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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 26 and 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 11 December 2023 regarding the prolongation of border controls by Slovenia with Croatia and Hungary as of 10 December 2023 to 21 December 2023.

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11-12-2023REPUBLIKA SLOVENIJA
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Ljubljana, 8. december 2023

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,

Republika Slovenija je v skladu z 28. členom 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) z 21. oktobrom 2023 začasno ponovno uvedla nadzor na notranjih mejah z Republiko Hrvaško in Madžarsko. Za ta ukrep se je Vlada Republike Slovenije odločila zaradi zaostrovanja varnostnih razmer v Evropi in na Bližnjem vzhodu ter številnih pozivov terorističnih organizacij k izvajanju terorističnih in drugih nasilnih dejanj v zahodnih državah, v kombinaciji z naraščanjem organiziranega kriminala za Zahodnem Balkanu, vključno s tihotapljenjem ljudi. Skladno z določbami Zakonika o schengenskih mejah je bil začasni ponovi nadzor v nadaljevanju podaljšan do 19. novembra 2023, nato pa še do 9. decembra 2023.

V času izvajanja začasne ponovne uvedbe nadzora na notranji meji z Republiko Hrvaško in Madžarsko do vključno 3. decembra 2023 je slovenska policija na mejnih prehodih zavrnila vstop 490 osebam, ker niso izpolnjevali vstopnih pogojev, odkrila in obravnavala pa je tudi 115 kaznivih dejanj in 838 kršitev, povezanih s čezmejno kriminaliteto oziroma s prehodom meje. Zgovoren pa je tudi podatek, da je bilo z izvajanjem mejne kontrole v omenjenem obdobju ugotovljenih 359 razpisanih ukrepov v Schengenskem informacijskem sistemu.

Pristojni nacionalni organi dnevno spremljajo varnostne razmere v državi in v širši regiji, ter si z organi drugih držav in mednarodnimi organizacijami redno izmenjujejo informacije o morebitnih tveganjih. V tem trenutku razvoj dogodkov ostaja nepredvidljiv, v Republiki Sloveniji še vedno velja povišana stopnja teroristične ogroženosti.

Ocenjujemo, da v trenutnih razmerah nadaljnje izvajanje nadzora na notranjih mejah z Republiko Hrvaško in Madžarsko ostaja nujno za preprečevanje resnih groženj javnemu redu in varnosti in odkrivanje čezmejnega kriminala. Posledično vas obveščam, da bo Republika Slovenija ob upoštevanju 26. in 28. člena Zakonika o schengenskih mejah podaljšala nadzor na notranjih mejah z navedenima državama še za 12 dni, tj. za obdobje od 10. do 21. decembra 2023.

Ob upoštevanju načela sorazmernosti bodo načini in intenziteta ukrepov začasnega nadzora na notranjih mejah ciljno usmerjeni in osredotočeni na preprečevanje terorizma, ekstremizma in čezmejne kriminalitete. Želimo zagotoviti, da bodo ukrepi čim manj vplivali na potnike, okolje in gospodarstvo, ter predvsem na življenje prebivalstva ob meji. Slovenska policija si bo pri izvajanju ukrepa še naprej prizadevala za dobro koordinacijo in tesno sodelovanje s policijama obeh zadevnih držav, tudi sicer pa se nadaljujejo skupne policijske aktivnosti z vsemi sosednjimi državami.

V svojem pismu z dne 20. novembra 2023 sem vas že obvestil o nameri, da Republika Slovenija z 22. decembrom 2023 začasno ponovno uvede nadzor na notranjih mejah z Republiko Hrvaško in Madžarsko na podlagi 25. in 27. člena Zakonika o schengenskih mejah. Za podaljšanje trajanja začasnega nadzora na notranjih mejah v prihodnje leto so se nedavno odločile tudi nekatere druge države članice. Poudarjam, da Republika Slovenija ostaja velika zagovornica schengenskega območja in pravice svobode gibanja, zato smo trdno zavezani k čimprejšnji vrnitvi k režimu brez nadzora na notranjih mejah – takoj, ko bodo razmere to dopuščale. Posledično tako ne izključujemo možnosti, da bi znatno izboljšanje varnostne situacije lahko vodilo k predčasni odpravi napovedanega ukrepa.

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

[COURTESY TRANSLATION]

Ljubljana, 8 December 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 accordance with Article 28 of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on the Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), the Republic of Slovenia temporarily reintroduced border control at its internal borders with the Republic of Croatia and Hungary as of 21 October 2023. The Government of the Republic of Slovenia decided to take this measure because of the heightened security situation in Europe and the Middle East and calls by terrorist organisations to carry out terrorist and other violent acts in Western countries, combined with the increase in organised crime in the Western Balkans, including people smuggling. In accordance with the provisions of the Schengen Borders Code, the temporary reintroduction of border control was extended until 19 November 2023 and again until 9 December 2023.

During the implementation of temporary control on the internal border with Croatia and Hungary up to and including 3 December 2023, the Slovenian police refused entry to 490 persons at border crossing points for not meeting the entry conditions, and detected and processed 115 criminal offences and 838 violations related to cross-border crime or border crossing. During the period in question, police officers came across 359 alerts in the Schengen Information System while performing border checks.

The competent national authorities monitor the security situation in the country and the wider region on a daily basis, and share information on potential risks with authorities in other countries and with international organisations. Unfortunately, however, developments remain unpredictable and the threat level in the Republic of Slovenia is still elevated.

In the current situation, we consider that the continuation of border control on the internal borders with Croatia and Hungary remains necessary to prevent serious threats to public order and security and to detect cross-border crime. Consequently, I would like to inform you that the Republic of Slovenia, subject to Articles 26 and 28 of the Schengen Borders Code, is extending internal border control with the above-mentioned countries for a further period of 12 days, i.e. for the period from 10 to 21 December 2023.

In compliance with the principle of proportionality, the method and intensity of temporary border control measures at internal borders will be focused on preventing terrorism, extremism and cross-border crime. We want to ensure that the measures have the least possible impact on travellers, the environment and the economy and, above all, on the lives of the border population. The Slovenian police will continue to pursue good coordination and close cooperation with the police forces of the two countries concerned in the implementation of the measure, while joint police activities with all neighbouring countries will continue.

In my letter of 20 November 2023, I informed you of the intention of the Republic of Slovenia to temporarily reintroduce border control at the internal borders with the Republic of Croatia and Hungary as of 22 December 2023, on the basis of Articles 25 and 27 of the Schengen Borders Code. Some other Member States have also recently decided to extend temporary internal border controls into next year. I would like to stress that the Republic of Slovenia remains a strong supporter of the Schengen area and the right to freedom of movement, and we are firmly committed to reverting to a regime without internal border controls – as soon as the situation permits. Consequently, we do not rule out the possibility of lifting this measure early if there is a significant improvement in the security situation.

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

LIST OF AUTHORIZED CROSSING-POINTS FOR THE DURATION OF THE REINTRODUCED
INTERNAL BORDER CONTROLS WITH THE REPUBLIC OF CROATIA AND HUNGARY

CROSSING THE BORDER WITH THE REPUBLIC OF CROATIA

The crossing of the internal land border with Croatia is allowed at the following **12 border crossing points for international road traffic** (passengers and cargo transport):

- Sečovlje (Sicciole) – checkpoint,
- Dragonja (Dragogna),
- Sočerga,
- Starod,
- Jelšane,
- Petrina,
- Metlika,
- Obrežje,
- Dobovec,
- Gruškovje,
- Zavrč, and
- Petišovci

The crossing of the internal land border with Croatia is also possible at the following **7 border crossing points for international rail traffic**:

- Rakitovec,
- Ilirska Bistrica,
- Metlika,
- Dobova,
- Rogatec,
- Središče ob Dravi, and
- Lendava

The persons enjoying the right to free movement under the EU law can cross the internal land border with Croatia at the following **12 border crossing points for international road traffic** (passengers and cargo transport):

- Podgorje,
- Babno polje,
- Vinica,
- Slovenska vas,
- Rigonce,
- Orešje,
- Bistrica ob Sotli,
- Imeno,
- Rogatec,

- Ormož,
- Središče ob Dravi, and
- Gibina.

The persons who enjoy the right to freedom of movement under the EU law are citizens of the European Union and nationals of Norway, Iceland, Liechtenstein and Switzerland, and their family members, regardless of their nationality. The same right also applies to third-country nationals and their family members, regardless of their nationality, who, pursuant to agreements between the EU and its member states and relevant third countries, have a right to free movement equivalent to that enjoyed by EU citizens.

CROSSING THE BORDER WITH HUNGARY

Travellers are allowed to cross the internal land border with Hungary at the following **border crossing points for international road traffic** (passengers and cargo transport):

- Dolga vas – Hosszúfalu, and
- Pince (motorway) – Pince.

The crossing of the internal land border with Hungary is also possible at the following **border crossing point for international rail traffic**:

- Hodoš - Hodos.

The persons enjoying the right to free movement under the EU law can cross the internal land border with Hungary at the following **6 border crossing points for international road traffic** (passengers and cargo transport):

- Pince (local road) – Pince,
- Prosenjakovci – Pártosfalva,
- Hodoš – Hodos,
- Kobilje,
- Čepinci, and
- Martinje.

The persons who enjoy the right to freedom of movement under the EU law are citizens of the European Union and nationals of Norway, Iceland, Liechtenstein and Switzerland, and their family members, regardless of their nationality. The same right also applies to third-country nationals and their family members, regardless of their nationality, who, pursuant to agreements between the EU and its member states and relevant third countries, have a right to free movement equivalent to that enjoyed by EU citizens.