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European Union

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NOTE

From: Slovenian delegation

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

Subject: Temporary reintroduction of border controls at the Slovenian internal borders in accordance with Article 28 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 19 October 2023 regarding the temporary reintroduction of border controls by Slovenia with Croatia and Hungary for a period of 10 days as of 21 October 2023.

E-MAIL

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19-10-2023REPUBLIKA SLOVENIJA
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Ljubljana, 18. oktober 2023

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

v zadnjih dneh spremljamo izjemno zaskrbljujoča stanja v naši sosesčini, kjer se ob nadaljevanju ruske vojaške agresije nad Ukrajinu, močno zaostrejuje tudi razmera na Bližnjem vzhodu. Razvoj dogodkov je v tem trenutku izjemno nepredvidljiv, kakor so tudi njihove posledice za javni red in notranjo varnost po celotni Evropski uniji.

Nedavni teroristični napadi v nekaterih državah članicah so nas zagotovo vse močno pretresli, žal pa so vse glasnejša tudi opozorila o povečanih tveganjih za varnost v območju svobode gibanja zaradi različnih oblik organiziranega kriminala ter nasilnega ekstremizma.

Pristojni nacionalni organi Republike Slovenije ugotavljajo vse večjo razsežnost organizirane kriminalitete na Zahodnem Balkanu, kar nemazadnje potrjujejo tako podatki, ki jih prejmemo iz držav te regije, kot tudi poročila agencij Evropske unije. Organizirane kriminalne združbe postajajo povezane in prepletene, saj jih združujejo isti ali podobni cilji, kar pomeni, da se njihovi pripadniki pogosto povezujejo in si medsebojno pomagajo pri izvrševanju svojih sicer različnih kriminalnih aktivnosti.

Zadnji dogodki potrjujejo, da se pripadniki različnih terorističnih in ekstremističnih gibanj ter skupin umikajo iz območij oboroženih spopadov, da bi se izognili morebitnim posledicam za svoja dejanja ali celo z namero, da bi v nadaljevanju ogradili našo varnost in stabilnost. Ob tem obstaja tveganje, da bi se te osebe, tudi s pomočjo storitev tihotapskih mrež, infiltrirale v mešane migracijske tokove in skušale na nedovoljen način vstopiti tudi v Republiko Slovenijo, kjer smo v letošnjem letu do 16. oktobra zabeležili že več kot 40 tisoč nedovoljenih prehodov notranje meje. Varnostni organi Republike Slovenije sicer pozorno spremljajo morebitna tveganja in varnostne razmere v državi in v širši regiji, kot tudi dejavnike, ki bi lahko vplivali na radikalizacijo posameznikov in širjenje nasilnega ekstremizma.

Na povečano teroristično grožnjo za ta del Evropske unije kaže tudi nedavna odločitev sosednje države, Italijanske republike, o začasnem ponovni uvedbi nadzora na naši skupni notranji meji. Nekatero našo sosednjo državo prav tako dvigajo stopnjo omejitel iz razloga organiziranega kriminala.

Na podlagi vsega navedenega so potrebni takojšnji ukrepi za zagotovitev javnega reda in varnosti naših državljanov, kot tudi državljanov Evropske unije. Republika Slovenija zato na podlagi 28. člena Uredbe (EU) 2016/399 (Zakonik o schengenskih mejah) z dnem 21. oktobrom 2023 ponovno uvaja nadzor na notranji meji z Republiko Hrvaško in Madžarsko za obdobje 10 dni, z možnostjo podaljšanja.

Zagotavljam vam, da je začasna ponovna uvedba nadzora ukrep v skrajni sili, ki je tudi sorazmeren glede na ugotovljeno grožnjo. Do sedaj je Republika Slovenija izvajala vse zakonodajno predvidene aktivnosti na notranjih mejah, okrepila izvajanje izrednih ukrepov v notranjosti države, pa tudi aktivnosti dvostranskega policijskega sodelovanja z vsemi sosednjimi državami, kot so mešane patrulje in skupni posretni nadzori. Glede na nove okoliščine pa Republika Slovenija ocenjuje, da resne grožnje javnemu redu in notranji varnosti ni več mogoče učinkovito preprečevati samo z navedenimi ukrepi.

Republika Slovenija je velika zagovornica schengenskega območja in pravice svobode gibanja, zato je bila odločitev o uvedbi zadornega ukrepa težka, vendar potrebna. Zagotavljam vam, da bodo načini in intenziteta nadzora ustrezno prilagojeni, da bodo imeli čim manjši vpliv na obmejno prebivalstvo, poljivke, kmetje in gospodarstvo. O začetni ponovni vzpostavitvi nadzora na notranji meji je Republika Slovenija že obvestila Republiko Hrvaško in Madžarsko, ki jih bo ta ukrep najbolj zadeval.

Nadaljnji razvoj razmer in učinkovitost sprejetih ukrepov bomo nenehno analizirali, s ciljem, da bi se čim prej vrnil k območju brez nadzora na notranjih mejah.

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, 19 October 2023

Dear Vice-President for Promoting our European Way of Life,
Dear Commissioner for Home Affairs,
Dear Secretary-General of the Council of the EU,
Dear President of the European Parliament,
Dear Ministers,

In recent days, we have been witnessing an extremely worrying situation in our neighbourhood, with the Middle East in turmoil and Russia's military aggression against Ukraine continuing unabated. The situation is very unpredictable at the moment, as are its implications for public order and internal security throughout the European Union.

The recent terrorist attacks in some Member States have shaken us all, and warnings of increased security risks in the area of free movement due to various forms of organised crime and violent extremism are growing louder.

The competent authorities of the Republic of Slovenia have noted that organised crime is on the rise in the Western Balkans, as confirmed by the data we receive from the countries of the region and by reports of European Union agencies. Organised criminal groups are becoming increasingly interconnected, as they are united by the same or similar objectives, which means that their members often associate and help each other in carrying out their otherwise different criminal activities.

Recent events confirm that members of terrorist and extremist movements and groups are leaving areas of armed conflict in order to avoid possible consequences for their actions, or even with the intention of further endangering our security and stability. At the same time, there is a risk that these persons, aided by smuggling networks, could infiltrate mixed migration flows and attempt to enter the Republic of Slovenia illegally. By 15 October, more than 48,000 unauthorised crossings of the internal border were recorded. The Slovenian authorities are closely monitoring potential risks and the security situation in the country and in the wider region, as well as factors that could have an impact on the radicalisation of individuals and the spread of violent extremism.

The increased terrorist threat to this part of the European Union is also demonstrated by the recent decision of our neighbouring country, the Italian Republic, to temporarily reintroduce controls at our common internal border. Some of our neighbouring countries are also raising the threat level due to organised crime.

In the light of all the above, immediate action is needed to ensure public order and the security of our citizens, as well as of the citizens of the European Union. Therefore, on the basis of Article 28 of Regulation (EU) 2016/399 (Schengen Borders Code), the Republic of Slovenia is reintroducing controls at the internal borders with the Republic of Croatia and Hungary for a period of 10 days, subject to possible extension, as of 21 October 2023.

I assure you that the temporary reintroduction of controls is a measure of last resort, which is proportionate to the threat identified. So far, the Republic of Slovenia has carried out all the activities at internal borders that are provided for in the legislation, it has stepped up the implementation of compensatory measures in the interior of the country, as well as activities of bilateral police cooperation with all neighbouring countries, such as mixed patrols and intensified joint control operations. However, in the light of the new circumstances, the Republic of Slovenia considers that the serious threat to public order and internal security can no longer be effectively prevented by the above measures alone.

The Republic of Slovenia is a strong supporter of the Schengen area and the right to free movement, which is why the decision to introduce this measure was difficult yet necessary. I can assure you that the methods and intensity of controls will be adapted so as to minimise the impact on the border population, travellers, the environment and the economy. The Republic of Slovenia has already informed the Republic of Croatia and Hungary, which will be most affected by this measure, of the temporary reintroduction of internal border controls.

We will be constantly analysing the development of the situation and the effectiveness of the measures taken, with the aim of reverting to an area without internal border controls as soon as possible.

Yours sincerely,

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

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

Ms Ylva Johansson
Commissioner for Home Affairs

Ms Thérèse Blanchet
Secretary-General of the Council of the EU

Ms Roberta Metsola
President of the European Parliament

Home Affairs Ministers of the EU Member States
and Schengen Associated Countries