months. The Republic of Slovenia was a target of cyber-attacks in recent months, whereas the relevant institutions are expecting these to continue in the future and potentially expand to other forms of hybrid activities.

These destabilising external events could also increase tensions between communities in EU Member States and increase radicalisation and extremism in the diaspora. In recent years, we have witnessed rapid changes in all forms of terrorism and violent extremism, which are characterised by strong dynamics, complexity and increasing individualisation. It is estimated that the greatest threat is posed by lone actors or small cells with no clear affiliation to a particular terrorist group, acting independently. Particularly worrying in this context are the numerous calls by terrorist organisations to carry out terrorist and other violent acts in Western countries. While the process of radicalisation leading to extremism, violent extremism and terrorism is not a new phenomenon, it can be greatly accelerated by technological advances, particularly the availability of the Internet, which can be used to disseminate information, extremist ideas and propaganda. An important influence on radicalisation is the growing presence of so-called undesirable foreign funding in the European Union, which, in the context of hybrid action and the spread of disinformation, creates the conditions for the emergence of hostility as an entry point into the radicalisation process.

The terrorist and extremist threats in the Republic of Slovenia are further underlined by the fact that as part of counter-terrorism operations in the European Union law enforcement authorities in some Member States have arrested a number of persons who have come from third countries. In this context, migratory flows may constitute a security risk accompanied by other deviant behaviour. In the past, several Member States of the European Union have confirmed that migratory flows included individuals who came to the European Union from crisis areas and were associated with the phenomenon of foreign terrorist fighters. The growing connection between smuggling networks and terrorist groups, or the intertwining of criminal and terrorist activities, therefore poses a particular risk. The rise of organised crime in the Western Balkans, including people smuggling, is therefore also a matter of concern.

The Slovenian police are taking all necessary measures to prevent, detect and investigate irregular migration, including detecting organised crime groups involved in people smuggling. However, international crime groups smuggling migrants out of the Western Balkans region have proved to be highly adaptable to changing migration routes and trends. They are able to quickly change their business models and routes in response to the activities of competent authorities. By 12 May 2024, the Slovenian police dealt with 227 cases of people smuggling, which is double the number of cases it had dealt with in the same period in 2023 (112 cases). The police arrested 257 people smugglers, 254 of them foreign nationals. While this figure shows that the police is successful in detecting smugglers, it also highlights the large scale of organised people smuggling in this part of the region. At the same time, it also emphasises the need for the police to consistently detect signs of radicalisation at an early stage when processing foreign nationals.

The risk of radicalised individuals and members of terrorist groups using the Western Balkan migration route to either enter the Republic of Slovenia or pass through into other EU countries cannot be ruled out. Therefore, additional border measures to counter terrorism and prevent organised crime are of utmost importance for the security of the Republic of Slovenia and the Schengen area as a whole, also in the light of two upcoming large-scale sporting events – the 2024 UEFA European Football Championship and the Olympic Games, both of which are classified as high security risk events.

National law enforcement authorities are closely monitoring potential risks, the security situation in the country and the broader region, as well as factors that could contribute to the radicalisation of individuals and the spread of violent extremism. Regular information exchanges occur with counterparts in other nations, relevant EU agencies, and international organisations. On 11 April 2024, the Inter-Ministerial Working Group on Counter-Terrorism released an updated terrorist threat assessment for the Republic of Slovenia, maintaining the threat level at MODERATE (the third level out of five). It should be noted that several EU member states continue to face heightened threat levels. Given the interconnected nature of the Schengen area, a threat in one member state can potentially impact the entire region. Therefore, increased threats in our neighbouring countries may also affect the security of the Republic of Slovenia.

From 21 October 2023 to 12 May 2024, during the temporary reintroduction of controls at the internal borders with Croatia and Hungary, the Slovenian police handled 26,383 unauthorised border crossings and refused entry to 1,537 persons at border crossing points for failing to meet the requirements for entry into the Republic of Slovenia. During this period, border controls resulted in detecting of as many as 1,295 alerts in the Schengen Information System. The substantial number of these alerts serves as a clear indication of the security burden at the borders with Croatia and Hungary where the Republic of Slovenia has reinstated controls. This burden encompasses various challenges, including cross-border crime, irregular migration, and other security-relevant phenomena, all of which directly impact the security of both the Republic of Slovenia and the EU as a whole.

Therefore, I am hereby informing you of the intention of the Republic of Slovenia, in accordance with Articles 25 and 27 of the Schengen Borders Code, to extend internal border controls with the Republic

of Croatia and Hungary. These controls, originally set to expire on 22 June 2024, will be extended for an additional six months to maintain a high level of security for all citizens.

I can assure you that this is a measure of last resort, proportionate to the threat and risks identified. At border crossing points, officers will carry out targeted border controls in accordance with the reasons for their introduction, based on risk analyses and established risk profiles. The organisation of policing and the way in which border controls are carried out will be adapted accordingly, with the aim of minimising the negative impact on travellers, the economy and the environment – also taking into account the upcoming summer tourist season, when increased traffic at border crossing points can be expected. Above all, the implementation of the measure should not hinder or burden the lives of people living in the border areas.

The Slovenian police will continue to strive for good coordination and further close cooperation with the police forces of the two countries concerned. Despite the temporary reintroduction of internal border controls with the Republic of Croatia and Hungary, we maintain forms of police cooperation based on bilateral agreements with all our neighbouring countries. For example, we continue to conduct mixed patrols with all of them, aimed at preventing cross-border crime and detecting unauthorised border crossings, with a focus on the detection of persons based on indicators for terrorism and extremism, and we continuously exchange operational and statistical data concerning the common border. Trilateral cooperation with the Italian Republic and the Republic of Croatia has also been significantly strengthened in recent months, confirming our shared commitment to continuously address the pressing challenges in the region, including new forms of threats, as well as the need for concerted efforts to ensure security along the entire Western Balkan migration route. I am pleased that the European Commission has also recognised the importance of this cooperation.

Despite these activities and forms of joint police work, the results of the temporary reintroduction of controls at the two internal borders so far show that these measures are currently insufficient to ensure the security of the Republic of Slovenia and the entire area of the European Union, and that it is necessary to extend the temporary reintroduction of controls at the internal borders with the Republic of Croatia and Hungary.

Yours sincerely,

[signed]
Boštjan Poklukar
Minister of the Interior
Republic of Slovenia

Mr. Margaritis Schinas
Vice President for Promoting our European Way of Life

Mrs. Ylva Johansson
Commissioner for Home Affairs

Mrs. Thérèse Blanchet
Secretary General of the Council of the European Union

Mrs. Roberta Metsola
President of the European Parliament

Ministers of the Interior of EU Member States
and the associated Schengen states