

FOCUSED STUDY 2018

Impact of visa liberalisation on countries of destination: national contribution Slovenia

The study has been prepared by Legal-Informational Centre for Non-Governmental Organisations (*Pravno-informacijski center nevladnih organizacij* – PIC) in cooperation with the European Migration Network National Contact Point in the Republic of Slovenia, Ministry of Interior of the Republic of Slovenia, Ministry of Foreign Affairs of the Republic of Slovenia, Police, and the Ministry of Labour, Family, Social Affairs and Equal Opportunities.

European Migration Network was established due to the need for exchange of information on all aspects of migrations and for the establishment of common asylum and migration policy. Council Decision 2008/381/EC which provides a legal basis for the establishment of the European Migration Network was adopted on May 14, 2008.

More information on the European Migration Network is available at: www.emm.si.

Disclaimer: The following responses have been provided primarily for the purpose of completing a Synthesis Report for the above-titled EMN Focused Study. The contributing EMN NCPs have provided information that is, to the best of their knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of an EMN NCPs' Member State.

Top-line “Factsheet” National Contribution

The purpose of issuing visas is the management and control of immigration, and in particular enabling/disabling entry for certain categories of persons, defined primarily by the political, security and economic criteria of each country. At the legislative level, the conditions and ways of entering, leaving and staying of foreigners in the Republic of Slovenia (RS) are regulated by the Foreigners Act¹. At the formal level, the visa policy of RS is partially outlined in the 1999 Resolution on the Immigration Policy of RS² and the 2002 Resolution on the Migration Policy of RS³. This also refers to the period of intensive adaptation of visa policy and legislation to the European *acquis*, since Slovenia became an European Union (EU) Member State on 1 May 2004, and on 22 December 2007, Slovenia became a member of the Schengen area. According to the annual reports⁴ on activities of the Ministry of Foreign Affairs (MFA), after the EU accession, Slovenia's priority tasks were intensive and active efforts to liberalize the visa regime in the Western Balkans, and widen the possibilities of effective access to visa (and wider consular) services abroad and in Slovenia.

Under Slovenian legislation, diplomatic representations and consulates of RS are responsible for the conduct and deciding in visa procedures, and in connection with the issue, cancellation, extension and revocation of visas. In exceptional cases provided by the Foreigners Act, MFA also issues visas. In the cases and in the manner provided by the Visa Code, the MFA also has the power to extend the validity of the short-stay visa, and in accordance with the Foreigners Act, it has the power to annul a long-stay visa, and it also acts as an appeal body against decisions of diplomatic and consular representations. The Police, which is a body affiliated to the Ministry of the Interior (MoI), is responsible for implementing border control, for refusing a foreigner at the border, for issuing a short-stay visa at the border, and for canceling and revoking the visa. The MoI is the appeal body against the decisions of the Police. It administers administrative and professional matters relating to migration policy, entry, leave and residence of foreigners in the country, whereby also cooperating with other line ministries. In Slovenia, administrative units, as state administration bodies, are responsible for issuing residence permits.

The records in Slovenia are not interlinked, there are no entry controls, a foreigner from countries subject to visa-free regime, is only registered when he/she either registers residence, or initiates the procedure for issuing a work permit (i.e. the single work and residence permit).

On a general note, visa liberalization has had a positive impact on relations with the Western Balkan and the Eastern Partnership countries. It should be added that Slovenia has closer links (bilateral relations, economic exchange, cooperation in the field of culture and education, etc.) established with the Western Balkan countries due to geographical and linguistic proximity and common history⁵, which in turn means that the effects of visa liberalization are more significant for the Western Balkan countries. Prior to the introduction of the visa-free regime, the MFA considered numerous complaints about visa procedures; the majority were unfounded, indicating that people disagreed about the restriction they considered unnecessary. The problem has arisen when some of these countries have begun to loosen visa regimes vis-à-vis other third countries in the last two years, which has had (mainly negative) effects in Slovenia as well. From the point of interstate relations, human mobility, the possibilities of regular immigration, economy, culture, stakeholders consider the impact of visa liberalization as positive. Among the negative effects of visa liberalization, they mention a slight increase in the number of abuses of the visa-free regime, but

¹ Foreigners Act, Official Gazette of RS, Nr. 50/2011, 57/2011, 26/2014, 90/2014, 19/2015, 47/2015, 5/2017, 59/2017.

² Official Gazette of RS, Nr. 106, 6 December 2002.

³ Official Gazette of RS, Nr. 106, 6 December 2002.

⁴ Source: MFA, accessible at: <http://mzz.gov.si/index.php?id=43>, 14 August 2011.

⁵ The Declaration on the Foreign Policy of RS from 2015 defines among priority areas of Slovenian foreign policy Western Balkan, while the Resolution on the International Development Cooperation and Humanitarian Aid of RS from 2017 mentions among priority geographical areas both, Western Balkans and Eastern Partnership.

not critically (visa abuses occurred before the introduction of the visa-free regime). The difference between the Western Balkan and Eastern Partnership countries can be identified also regarding effects of visa liberalisation: due to proximity of the Western Balkan countries when entering the Schengen system, they tend to gravitate towards Slovenia, which is evident from statistical data (several crossings at the external border). Migration patterns and dynamics are influenced also by political changes.

Section 1: The National Framework

SECTION 1.1: DESCRIPTION OF NATIONAL SITUATION

Q1.1. Please provide an analysis of the short term (within two years) and long-term (beyond two years) trends which appeared in your Member State after the commencement of visa-free regimes disaggregated by region and third countries of interest.

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

The Police explains that the migration patterns from both regions are very similar, therefore the breakdown by the Western Balkan and the Eastern Partnership countries is not meaningful; but migration varies in the extent, depending also on the size of the country, the country's migration potential, push factors (i.e. the interest of the nationals of the country concerned for the migration). In case all countries subject of the study, the decline in irregular migration has been observed after introduction of visa liberalization (i.e. classic irregular migrations), and after a certain period of time (longer than three months), cases of irregular residence appear, exceeding the allowed time of residence, as well as cases of illegal work. Citizens of countries enjoying visa liberalization and are the subject of this study, appear at the top in terms of unauthorized residence.

In 2015, 102,490 foreigners from third countries with a valid residence permit resided in Slovenia, of which 80,055 were from countries with a visa-free regime. In 2016, 110,849 foreigners from third countries resided in Slovenia based on residence permits, of whom 86,976 were from visa-free countries, which are the subject of this study. The latest available data is for 2017, when 124,432 foreigners from third countries were living in Slovenia, of which 98,467 were from the countries considered in this study⁶.

When introducing the first visa liberalization cycle with Macedonia, Montenegro and Serbia, the Police prepared a threat assessment for these countries, which was updated upon the second cycle, when a visa-free regime was introduced for Bosnia and Herzegovina and Albania, where above-mentioned effects have been anticipated. Threat assessments are though not developed at the time of concluding a visa-free regime agreement with each country, since it is estimated that the same patterns always occur; and when the visa-free regime was introduced with the Eastern Partnership countries, effects were anticipated in regular analyzes. The patterns depend primarily on whether Slovenia is the target country for third countries, for which the visa-free regime is introduced. Slovenia is definitely more interesting for the Western Balkan countries than for the Eastern Partnership countries.

The entry, residence and residence permits of foreigners are regulated by the Foreigners Act, which stipulates that a foreigner who does not require a visa for entry into RS and for a stay in RS, may enter into RS, stay in and move within the territory of States Parties to the Convention implementing the Schengen Agreement for a maximum of 90 days in any period of 180 days. Third-country nationals who are the subject of this study, may obtain a temporary residence permit (depending on the intended purpose of stay: study, work in RS), but must generally obtain it prior to entering

⁶ Source: Valid residence permits, available at: http://www.mnz.gov.si/mnz_za_vas/tujci_v_sloveniji/statistika/.

the country. The application for a residence permit is submitted to the diplomatic mission or to the consulate of RS abroad, or to the competent authority in RS. If the permit could not have been obtained prior to entering the country due to unforeseen circumstances, the permit may be served by the competent authority that issued the permit, if the foreigner is lawfully present in Slovenia, and the application for issuing the first temporary residence permit was filed prior to his or her entry into the country, and the foreigner has been fingerprinted at the diplomatic mission or consulate of RS abroad before entering the country; and upon entering the country, he provided information to the competent authority for issuing the permit about entering the country, the address and the duration of his or her intended stay in country, and the reasons why he or she could not obtain the first residence permit prior to entering the country.

A temporary residence permit is issued to a foreigner who intends to reside in RS for employment or work, family reunification, study, education, specialization or professional training, as well as practical training, collaboration or participation in international exchange programs of volunteers, other legitimate, other justified reasons under the law, international acts or international principles and customs, or due to the interest of RS. The temporary residence permit may also be issued to foreigners who have long-term resident status in another EU Member State, foreigners of Slovene descent up to the second-degree relatives, to children of foreigners born in RS, victims of trafficking in human beings, victims of illegal employment, foreigners who have been issued a permission to stay in RS.

Foreigners – students from third countries which are the subject of this study, submit application for the first temporary residence to the diplomatic mission or consulate of RS abroad or with the competent authority in RS. The application must be submitted to the competent authority RS before the expiration of the permitted stay. A certificate is issued upon a duly submitted application for the issue of the first temporary residence permit, valid as a temporary residence permit until the final decision on the application is made.

A foreigner who wishes to reside in RS, shall have a valid travel document, the validity of which is at least three months longer than of the intended stay in RS, adequate health insurance and sufficient means of subsistence during the stay in the country, or if the maintenance is otherwise guaranteed, monthly minimum in the amount of the minimum income in RS. For the issuance of the first temporary residence permit, a foreigner may prove the fulfillment of the condition of sufficient means of subsistence, by the means he or she provides through work, with rights from work or insurance, with property income, capital income and other sources, or through assistance of those who are obliged to support them, with a scholarship or with funds on an account opened with a bank or savings bank in RS or abroad.

Eastern Partnership - Moldova, Georgia, Ukraine:

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Q1.2. What are the main links between the countries of origin and your Member State or the applicable 'pull factors' disaggregated by region and third countries of interest?

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

Among key pull factors is a better standard of living. Citizens of Bosnia and Herzegovina predominate in finding employment in Slovenian and European companies, to a lesser extent, this pull factor is perceived by the citizens of Serbia who seem to focus more on establishing companies in Slovenia. Among Serbian citizens employed in Slovenia, many are employed in transport companies, while

Bosnia and Herzegovina citizens mainly focus on construction and agriculture. Not many residence permits have been issued to citizens of Montenegro and Macedonia.

The pull factors are therefore primarily of an economic nature, but they also affect push-factors – the choice of target country and what is the expected success upon arrival in the target country (including employment opportunities). Among important factors is also family reunification, which is already a secondary effect of migration.

Eastern Partnership – Moldova, Georgia, Ukraine:

The factors do not differ significantly between the regions in question, but the effects of immigration to Slovenia from the Eastern Partnership countries are less significant due to the lower scale of immigration.

Q1.3. Which national institutions and/or authorities are involved in implementing the visa liberalisation process and what is their respective role in this process?

While the MFA is competent for co-designing the visa policy at EU level, the border management policy at national level falls within the competence of the MoI. The Police, which is implementing the border control, is responsible for implementation of the visa-free regime. When carrying out border controls, the Police shall verify whether a person meets the entry conditions, including a visa, if required. If a visa is not required, the Police shall check the purpose and destination of the journey in accordance with the Schengen Borders Code.

The Police therefore has a supervisory role: it is the border control body, border checks and competent to detect irregular residence. The introduction of visa liberalization thus changed the nature of the Police work: they needed to be more attentive at border crossings and less attention was needed on so-called green border.

Q1.4. Were there changes in your national legislation in connection with the introduction of the visa-free regimes? If yes, please explain their scope and impact on nationals coming from the third countries analysed in this study?

The visa-free regime regulation is implemented directly under the EU legislation / the Visa Code. Article 8 (2) of the Foreigners Act⁷ provides: *"The list of countries whose citizens require a visa to enter /RS/, is regulated by the /EU/ acquis, which sets out the list of third countries whose nationals shall have a visa when crossing the external borders, and countries whose citizens are exempt from this requirement."*

The 2014 amendment of the Foreigners Act began to slightly differentiate between the categories of foreigners, among them also foreigners who can enter Slovenia under the visa-free regime; and

⁷Official Gazette of RS, Nr. 50/11, 57/11, 26/14, 45/14, 90/14, 19/15, 47/15, 5/17, 16/17, 59/17, 1/18, 9/18.

allows obtaining a residence permit under less strict conditions. However, the introduction of visa liberalization did not condition legislative change in this area.

Employment, Self-employment and Work of Foreigners Act⁸ has regulated the pursuit of seasonal work for foreigners – both those who require an entry visa, and those coming from countries with a visa-free regime. Citizens of countries with visa-free regime can enter and reside in the country without a visa on the basis of a permit for seasonal work issued by the Employment Service of Slovenia. The same applies to service and assembly services provided by companies established in a third country – based on a registration with the Employment Service of RS, foreigners can enter the country for 90 days and perform service and assembly services.

Q1.5. Where there any public/policy debates related to the visa liberalisation process in you (Member) State? If yes, what were the main issues discussed and how did this impact national policy?

Upon introduction of the visa-free regime, expert discussions were held at the level of the working groups in Brussels and in the EU Member States, on the basis of which positions were formulated. Visa liberalization for the first round of countries was introduced in 2009, shortly after the Slovenian Presidency of the European Council; discussions on the introduction of a visa-free regime were held also during the Slovenian Presidency of the European Council. There were no extensive public debates in Slovenia upon introduction of the visa liberalization.

Q1.6. Do you have any other remarks relevant to this section that were not covered above? If yes, please highlight them below.

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⁸ Employment, Self-employment and Work of Foreigners Act, Official Gazette of RS, Nr. 47/2015, 10/2017, 59/2017, 31/2018.

Table 1.2.1: Total number of external border-crossings (persons) by nationals of visa-free countries

Indicator	Period of interest (2007-2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of external border-crossings (persons) by nationals of visa-free countries												
FYROM	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Montenegro	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Serbia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Moldova	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Georgia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Ukraine	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total number of external border crossings (persons)	NA	NA	47.940.074	48.348.719	48.314.718	51.156.438	54.230.224	56.534.196	60.906.914	64.595.780	61.888.348	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Police publishes the number of passengers at border crossings, disaggregated by type of border and border crossings. Passenger data are broken down by EU citizens and third country nationals, but not by country (available at: <https://www.policija.si/index.php/en/statistika/mejna-problematika/60197-tevilo-potnikov-na-mejnih-prehodih>). Police does not record the number of legal border crossings (of persons) broken down by citizenship.

Table 1.2.2: Total number of detections of irregular border-crossings from nationals of visa-free countries

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of detections of irregular border-crossings from nationals of visa-free countries												
FYROM	170	67	47	15	8	14	2	8	9	2	6	
Montenegro	22	18	7	6	3	4	5	1	6	0	2	
Serbia	757	177	85	49	72	44	28	32	12	30	39	
Albania	369	64	44	86	44	76	77	148	111	126	102	
Bosnia and Herzegovina	171	120	206	145	31	46	23	34	23	9	23	
Moldova	5	4	0	0	1	0	1	0	2	0	1	
Georgia	9	1	1	0	0	0	0	0	0	0	0	
Ukraine	3	14	2	2	2	2	2	4	1	1	2	
Total	1.506	465	392	303	161	186	138	227	164	168	175	
Total number of detections of irregular border-crossings	2.012	1.043	793	734	884	1.353	888	722	437	1.077	1.934	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Data show a significant decline in irregular border-crossing of the visa-free countries' citizens over the considered time period, i.e. for 88%, while the total number of irregular migrations declined only by 4% between 2007 and 2017. For the period considered, there is a significant fluctuation in the number of detected irregular border crossings: the highest number of irregular border crossings, i.e. 2,012, were recorded in 2007, with third-country nationals for whom visa-free regime was introduced since 2007, amounted to almost 75% of irregular border crossings (of which 74% are citizens of the Western Balkan countries and only 1% are nationals of the Eastern

Partnership countries; 37% of irregular border crossings represent citizens of Serbia, followed by Albanian citizens with 18%). In 2017, the number of irregular border crossings has not been significantly lower, i.e. 1,934 detected irregular border crossings; however, citizens of the Western Balkan and the Eastern Partnership countries with the visa-free regime represent only 9% of irregular border crossings (of which Western Balkan countries' citizens almost 8.9%). The lowest number of irregular border crossings was recorded in 2015 (437) when citizens of the considered third countries represented 37.5% of irregular border-crossings (among those citizens of the considered Western Balkans countries 36.8% of all irregular border crossings, with significant predominance of Albanian citizens accounting for a quarter of all irregular border crossings. After 2007, the number of irregular border crossings of nationals of the countries considered in the study has declined to less than half, while the citizens of these countries represented the lowest proportion of irregular border crossings in 2017, and a slightly higher percentage was recorded in 2012 (13.7%) when the visa waiver agreements were concluded with the remaining the Western Balkan countries. Citizens of Serbia and Albania account for as much as two thirds of the detected irregular border crossings of citizens of non-visa countries: during the period considered, the highest number of irregular border crossings has been recorded of citizens of Serbia (34% of irregular border crossings of citizens of countries without visa requirement), followed by citizens of Albania with 32% of irregular border crossings of citizens of countries without visa requirement. Citizens of the Eastern Partnership countries with a visa-free regime represent a small share of detected irregular border crossings, i.e. from 0.6% in 2016 to 4.1% in 2008. Among citizens without visa requirements, Eastern European citizens represent on average 1.5% of irregular border crossings.

Table 1.2.3: Total number of short-stay visa applications by third country

Indicator	Period of interest (2007-2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	5.050	7.086	6.459	537	54	3	0	0	0	0	1	
Montenegro	2.952	9.019	10.028	6	3	0	0	1	1	1	0	
Serbia	31.511	37.887	40.290	813	294	86	118	151	120	115	113	
Albania	945	42	28	278	10	2	0	0	0	0	0	
Bosnia and Herzegovina	18.823	20.719	21.324	20.969	381	48	29	22	1	1	0	
Moldova	486	50	56	44	20	27	26	3	3	1	0	
Georgia	232	182	14	16	20	11	17	23	16	15	6	
Ukraine	5.700	6.724	4.955	5.313	8.447	9.678	8.884	6.335	6.292	5.679	2.747	
Total	65.699	81.699	83.154	27.976	9.229	9.855	9.074	6.535	6.433	5.812	2.867	<i>Data source: MFA</i>
Total number of short-stay visa applications – all third countries	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Between 2007 and 2017, the number of short-stay visa applications by citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded from 2009 on, has decreased by as much as 96%. Citizens of these countries submitted the most short-stay visa applications in 2009 (83,154 applications), of which citizens of the Western Balkan countries accounted for almost 94% (the majority of applications – almost half – were submitted by citizens of Serbia, followed by citizens of Bosnia and Herzegovina with more than a quarter of applications). The fewest short-stay visa applications were submitted in 2017 (2,867 applications), of which Ukrainian citizens submitted almost 96% applications, while citizens of Serbia accounted for 3.9% applications. The largest decline in the number of short-stay visa applications of nationals of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded from 2009 on, was recorded between 2009/2010 and 2010/2011 when the number of applications fell for two thirds. Citizens of the Eastern Partnership countries submitted 23% short-stay visa applications of third-country nationals, whom visa waiver agreements apply to from 2009 on; of which 98% applications have been submitted by citizens of Ukraine. Among citizens of the Western Balkans countries, Serbian citizens are leading with 36% applications, followed by citizens of Bosnia and Herzegovina who have submitted 27% short-stay visa applications of third-country nationals with which visa waiver agreements have been concluded since 2009 on. Among the countries considered, the lowest number of applications – 0.4% in the analyzed period – has been submitted by citizens of Albania.

Table 1.2.4: Total number of short-stay visa application refusals by third country

Indicator	Period of interest (2007-2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of short-stay visa application <u>refusals</u> by third country												
FYROM	426	720	472	9	0	0	0	0	0	0	0	
Montenegro	92	271	203	0	0	0	0	0	0	0	0	
Serbia	918	1.303	1.611	40	35	16	9	21	4	15	10	
Albania	49	17	2	7	0	0	0	0	0	0	0	
Bosnia and Herzegovina	1.082	1.322	1.465	684	6	0	1	0	0	0	0	
Moldova	74	15	7	4	0	1	1	0	0	0	0	
Georgia	40	47	0	6	0	0	0	0	0	0	0	
Ukraine	208	436	194	108	54	90	188	99	240	46	13	
Total	2.889	4.131	3.954	858	89	107	199	120	244	61	23	<i>Data source: MFA</i>
Total number of short-stay visa application <u>refusals</u> – all third countries	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Similarly to the number of short-stay visa applications of citizens of the Western Balkan and Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 on, the number of short-stay visa application refusals decreased from 2007 to 2017 by more than 99%. The largest number of applications were refused in 2008 (4,131) and 2009 (3,954); in 2010, a decline of 78.3% in the number of short-stay visa application refusals was recorded. In 2008, with the highest number of short-stay visa application refusals, nearly two thirds of refused applications represented the applications of citizens of Albania (32%) and Serbia (31.5%), while the rejected applications of the Eastern Partnership countries amounted to 12% (among those 10.6% of Ukrainian citizens). Over the period considered,

the refused applications of citizens of the Eastern Partnership countries account for less than 15% short-stay visa application refusals of third countries from visa-free regime since 2009 onwards. 36% of applications refusals in the period considered represent citizens of Bosnia and Herzegovina, 31.4% citizens of Serbia, 13.2% citizens of Ukraine, and 12.8% citizens of Macedonia. The applications of citizens of Albania, Georgia and Moldova account for less than 1% of short-stay visa application refusals (Albania: 0.6% of application refusals, Georgia: 0.7%, Moldova: 0.8%). Since 2011, short-stay visa application refusals of the Eastern Partnership countries account for more than half of all short-stay visa application refusals of third-country nationals from visa-free countries. In 2015, the citizens of Eastern Partnership countries accounted for as much as 98.4% of application refusals, and 95% in 2013 (of which most of application refusals refer citizens of Ukraine). In 2017, when the lowest number of short-term visa applications has been refused (23), 43.5% of application refusals represent the applications of citizens of Serbia and 56.5% of Ukrainian citizens. Among the Western Balkan countries, the number of short-stay visa application refusals dropped significantly upon conclusion of visa waiver agreements, with the exception of Serbia, where fluctuations are identified; applications of Serbian citizens in 2015 represents only 1.6% of short-stay visa application refusals , about 4.5% in 2010 and 2013, 39.3% in 2011 and 43.5% in 2017.

Table 1.2.5: Total number of asylum applications received from visa-free countries

Indicator	Period of interest (2007-2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of asylum applications received from visa-free countries												
FYROM	NA	NA	3	1	0	NA	NA	*1	0	0	0	Data for 2012: the report states ten most common countries of origin. Data for 2014: *1 (Palestine, FYROM, Sudan, Tunisia, Brazil, Sri Lanka, Colombia, DR Congo, unknown)
Montenegro	NA	NA	2	0	2	NA	NA	0	0	0	0	
Serbia	NA	NA	19	5	17	13	7	*8	7	21	12	Data for 2014: *8 (Serbia, Cuba, Algeria)
Albania	NA	NA	8	0	1	NA	NA	*2	9	6	3	Data for 2014: *2 (Yemen, Myanmar, Albania, DR Congo, Kazakhstan)
Bosnia and Herzegovina	NA	NA	41	28	6	NA	NA	*9	5	4	3	Data for 2014: *9 (Bosnia and Herzegovina, Turkey)
Moldova	NA	NA	2	0	3	NA	NA	0	0	0	0	
Georgia	NA	NA	1	3	1	NA	NA	0	3	0	0	
Ukraine	NA	NA	0	1	5	NA	NA	0	14	1	2	
Total	NA	NA	76	38	35	13	7	* 20	38	32	20	Marked with * where approximate numbers are provided for some countries (due to low incidence of international protection applicants from

Impact of visa liberalisation on countries of destination

												the country concerned) for 2014.
Total number of asylum applications – all third countries	NA	NA	202	246	258	304	272	* 385	277	1.308	1.476	<i>Data source: MoI annual reports</i>

**Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

The MoI started publishing its annual reports in 2009.

In the period between 2009 and 2017, international protection applications of citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements were concluded since 2009 onwards, represent 5.9% of all received international protection applications. Among international protection applications of citizens from considered countries, 87.1% international protection applications have been submitted by citizens of the Western Balkan countries; 39.1% of international protection applications have been submitted by citizens of Serbia among countries considered in the study, while 34.4% represent citizens of Bosnia and Herzegovina. While by 2009 applications from citizens of the Western Balkan and Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009, constituted as much as 37.6% of received international protection applications, already in 2010 the share has declined to 15.4%, and later dropped to 1.4% in 2017. Since 2012, the asylum applications of citizens of the analyzed countries account for around 5 or less per cent of all received international protection applications, with the exception of 2015, when applications from these countries account for 13.7% of received international protection applications.

Table 1.2.6: Total number of positive decisions on asylum applicants from visa-free countries

Indicator	Period of interest (2007-2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of positive decisions on asylum applicants from visa-free countries												
FYROM	NA	0	0	0	0	0	0	0	0	0	0	No. rounded to 5
Montenegro	NA	0	0	0	0	0	0	0	0	0	0	
Serbia	NA	0	5	0	0	0	0	0	0	0	0	
Albania	NA	0	0	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	NA	0	0	0	0	0	0	0	0	0	0	
Moldova	NA	0	0	0	0	0	0	0	0	0	0	
Georgia	NA	0	0	0	0	0	0	0	0	0	0	
Ukraine	NA	0	0	0	0	0	0	0	0	0	0	
Total	NA	0	5	0	0	0	0	0	0	0	0	<i>Data source: Eurostat</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Citizens of the Western Balkans and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, do not appear in the statistics of positive decision on international protection applications.

Table 1.2.7: Total number of negative decisions on asylum applicants from visa-free countries

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of <u>negative</u> decisions on asylum applicants from visa-free countries												
FYROM	NA	5	0	0	0	0	0	0	0	0	0	No. rounded to 5
Montenegro	NA	0	5	0	0	0	0	0	0	0	0	
Serbia	NA	65	10	5	15	25	10	5	10	0	0	
Albania	NA	0	0	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	NA	15	25	10	15	5	5	5	0	0	0	
Moldova	NA	0	0	0	0	0	0	0	0	0	0	
Georgia	NA	0	0	0	0	0	0	0	0	0	0	
Ukraine	NA	0	0	0	5	0	0	10	15	0	0	
Total	NA	85	40	15	35	30	15	20	25	0	0	<i>Data source: Eurostat</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Between 2008 and 2015, the number of rejected international protection applications of third-country nationals, for which a visa-free regime has been introduced since 2009 onwards, has declined by almost 70%. In 2016 and 2017, citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, do not appear in the statistics of negative decisions on asylum applications. As many as 54.7% of rejected international protection applications of the countries concerned are applications of Serbian citizens, and 30.2% are applications of citizens of Bosnia and Herzegovina.

Table 1.2.8: Total number of positive and negative decisions on asylum applicants (top five nationalities, not limited to visa-free countries)

Indicator	Period of interest (2007–2017)											Additional Information	
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017		
Total number of <u>positive</u> decisions on asylum applicants (top five nationalities, not limited to visa-free countries)													
<i>Nationality 1 (Syria)</i>	NA	NA	NA	NA	NA	2	7	11	10	88	97	In its annual reports, the MoI published the total number of international protection statuses by country of origin by 2011, and since 2013, the number of recognized international protection statuses in a given year, broken down by country of origin. With the aim of data comparability, countries of origin are included for which the data on the number of recognized international protection statuses disaggregated by the country of origin is published for years between 2012 and 2017.	
<i>Nationality 2 (Eritrea)</i>	NA	NA	NA	NA	NA	0	4	0	0	22	29		
<i>Nationality 3 (Iran)</i>	NA	NA	NA	NA	NA	5	3	7	19	12	3		
<i>Nationality 4 (Afghanistan)</i>	NA	NA	NA	NA	NA	10	5	0	1	14	5		
<i>Nationality 5 (Somalia)</i>	NA	NA	NA	NA	NA	8	2	18	7	0	0		
<i>Iraq)</i>						0	0	0	1	29	5		

Total	NA	NA	NA	NA	NA	25	21	36	38	165	139	<i>Data source: MoI annual reports</i>
Total number of <u>negative</u> decisions on asylum applicants (top five nationalities, not limited to visa-free countries)	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Additional Information
<i>Nationality 1</i>	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
<i>Nationality 2</i>	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
<i>Nationality 3</i>	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
<i>Nationality 4</i>	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
<i>Nationality 5</i>	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

Citizens of the Western Balkans and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, do not appear among the most frequent nationalities of international protection applicants.

In its annual reports, the MoI does not publish data on rejected international protection applications, disaggregated by citizenship of international protection applicants.

Table 1.2.9: Total number of residence permits applications (all residence permits) by visa-free country

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of residence permits applications (all residence permits) by visa-free country												
FYROM	NA	3.973	1.748	768	950	793	626	562	818	906	1.473	
Montenegro	NA	119	106	61	103	92	77	60	99	95	113	
Serbia	NA	5.896	1.900	1.040	1.480	1.376	1.338	1.331	1.874	2.339	3.259	
Albania	NA	45	102	28	8	17	13	19	18	27	24	
Bosnia and Herzegovina	NA	13.707	3.205	2.328	3.446	3.581	3.064	4.369	4.861	6.330	10.414	
Moldova	NA	96	72	44	42	27	21	9	14	19	29	
Georgia	NA	2	4	7	9	6	3	5	4	7	8	
Ukraine	NA	335	221	209	262	181	175	258	363	316	289	
Total	NA	24.173	7.358	4.485	6.300	6.073	5.317	6.613	8.051	10.039	15.609	
Total number of residence permits applications (all residence permits)	NA	29.215	15.759	7.537	9.800	9.092	8.271	9.891	11.417	13.517	19.609	<i>Data source: Eurostat</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

In the 2008–2017 period, the number of residence permit applications by citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded from 2009 onwards, has declined by 35.4%, while the total number of residence permit applications declined by 32.9%. The applications of the countries considered represent 70% of all residence permit applications; residence permit applications of third-country nationals with which visa waiver agreements have been signed since 2009 onwards, represented the largest share of all residence permit applications in 2008 (82.7%), while only a year later

they accounted for less than half of all residence permit applications (46.7%). The residence permit applications of citizens of the Western Balkan countries represent 96.8% of applications among considered countries, and 67.8% of all residence permit applications. During this period, the majority of residence permit applications have been submitted by citizens of Bosnia and Herzegovina (58.8% of residence permit applications of considered third-country nationals, and 41.2% of all residence permit applications); followed by citizens of Serbia (23.2% of residence permit applications of considered third-country nationals, and 16.3 % of all residence permit applications), and Macedonia (13.4 % of residence permit applications of considered third-country nationals, and 9.4% of all residence permit applications). The lowest number of residence permit applications has been submitted by citizens of Georgia (0.06% of residence permit applications of citizens of the countries concerned) and Albania (0.3% of residence permit applications of the countries concerned).

Table 1.2.10: Total number of identity document fraud instances by visa-free country – by nationality of the persons considered

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of identity document fraud instances by visa-free country												
FYROM	53	48	39	61	49	45	28	34	32	19	34	Data on cases by citizenship of the persons in question.
Montenegro	6	6	9	0	6	6	3	9	6	5	5	
Serbia	224 + 5*	135	80	94	64	49	78	89	88	61	78	* Serbia and Montenegro
Albania	0	17	22	21	73	127	91	105	81	61	54	
Bosnia and Herzegovina	59	45	41	72	44	52	155	128	72	59	54	
Moldova	8	14	0	2	0	0	0	2	0	0	0	
Georgia	0	0	0	0	2	0	0	0	0	0	0	
Ukraine	6	5	0	6	2	3	3	0	3	0	3	
Total	361	270	191	256	240	282	358	367	282	205	228	
Total number of identity document fraud instances	705	703	595	795	586	540	717	926	465	397	408	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Table 1.2.10a: Total number of identity document fraud instances by visa-free country – by the country issuing the identity document

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	

Total number of identity document fraud instances by visa-free country	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	Additional Information
FYROM	28	26	40	54	42	32	6	16	14	8	13	Data on cases by the country issuing the identity document.
Montenegro	3	6	3	1	9	2	0	6	3	2	3	
Serbia	148+ 3*	135	46	72	98	41	61	82	67	38	51	* Serbia and Montenegro
Albania	5	5	15	8	78	151	115	114	122	66	85	
Bosnia and Herzegovina	40	27	26	71	31	19	83	52	41	31	36	
Moldova	8	0	1	2	0	1	1	2	1	0	0	
Georgia	1	0	0	0	0	0	0	0	0	0	0	
Ukraine	1	4	2	2	2	5	4	0	1	0	5	
Total	237	203	133	210	260	251	270	272	249	145	193	
Total number of identity document fraud instances	1.082	1.012	844	1.169	926	1.136	1.099	1.347	847	693	699	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

The Police records the number of cases of abuse of identity documents (travel documents), both by the citizenship of the person concerned, and by the country of issue of the document. Both breakdowns of these data are characterized by fluctuations in the number of cases during the period considered.

Among cases of abuse of identity documents (travel documents), according to the nationality of the persons in question, third-country nationals with which visa waiver agreements have been concluded since 2009 onwards, account for 44.5% of all identity document (travel document) fraud instances – Western Balkan nationals represent 43.6% cases, while Eastern European citizens account for 0.9% cases. Among the third-country nationals considered in the study, Western Balkan nationals account for 98.1%, while the Eastern Partnership nationals account for only 1.9% of identity document (travel document) fraud instances. Citizens of Serbia rank the highest in identity document (travel document) fraud instances in the period under review (34.4% of cases of citizens of the considered countries, and 15.3% of all identity document (travel document) fraud instances), followed by citizens of Bosnia and Herzegovina (25.7% or 11.4% of all identity document (travel document) fraud instances) and Albania (21.4% of cases of citizens of the considered countries, or 9.5% of all identity document (travel document) fraud instances). The share

of the Western Balkans and the Eastern Partnership nationals varies between 32.1% in 2009 and 60.6% in 2015 among all identity document (travel document) fraud instances.

Among identity document fraud instances, according to the country of issue of the document, third countries with which visa waiver agreements have been concluded since 2009 onwards, those countries account for 22.3% of all identity document fraud instances, half of the share disaggregated by the citizenship of the identified person for abuse of identity (travel) document; Western Balkan countries account for 21.9% cases, while the Eastern Partnership countries account for 0.4% cases. Similarly to the citizenship of persons, among third countries considered in this study, Western Balkan countries account for 98.2%, while the Eastern Partnership countries account for only 1.8% of identity document fraud instances. Among the identity document fraud instances, during the period of interest, documents issued by Serbia were mostly frequently considered (34.8% of cases among the countries concerned, or 7.8% of all identity document fraud instances), followed by documents issued by Albania (31.5% of cases among the countries concerned, or 7% of all identity document fraud instances), and Bosnia and Herzegovina (18.9% of cases among the countries concerned, or 4.2% of all identity document fraud instances). The share of the abuse of documents from the Western Balkan and the Eastern Partnership countries among all identity document fraud instances represents between 15.8% in 2009 and 29.4% in 2015 – the highest and the lowest share were recorded in the same years as cases of data disaggregation by citizenship.

Section 2: Positive impact of visa liberalisation on (Member) States

SECTION 2.1: DESCRIPTION OF NATIONAL SITUATION

Q2.1. What impact did the visa liberalisation have on your (Member) State? Please provide a short description of your national situation.

Visa liberalization mainly had positive effects - in the economic, cultural, sports and education sectors. There are more students coming to Slovenia, more study exchanges and practices in companies are implemented. On the other hand, also some abuses appear, but they still do not outweigh its positive effects.

Examples of exploitation have been identified: e.g. students from Serbia conducted practice in catering companies on the coast, thus eliminating the domestic workforce, while performing short-term mandatory practices that were not adequately paid.

Among positive effects of visa liberalization, the Police states a decline in the scope of irregular migration. Among positive effects of visa liberalization is also the conclusion of agreements on return procedures between the EU and concerned country, for which a visa-free regime is being introduced; which facilitates the implementation of return procedures, and improves cooperation with the security authorities of the country.

Q2.1.1 If applicable, please categorise your answer to **Q2.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

The effects are difficult to differentiate; however, more positive effects of visa liberalization for the Western Balkan countries can be identified compared to the Eastern Partnership countries. Important factors are geographical proximity, common history, high share of family ties and linguistic proximity.

Eastern Partnership - Moldova, Georgia, Ukraine:

/

Q2.2. Did your (Member) State assess the impact of visa liberalisation as positive? If yes, please explain the reasons for your positive assessment and how this was reached (i.e. who was involved in the assessment and how they reached this conclusion). If no, explain why this is the case.

The persons with whom the interviews have been conducted for the purposes of this study, have not had any information on evaluation the effects of visa liberalization.

Q2.2.1. Did your collaboration with relevant third countries improve within the field of migration since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

The Police assesses that there was no direct effect in the cooperation with the security authorities of the third countries in question due to the introduction of visa liberalization. Otherwise, it is usually one of the commitments of the state with which the visa-free regime is concluded, the conclusion

of a return agreement between this country and the EU, which facilitates the implementation of return procedures.

Q2.2.2. Did your (Member) State identify specific economic benefits? If yes, please list them and provide a short description for each.

Data for the research period are not available.

Q2.2.3. Did your (Member) State experience a growth in tourism from third-country nationals under the visa liberalisation regime? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 2.2.1.

According to available statistics on the number of arrivals and overnight stays of tourists from countries without visa requirements before and after visa liberalization, significant changes have been noted in case of citizens of Macedonia, Serbia and Montenegro, where, after visa liberalization, the number of arrivals and overnight stays increased by a quarter (25, 4%), in case of Montenegro by 70.5%, and in case of Serbia by almost 80% (78.2%). Following the increase immediately after the introduction of the visa-free regime, the new trend remains more or less the same over the years. In the case of Ukraine, in the year of concluding the agreement, there is a 10% increase in the number of tourist arrivals and overnight stays, but data for subsequent years are not yet available and therefore the trend or potential deviations cannot be identified. Throughout the observed years, the share of tourists coming from countries without visa requirement or, before and after the visa liberalization, represent a constant of around 16% among all tourists.

Q2.2.4. Did your (Member) State experience an impact on its labour market since the introduction of visa liberalisation? If yes, please provide a short description and specific examples, including background information on the link between visa free travel and access to the labour market in the national context.

Please answer this question by making a link with the data presented in Table 2.2.3.

At the Ministry of Labor, Family, Social Affairs and Equal Opportunities, they explain that in case of employment of citizens of the countries considered by the study, this often refers to seasonal workers who, under Slovenian legislation, do not require a visa to enter the labor market. In this statement, they refer significantly to employed foreigners from the Western Balkans countries, and not from the Eastern Partnership countries. Since the labor market in Slovenia greatly depends on the Western Balkans countries, which was the case even before the introduction of a visa-free regime, visa liberalization has not affected the labor market in Slovenia. Data on applications for the first residence permit for the purpose of engaging in a gainful activity are very limited and it is difficult to identify trends or deviations.

Foreigners who come to Slovenia for the purpose of employment, self-employment or work, from 1 January 2015 need a single permit, which joins and replaces the residence permit previously issued by administrative units, and a work permit issued by employment services. These applications are considered under the Foreigners Act and the Employment, Self-employment and Work of Foreigners Act.

Applicants may submit an application for the single permit to the administrative unit or to the diplomatic mission or consular post in their home country. In the procedure for a single permit, which is managed by an administrative unit, the Employment Service issues a consent to this permit in case legal conditions for a particular type of permit are fulfilled.

All applicants for a single permit must have an employer with whom they have already concluded an employment contract, on the basis of which they apply for a single permit. No consent is required for issuing the single permit for self-employment of a foreigner. Foreigners can become self-employed after one year of continuous legal residence in Slovenia. The stated condition of residence is not required, if the foreigner is registered in the business register as a person who will perform an independent professional activity.

Work permits issued by the Employment Service continue to be required for seasonal work in agriculture for up to 90 days (according to the Employment, Self-employment and Work of Foreigners Act), and for employment of citizens of Bosnia and Herzegovina (based on the Agreement on the Employment of Citizens of Bosnia and Herzegovina in Slovenia, implemented from 1 March 2013).

Q2.2.5. Did your (Member) State experience a growth in the number of students arriving from third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 2.2.4.

As a result of visa liberalization, more students come to Slovenia, more study exchanges and practices are implemented in companies. This primarily refers to the Western Balkan countries, wherefrom for young people it is still easier to overcome the language and other difficulties in studying in Slovenia.

The entrepreneurial status of persons applying for a residence permit is not a statistical category, followed by competent authorities.

Q2.2.6. Did your (Member) State experience a growth of entrepreneurship, including of self-employed persons from third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples, including background information on the access to self-employment from visa free regimes in the national context.

Please answer this question by making a link with the data presented in Table 2.2.5.

The Ministry of Labour, Family, Social Affairs and Equal Opportunities has not identified such influences, and statistical data in connection with these issues is not available.

Q2.2.7. Did your (Member) State experience a growth in trade with third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples (i.e. in which sectors / what type of goods or services).

The rising figures are difficult to differentiate; it is not possible to state with certainty whether the growing figures refer to effects of visa liberalization, or the strengthening of cooperation in general.

Impact of visa liberalisation on countries of destination

Q2.2.8. What other benefit (or positive impact) was identified by your (Member) State in relation to visa liberalisation that was not already captured in the previous questions, if applicable?

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SECTION 2.2: STATISTICAL INFORMATION

Table 2.2.1: Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries												
FYROM	NA	29.815	25.580	32.092	31.129	28.080	31.656	27.835	30.667	35.847	38.352	
Montenegro	NA	11.178	10.410	17.759	16.446	17.497	18.762	17.741	20.916	22.442	23.964	
Serbia	NA	125.410	113.177	201.683	209.971	203.807	206.322	205.635	220.614	249.105	277.644	
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	NA	101.078	77.281	66.611	70.478	72.080	76.621	77.670	85.349	95.360	115.992	
Moldova	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Georgia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Ukraine	NA	51.513	36.484	43.123	59.712	73.230	75.390	68.805	66.418	74.565	81.868	
Total	/	318.994	262.932	329.176	387.736	366.642	408.750	806.436	423.964	477.319	537.820	
Total number of visitors staying in hotels and other accommodation establishments	NA	5.351.282	4.936.293	4.997.031	5463931	5.777.204	5.962.251	6.090.409	6.614.443	7.342.118	8.572.217	Number of arrivals of foreign guests. Data source: Statistical Office of RS (Available at: https://pxweb.stat.si/pxweb/DIALOG/varval.asp?ma=2164506S&ti=&path=../Database/Ekonomsko/21_gostinstvo_turizem/01_nast)

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**Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

According to available statistics on the number of arrivals and overnight stays of tourists from countries without visa requirements before and after visa liberalization, significant changes have been noted in case of citizens of Macedonia, Serbia and Montenegro, where, after visa liberalization, the number of arrivals and overnight stays increased by a quarter (25, 4%), in case of Montenegro by 70.5%, and in case of Serbia by almost 80% (78.2%). Following the increase immediately after the introduction of the visa-free regime, the new trend remains more or less the same over the years. In the case of Ukraine, in the year of concluding the agreement, there is a 10% increase in the number of tourist arrivals and overnight stays, but data for subsequent years are not yet available and therefore the trend or potential deviations cannot be identified. Throughout the observed years, the share of tourists coming from countries without visa requirement or, before and after the visa liberalization, represent a constant of around 16% among all tourists.

Table 2.2.2: Total number of first-time residence permit applications received from visa-free country nationals **

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of first-time residence applications received from the respective visa-free country												
FYROM	17.841	5.066	2.122	964	1.058	855	647	677	829	1.035	1.729	
Montenegro	1.070	116	110	62	81	86	55	55	93	131	189	
Serbia	35.240	7.508	2.641	1.485	1.961	1.636	1.693	1.693	2.529	3.469	4.685	
Albania	371	64	125	38	16	10	15	15	21	25	28	
Bosnia and Herzegovina	84.325	18.294	4.813	3.479	4.792	4.535	5.322	5.322	6.031	7.250	12.073	
Moldova	600	136	100	68	47	34	21	16	17	20	30	
Georgia	55	5	3	8	7	2	2	5	6	11	6	
Ukraine	3.608	442	264	273	361	216	228	366	393	325	299	
Total	143.110	31.631	10.178	6.377	8.323	7.374	6.416	8.149	9.919	12.266	19.039	<i>Source: MoI</i>
Total number of first-time residence applications	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

*** The table contains accessible data about foreigners who moved to Slovenia for the purpose of employment or seasonal work. The connection between the residence permit applications and the visa liberalization institute does not indicate the effects of the latter, since not necessarily the residence permit will be issued. Therefore, the indicators on potential misuse of these procedures or the number of approved applications may be more relevant.*

In the reports of the Directorate for Home Affairs, Migration and Naturalization (MoI), only the number of issued permits is available, and not the number of residence permit applications.

In the 2007–2017 period, the number of residence permit applications by citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded from 2009 onwards, has declined by 86.7% (with the highest number recorded in 2007 – 143.110 applications, and the lowest number of 6.377 applications in 2010). The first-time residence applications of citizens of the Western Balkan countries represent almost 97% of first-time residence applications among considered countries. During this period, the majority of first-time residence permit applications have been submitted by citizens of Bosnia and Herzegovina (59.5% of first-time residence applications of considered third-country nationals), followed by citizens of Serbia (24.6% of first-time residence applications of considered third-country nationals), and Macedonia (12.5% of first-time residence applications of considered third-country nationals). The lowest number of first-time residence applications has been submitted by citizens of Georgia (0.04% of first-time residence applications of citizens of the countries concerned), Moldova (0.4% of first-time residence applications of citizens of the countries concerned) and Montenegro (0.8% of first-time residence applications of citizens of the countries concerned).

Table 2.2.3: Total number of first residence permits issued for remunerated activities reasons to visa-free country nationals

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of permits issued for remunerated activities reasons to visa-free country nationals												
FYROM	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	Data source: Statistical Office of RS (foreigners who migrated to Slovenia by: nationality, year, purpose of immigration)
Montenegro	NA	53	41	49	19	18	13	17	13	16	NA	
Serbia	3.219	2.972	1.981	737	738	808	805	736	747	1.103	NA	
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	7.477	9.690	9.477	2.965	1.628	1.973	1.713	1.403	2.128	2.521	NA	
Moldova	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Georgia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Ukraine	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total number of permits issued for remunerated activities reasons	22.859	32.752	16.023	5.951	6.589	4.812	3.513	4.250	5.627	7.468	13.140	Data source: Statistical Office of RS

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

The reports from the Directorate for Home Affairs, Migration and Naturalization/Migration Office (MoI) show the number of issued temporary residence permits broken down by citizenship, but not the number of issued first temporary residence permits, broken down by citizenship. The Statistical Office data are available

only for citizens of Bosnia and Herzegovina, Montenegro and Serbia, with the note that the figures in the table encompass those foreigners who entered Slovenia for the purpose of employment or seasonal work, but not other forms of pursuing a gainful activities, such as referral, redeployment within a company, an EU Blue Card, research and higher education work.

Table 2.2.4: Total number of first residence permits issued for education reasons to visa-free country nationals

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of permits issued for education reasons to visa-free country nationals												
FYROM	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Montenegro	16	7	7	5	9	11	9	11	13	11	NA	Data source: Statistical Office of RS (foreigners who migrated to Slovenia by: nationality, year, purpose of immigration)
Serbia	108	53	60	19	37	47	49	41	41	59	NA	
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	78	48	89	23	59	83	73	65	120	144		
Moldova	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Georgia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Ukraine	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total number of permits issued for education reasons	619	723	847	829	1.310	1.002	711	578	1.088	1.407	1.747	Data source: Statistical Office of RS

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

In the reports of the Directorate for Home Affairs, Migration and Naturalization / Migration Office (MoI), the number of issued first temporary residence permits is provided and disaggregated by the purpose, but not by nationality. Due to incomplete information available, data cannot be interpreted in terms of linking the indicator to the introduction of visa liberalization.

Table 2.2.5: Total number of first residence permits issued to entrepreneurs (including self-employed persons) from visa-free countries

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of first residence permits issued for entrepreneurs (including self-employed persons) from visa-free countries												
FYROM	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Montenegro	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Serbia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Moldova	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Georgia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Ukraine	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total number of first residence permits issued for entrepreneurs (including self-employed persons)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

The entrepreneurial status of persons applying for a residence permit is not a statistical category, followed by competent authorities.

Section 3: Challenges of visa liberalisation on (Member) States

SECTION 3.1: DESCRIPTION OF NATIONAL SITUATION

Q3.1. Did your (Member) State face certain challenges (if any) since the introduction of visa liberalisation? Please provide a short description of your national situation.

The MFA has not identified specific challenges, except that some countries (Serbia, Montenegro) have begun to introduce visa-free regime for - from the perspective of the EU - problematic countries, which is becoming an increasing challenge.

The Police assesses that there was no direct effect in the cooperation with the security authorities of the third countries in question due to the introduction of visa liberalization. Otherwise, it is usually one of the commitments of the state with which the visa-free regime is concluded, the conclusion of a return agreement between this country and the EU, which facilitates the implementation of return procedures.

Q3.1.1 If applicable, please categorise your answer to **Q3.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

Challenges cannot be differentiated among the considered regions, and the challenges differ only in terms of the scale of immigration (depending on the extent to which Slovenia is a relevant country for immigration from a particular country considered in the study).

Eastern Partnership - Moldova, Georgia, Ukraine:

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Q3.1.2 Did your (Member) State encounter a rise in illegal employment since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 3.2.5.

The incidence of illegal employment is monitored by the Financial Administration of RS, but the statistics of these offenses are not kept according to nationality, therefore it is not possible to analyze data for the purpose of this study.

Q3.1.3 Did your (Member) State encounter a rise in smuggled and/or trafficked persons from the visa-free countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Tables 3.2.6 and 3.2.7.

According to assessment by the Police, visa liberalization facilitates entry, but is not an essential factor in trafficking in human beings/smuggling. After visa liberalization, there was no increase in the number of victims of trafficking in persons in the RS. A characteristic of Slovenia is that the visa regime does not affect the recruitment of victims of trafficking in persons in the countries of origin.

It is important to emphasize the vulnerability of third-country citizens (their poor social and economic situation), which is a strong factor influencing trafficking in persons in Slovenia.

The number of identified injured parties – victims of trafficking in human beings established in the pre-trial procedure, has been higher in the last three years; citizens of Serbia, Moldova, Bosnia and Herzegovina and Macedonia are among the injured parties. Due to low incidence, data cannot be interpreted in terms of linking the incidence of trafficking in human beings/smuggling to the introduction of visa liberalization.

Q3.1.4 Did your (Member) State encounter a rise in the number of identified facilitators of unauthorised entry, transit and residence since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 3.2.8.

Statistics do not indicate the link between visa liberalization and the increase in the number of persons who facilitate unauthorised entry, transit and residence of third-country nationals, or assist them in hiding from law enforcement.

Q3.1.5 Did your (Member) State encounter a rise in the number of nationals found to be illegally present from the visa-free countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

The Police has identified this question by making the link with the data presented in Table 3.2.9. Third-country nationals with a visa-free regime. As unauthorized residence, the Police records both, exceeding of the allowed time of residence and the "classic" unauthorized residence, i.e. residence in violation of the purpose of the residence permit or without a residence permit, the abuse of a residence permit (for example, for illegal work). Overstaying the permitted residence period is considered a minor offense in this field. The majority of cases of unauthorized residence relate to the overstaying the allowed time of residence.

Data on the illegal residence of third-country nationals show a significant increase in illegal residence during the period considered, i.e. after the introduction of the visa-free regime; while illegal residence of third-country nationals increased by 594% between 2010 and 2017, the illegal stay of citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, increased by 962% since 2009. Citizens of the considered countries represented 83.7% cases of illegal residence of third-country nationals, of whom 67.6 % were citizens of the Western Balkan countries, while 16.1 % were citizens of the Eastern Partnership countries. Among the detected cases of illegally staying third-country nationals, the share of citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded, has significantly increased from 59.5% in 2010 (representing the lowest share in the period) to 96.4% in 2017 (which represents the peak in the analyzed period). Most cases of illegal residence were detected among Albanian nationals (31.8% of cases of illegally staying third-country nationals), Bosnia and Herzegovina (15%) and Macedonia (13.2%); and the lowest share of cases among citizens of Georgia and Montenegro. From the statistics, a significant increase in cases of illegal residence can be identified after the introduction of the visa-free regime, both for the Western Balkan and the Eastern Partnership countries. Unlike other indicators, in case of illegal residence, the citizens of Moldova (8.7% of cases of illegal residence of third-country nationals) are at the top of the citizens of Ukraine (7.4%); the share of Georgian citizens is negligible.

Q3.1.6 Did your (Member) State encounter a rise in the number of overstayers since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 3.2.10.

The Police has identified an increase in the number of cases of exceeding the authorized residence time of third-country nationals with a visa-free regime.

Similarly to the data on the illegal residence of citizens of the Western Balkan and the Eastern Partnership countries, the figures on overstayers – citizens of the countries concerned, show an increase of 927% between 2010 and 2017, i.e. after the introduction of a visa-free regime. The authorized residence time in this period was mostly exceeded by citizens of Bosnia and Herzegovina (25.8% of overstayers – citizens of considered countries), Macedonia (23%), Albania (22%), and Serbia (21.3%).

Q3.1.7 Did your (Member) State encounter any signs of possible misuse of the visa liberalisation? If yes, please provide a short description and specific examples.

The Employment Service of RS has identified that prior to the introduction of visa liberalization, there was more pressure for issuing illegal work permits (i.e. work permits, which did not result in actual employment with the Slovenian employer). With the introduction of visa liberalization, this has changed, since foreigners from countries with visa-free regime do not need a work permit for the purpose of an entry visa. Those applying for a single work and residence permit are then actually employed with the Slovenian employer. Thus, the impact of visa liberalization is assessed as positive, since the abuses of the work permit and the residence permit for entry into the EU, are practically no longer detected. Prior to the introduction of a visa-free regime for the Western Balkan countries, foreigners often (mis)used the work permit only as an entry visa into the EU, not resulting in the actual employment with the Slovenian employer.

The Ministry of Labour, Family, Social Affairs and Equal Opportunities agrees that the incidences of abuse of the self-employment institute have been mainly detected in 2005 and 2006, when self-employment of foreigners has been limited. Employers obtained work permits "in stock", and then, according to the workforce needs, they were tactful in inclusion of foreigners in the social insurance system. Companies obtained work permits, while foreigners – workers, after inclusion in the social insurance system, have never actually worked in Slovenia. This area was regulated by the adoption of the Posting of Workers in the framework of provision of Services Act, which entered into force on 1 January 2018.

Abuses of visa liberalization are evident in various forms of irregular residence, which includes, in particular, the exceeded period of permitted residence.

Q3.2. Did your (Member) State as a country of destination face any administrative burden since the introduction of the visa-free regime? If yes, please provide a short description and specific examples.

Administrative burden on the Police mainly depends on the extent of (irregular) migration. The introduction of visa liberalization changed the nature of the Police work: they had to pay more attention to border crossings and less attention was needed at the so-called green border.

The Police explains that the structure of the grounds for refusal changes among the entry refusals. As long as the country is on the visa requirement list, among the refusal reasons, it is often the fact that the person does not have a visa or residence permit. When a country enjoys visa liberalization, among frequent reasons are overstay or the unfounded purpose or destination of the travel. While overstay is already the result of staying in the EU, an unfounded purpose is established during the first contact in the border control (someone comes without a visa, but cannot explain why he/she is entering the country).

In the area of employment of foreigners, the Ministry of Labour, Family, Social Affairs and Equal Opportunities does not identify administrative burden (for the field of employment of foreigners).

Q3.2.1. If applicable, please list the institutions that faced administrative burdens.

Administrative burden on the Police mainly depends on the extent of (irregular) migration. The introduction of visa liberalization changed the nature of the Police work: they had to pay more attention to border crossings and less attention was needed at the so-called green border.

Q3.3. Did your (Member) State as a country of destination face any security risks since the introduction of the visa-free regime? If yes, please provide a short description and specific examples.

The Police estimates that there is no direct correlation between the introduction of visa liberalization and security risks.

Q3.3.1. Did the visa liberalisation regime increase the security risks in your (Member) State? If yes, please provide a short description explaining why and provide examples.

Each visa liberalization increases security risks. The question is whether the increase is still acceptable. When introducing visa liberalization, the assessment was that this was acceptable. In the meantime, there have been estimates that re-thinking is needed for individual countries enjoying a visa-free regime.

The Police adds that there is no direct correlation between the introduction of visa liberalization and increased security risks.

Q3.3.2. If applicable, what types of offences were committed by third-country nationals in your (Member) State after the commencement of the visa-free regime? Where there any significant differences compared to the time before the visa-free regime started?

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Q3.3.3. If applicable, what was the rate of offences (final court rulings) committed by third-country nationals in your (Member) State after the commencement of the visa-free regime? Where there any significant differences compared to the time before the visa-free regime started?

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Q3.4. What is the role and impact of irregular migration facilitators that provide their services to third-country nationals with an entry ban? Please provide a short description with specific examples about your (Member) State situation and make a clear distinction between people who assist migrants and people who are profiting from facilitation.

Please answer this question by making a link with the data presented in Table 3.2.6, 3.2.7 and 3.2.8.

The role of organizers and assistants in irregular migrations can vary significantly. The organizer or assistant can organize the travel of a person to his destination country, but it may also be only individual segments (e.g. providing transport or accommodation, routing, leading through crossing the border, transfer through the border crossing, stage transit). There is also assistance within EU Member States, which takes the form of persons entering the EU territory on the basis of their residence address - but in principle there is no need for such assistance, since these abuses are usually carried out by obtaining a residence permit without justification, on false grounds (for example, by showing fake needs for workforce), but a person from a country with visa-free entry visa regime does not require it. The needs for assistance at the border or stage journey from the source to the target country are decreasing, as people have the opportunity to legally cross the border and enter the country.

Q3.4.1 How did the activities of irregular migration facilitators impact your (Member) State? Please provide a short description with specific examples about your (Member) State situation.

Apart from the burden on the Police, the impact is not identified. Any activity that enables, promotes, facilitates irregular migration, represents an economic damage to the state, because the informal economy is growing (i.e. illegal work), and the security challenge. Upon detection, the person is appropriately registered and identified, and then they also determine whether the person poses a security risk for Slovenia.

Q3.4.2. If applicable, please list and explain any challenges and risks identified by your country related to the activities of irregular migration facilitators, while making a clear distinction between people who assist migrants and people who are profiting from facilitation.

The Police estimates that assistance to migrants without benefits for "assistants" (e.g. assistance of relatives in crossing the border) represents an extremely small proportion of irregular migration; in this case, it does not refer to organized irregular migration. Among the important factors is avoiding SIS positive identification ("hits"): the greater the likelihood of entry refusal, the greater the likelihood that a person will try to cross the border illegally.

Q3.5. What other challenge (or negative impact) was identified by your (Member) State in relation to visa liberalisation that was not already captured in the previous questions, if applicable?

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SECTION 3.2: STATISTICAL INFORMATION

Table 3.2.1: Total number of nationals from the visa-free countries refused entry at the external borders

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of nationals from the visa-free countries refused entry at the external borders												
FYROM	801	436	1.050	1.107	851	486	538	464	423	363	437	
Montenegro	42	36	45	113	85	76	71	63	55	43	61	
Serbia	1.719	622	837	1.625	1.282	1.083	885	715	656	622	703	
Albania	596	22	247	252	820	1.084	1.282	1.434	1.192	1.335	1.140	
Bosnia and Herzegovina	1.462	945	1.053	642	1.274	1.276	1.208	913	895	762	782	
Moldova	179	13	5	4	10	6	11	11	9	6	10	
Georgia	3	1	0	1	1	4	2	5	1	4	1	
Ukraine	404	19	202	137	104	125	82	27	36	33	33	
Total	5.206	2.094	3.439	3.881	4.427	4.140	4.079	3.632	3.267	3.168	3.167	
Total number third-country nationals refused entry at the external borders	11.545	7.936	8.149	8.105	8.264	7.999	6.494	4.543	3.929	4.674	3.800	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, account for 53.7% of third-country nationals who were refused entry at the external border (the lowest share recorded in 2008 – 26.4%, the highest share recorded in 2017

– 83.3%). While by 2012, third-country nationals without visa requirement represented up to half of third-country nationals who were refused entry at the border, from this year on, the share significantly increases at above 50%. The Western Balkans nationals represent 96.3% of the considered countries, whose citizens have been refused entry at the external border, while citizens of the Eastern Partnership accounted for 3.7%. Among all third-country nationals who were refused entry to Slovenia, citizens of the Western Balkan countries account for 51.7%, while citizens of the Eastern Partnership countries account for 2%. Among the analyzed countries, entry to Slovenia was most often denied to citizens of Bosnia and Herzegovina (27.7% of refused entries to citizens of considered countries, and 14.9% of all entry refusals of third-country nationals), followed by citizens of Serbia (26.5% of refused entries to citizens of considered countries, and 14.2% of all entry refusals of third-country nationals), and Albania (23.2% of refused entries to nationals of considered countries, and 12.5% of all entry refusals of third-country nationals). While the number of third-country nationals who were refused entry at the external border decreased by 67.1% between 2007 and 2017, the number of the Western Balkan countries and the Eastern Partnership nationals, with which visa waiver agreements have been concluded from 2009 onwards, that were refused entry at the border decreased by only 39.2% during this period (as a result, they represent in the recent period a larger proportion of third-country nationals refused to enter the country).

Table 3.2.2: Total number of return decisions issued to nationals from the visa-free countries

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of return decisions issued to nationals from the visa-free countries												
FYROM	N/A	N/A	N/A	N/A	N/A	72	82	56	54	91	70	The Foreigners Act introduces in 2012 the issuance of written return decisions.
Montenegro	N/A	N/A	N/A	N/A	N/A	4	6	6	4	11	9	
Serbia	N/A	N/A	N/A	N/A	N/A	150	114	147	172	218	248	
Albania	N/A	N/A	N/A	N/A	N/A	3	15	23	24	39	34	
Bosnia and Herzegovina	N/A	N/A	N/A	N/A	N/A	259	272	303	244	358	495	
Moldova	N/A	N/A	N/A	N/A	N/A	6	14	7	4	6	9	
Georgia	N/A	N/A	N/A	N/A	N/A	0	0	0	2	3	4	
Ukraine	N/A	N/A	N/A	N/A	N/A	23	20	22	22	26	45	
Total	N/A	N/A	N/A	N/A	N/A	517	523	564	526	752	914	
Total number of return decisions issued to third-country nationals	N/A	N/A	N/A	N/A	N/A	858	841	850	852	1.469	1.338	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

The Foreigners Act amendment of 2012 introduces the issuance of written return decisions, therefore data is available from this year on.

Citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, account for 61.1% of third-country nationals who were issued (voluntary and forced) return decisions in the analyzed period (the lowest share was recorded in 2016 – 51.2%; the highest share was recorded in 2017 – 68.3%). Among the considered countries, the share of Western Balkan nationals (67%) is twice as high as the share of

the Eastern Partnership nationals (33%); in the proportion of all issued return decisions, the citizens of the Western Balkan countries account for 41%, while the citizens of the Eastern Partnership countries account for 20.2% return decisions. Among the countries considered, most return decisions were issued to citizens of Bosnia and Herzegovina (50.9% return decisions among citizens of analyzed countries, and 31.1% of all return decisions issued to third-country nationals), followed by Serbian citizens (27.6% return decisions among citizens of analyzed countries, and 16.9% of all return decisions issued to third-country nationals). Among these countries, at least return decisions were issued to citizens of Georgia (0.2% return decisions among citizens of analyzed countries, and 0.1% of all return decisions issued to third-country nationals), Montenegro (1.1% return decisions among citizens of analyzed countries, and 0.6% of all return decisions issued to third-country nationals), and Moldova (1.2% return decisions among citizens of analyzed countries, and 0.7% of all return decisions issued to third-country nationals). While the number of issued return decisions to third-country nationals increased by 55.9% between 2012 and 2017, the number of issued decisions to nationals of analyzed countries increased by 76.8%.

Table 3.2.3: Total number of voluntary returns (all types) by nationals of visa-free countries

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of voluntary returns (all types) by nationals of visa-free countries												
FYROM	N/A	N/A	N/A	1	1	69	71	48	47	83	64	
Montenegro	N/A	N/A	N/A	0	0	3	3	3	1	7	8	
Serbia	N/A	N/A	N/A	0	3	140	102	134	146	192	232	
Albania	N/A	N/A	N/A	0	0	0	9	8	14	9	21	
Bosnia and Herzegovina	N/A	N/A	N/A	0	2	239	236	266	225	330	467	
Moldova	N/A	N/A	N/A	0	0	4	10	5	2	5	8	
Georgia	N/A	N/A	N/A	0	0	0	0	0	2	2	2	
Ukraine	N/A	N/A	N/A	0	0	21	14	19	17	17	40	
Total	N/A	N/A	N/A	1	6	476	445	483	454	645	842	

Total number of voluntary returns (all types) – all third-country nationals	N/A	N/A	N/A	3	15	743	678	688	666	941	1.173	<i>Data source: the Police</i>
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**Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

Data on voluntary returns are available from 2010 onwards.

Citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, account for 68.3% third-country nationals issued voluntary return decision (the lowest share recorded in 2010 – 33.3%, the highest share recorded in 2017 – 71.8%). Between 2010 and 2017, the share of third-country nationals with which visa waiver agreements have been concluded since 2009, has therefore substantially increased among all voluntary returns, by 40%. Voluntary returns of the Western Balkan nationals account for as much as 95% among the analyzed countries, whereas for 64.9% of all voluntary returns of third-country nationals; while voluntary returns of the Eastern Partnership nationals account for 3.4%. Among the analyzed countries, most voluntary return decisions have been issued to citizens of Bosnia and Herzegovina (52.7% voluntary return decisions among citizens of analyzed countries, and 36% of all voluntary return decisions issued to third-country nationals), followed by citizens of Serbia (28.3% voluntary return decisions among citizens of analyzed countries, and 19.3% of all voluntary return decisions issued to third-country nationals). Unlike forced returns, the share of voluntary return decisions issued to Albanian citizens is low (1.8% voluntary return decisions among citizens of analyzed countries, and 1.2% of all voluntary return decisions issued to third-country nationals). Similarly to forced returns, the lowest number of voluntary return decisions has been issued to citizens of Georgia (0.2% voluntary return decisions among citizens of analyzed countries, and 0,1% of all voluntary return decisions issued to third-country nationals), and of Montenegro (0.7% voluntary return decisions among citizens of analyzed countries, and 0.5% of all voluntary return decisions issued to third-country nationals).

Table 3.2.4: Total number of forced returns by visa-free country

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM	N/A	N/A	N/A	N/A	N/A	3	11	8	7	8	6	The Foreigners Act introduces in 2012 the issuance of written return decisions.
Montenegro	N/A	N/A	N/A	N/A	N/A	1	3	3	3	4	1	
Serbia	N/A	N/A	N/A	N/A	N/A	10	12	13	26	26	16	
Albania	N/A	N/A	N/A	N/A	N/A	3	6	15	10	30	13	
Bosnia and Herzegovina	N/A	N/A	N/A	N/A	N/A	20	36	37	19	28	28	
Moldova	N/A	N/A	N/A	N/A	N/A	2	4	2	2	1	1	
Georgia	N/A	N/A	N/A	N/A	N/A	0	0	0	0	1	2	
Ukraine	N/A	N/A	N/A	N/A	N/A	2	6	3	5	9	5	
Total	N/A	N/A	N/A	N/A	N/A	41	78	81	72	107	72	
Total number of forced returns - all third-country nationals	N/A	N/A	N/A	3	15	743	678	688	666	941	1.173	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

The Foreigners Act amendment of 2012 introduces the issuance of written (forced) return decisions, therefore data is available from this year on.

Citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, account for 34.2% third-country nationals issued return decisions in the analyzed period (the lowest share recorded in 2016 – 20.3%, the highest percentage recorded in 2014 – 50%). Similar to other data, the number of issued (forced) return decisions among analyzed countries is strongly prevalent among the Western Balkan

nationals (90%) before the Eastern Partnership nationals (10%). Among the analyzed countries, most (forced) return decisions have been issued to citizens of Bosnia and Herzegovina (37.3% of (forced) return decisions among citizens of analyzed countries, and 12.7% of all forced return decisions issued to third-country nationals), followed by citizens of Albania (17.1% of (forced) return decisions among citizens of analyzed countries, and 5.8% of all forced return decisions issued to third-country nationals). Among these countries, the least (forced) return decisions have been issued to citizens of Georgia (0.7% of (forced) return decisions among citizens of analyzed countries, and 0.2% of all forced return decisions issued to third-country nationals), and Montenegro (3.3% of (forced) return decisions among citizens of analyzed countries, and 1.1% of all forced return decisions issued to third-country nationals).

Table 3.2.5: Total number of nationals from the visa - free countries found in illegal employment

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of nationals from the visa-free countries found in illegal employment												
FYROM	N/A	N/A	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Montenegro	N/A	N/A	1	1	NA	NA	NA	NA	NA	NA	NA	
Serbia	N/A	N/A	1	3	NA	NA	3	NA	NA	NA	1	
Albania	N/A	N/A	1	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	N/A	N/A	1	2	NA	NA	3	3	NA	1	NA	
Moldova	N/A	N/A	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Georgia	N/A	N/A	NA	2	NA	NA	NA	NA	NA	NA	NA	
Ukraine	N/A	N/A	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total	N/A	N/A	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total number third-country nationals found in illegal employment	N/A	N/A	4	8	NA	NA	6	3	/	1	1	<i>Data source: Eurostat</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

The Labor Inspectorate is responsible for identifying and prosecuting illegal employment, but it is not possible to establish citizenship of persons, who are illegally employed and regarding whom the Inspectorate is pursuing a procedure, from the available statistical data. Due to incomplete information available, data cannot be interpreted in terms of correlating the indicator to the introduction of visa liberalization.

Table 3.2.6: Total number of smuggled persons from the visa-free countries (final court rulings)

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of <u>smuggled</u> persons from the visa-free countries (final court rulings)												
FYROM	NA	NA	NA	NA	NA	NA	NA	1	3	NA	NA	
Montenegro	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Serbia	NA	NA	NA	NA	NA	1	NA	NA	11	3	9	
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA	1	2	
Moldova	NA	NA	NA	NA	NA	NA	NA	NA	NA	7	4	
Georgia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA		
Ukraine	NA	NA	NA	NA	3	NA	NA	NA	16	4	9	
Total	NA	NA	NA	NA	3	1	NA	1	30	15	24	
Total number of <u>smuggled</u> persons from third countries (final court rulings)	NA	NA	NA	8	5	4	37	3	45	26	66	<i>Data source: annual reports of the Supreme Court</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

From the reports of the Supreme Court, only the number of criminal offenses under Article 308 of the Penal Code is available, but not the number of victims of this crime.

Table 3.2.7: Total number of trafficked persons from the visa-free countries (final court rulings)

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of <u>trafficked</u> persons from the visa-free countries (final court rulings)												
FYROM	NA	NA	NA	NA	NA	NA	NA	1	3	NA	NA	
Montenegro	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Serbia	NA	NA	NA	NA	NA	1	NA	NA	11	3	9	
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA	1	2	
Moldova	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Georgia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Ukraine	NA	NA	NA	NA	3	NA	NA	NA	16	4	9	
Total	NA	NA	NA	NA	3	1	NA	1	30	15	24	
Total number of <u>trafficked</u> persons from third countries (final court rulings)	NA	NA	NA	8	5	4	37	3	45	26	66	<i>Data source: annual reports of the Interdepartmental Working Group on Combating Trafficking in Human Beings</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

From the reports of the Supreme Court, which manages the annual judicial statistics, and from the reports of the Interdepartmental Working Group on Combating Trafficking in Human Beings, which is under the auspices of the MoI, comprehensive data on the citizenship of identified victims of trafficking in human beings are not available. Due to incomplete information available, data cannot be interpreted in terms of correlating the indicator to the introduction of visa liberalization.

Table 3.2.7a: Total number of trafficked persons from the visa-free countries (data on identified injured parties, established in the pre-trial procedure)

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of trafficked persons from the visa-free countries												
FYROM	0	0	0	0	0	0	0	1	3	0	0	
Montenegro	0	0	0	0	0	0	0	0	0	0	0	
Serbia	0	0	0	0	0	1	0	0	11	3	9	
Albania	0	0	0	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	1	2	
Moldova	0	0	0	0	0	0	0	0	0	7	4	
Georgia	0	0	0	0	0	0	0	0	0	0	0	
Total	0	0	0	0	0	1	0	1	14	11	15	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

The number of identified injured parties – victims of trafficking in human beings established in the pre-trial procedure, has been higher in the last three years; citizens of Serbia, Moldova, Bosnia and Herzegovina and Macedonia are among the injured parties. Due to low incidence, data cannot be interpreted in terms of linking the incidence of trafficking in human beings/smuggling to the introduction of visa liberalization.

Table 3.2.8: Total number of identified facilitators of unauthorised entry, transit and residence from the visa-free countries (final court rulings)

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of identified facilitators of unauthorised entry, transit and residence from the visa-free countries (final court rulings)												
FYROM	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Montenegro	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Serbia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Albania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bosnia and Herzegovina	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Moldova	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Georgia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Ukraine	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Total number of identified facilitators of unauthorised entry, transit and residence (final court rulings)	175	174	124	108	47	49	86	108	101	67	82	<i>Data source: annual reports on operation of public prosecutor's offices (available at: https://www.dt-rs.si/letna-porocila)</i>
EU nationality 1	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
EU nationality 2	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
EU nationality 3	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

Impact of visa liberalisation on countries of destination

EU nationality 4	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
EU nationality 5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

**Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

From the annual reports of the Supreme State Prosecutor's Office of RS, the citizenship of convicted persons is not a statistical category, nor is it in the statistics of the Supreme Court of RS. Statistical data published by the Statistical Office of RS do not encompass this data. Due to low incidence, data cannot be interpreted in terms of correlating the indicator to the introduction of visa liberalization.

Table 3.2.9: Total number of nationals found to be illegally present from the visa-free countries

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of nationals found to be illegally present from the visa-free countries												
FYROM	N/A	N/A	N/A	26	37	101	134	133	100	55	143	
Montenegro	N/A	N/A	N/A	2	0	4	4	6	6	6	5	
Serbia	N/A	N/A	N/A	18	9	61	66	47	56	40	93	
Albania	N/A	N/A	N/A	45	27	160	198	283	313	261	474	
Bosnia and Herzegovina	N/A	N/A	N/A	34	31	134	134	100	112	74	215	
Moldova	N/A	N/A	N/A	1	2	0	8	14	42	56	358	
Georgia	N/A	N/A	N/A	0	0	0	0	0	0	0	2	
Ukraine	N/A	N/A	N/A	18	7	40	76	76	59	36	96	
Total	N/A	N/A	N/A	144	113	500	620	659	688	528	1.386	
Total number of third-country nationals found to be illegally present	N/A	N/A	N/A	242	185	867	799	707	732	572	1.438	<i>Data source: the Police</i>

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

The Police records data on unauthorized residence from 2010 onwards.

Data on the illegal residence of third-country nationals show a significant increase in illegal residence during the period considered, i.e. after the introduction of the visa-free regime; while illegal residence of third-country nationals increased by 594% between 2010 and 2017, the illegal stay of citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded since 2009 onwards, increased by 962% since 2009. Citizens of the considered countries represented 83.7% cases of illegal residence of third-country nationals, of whom 67.6 % were citizens of the Western Balkan

countries, while 16.1 % were citizens of the Eastern Partnership countries. Among the detected cases of illegally staying third-country nationals, the share of citizens of the Western Balkan and the Eastern Partnership countries, with which visa waiver agreements have been concluded from 2009 onwards, has significantly increased from 59.5% in 2010 (representing the lowest share in the period) to 96.4% in 2017 (which represents the peak in the analyzed period). Most cases of illegal residence were detected among Albanian nationals (38% of cases of illegally staying third-country nationals among analyzed countries, and 31.8% of cases of illegally staying third-country nationals), Bosnia and Herzegovina (18% of cases of illegally staying third-country nationals among analyzed countries, and 15% of cases of illegally staying third-country nationals), and Macedonia (15.7% of cases of illegally staying third-country nationals among analyzed countries, and 13.2% of cases of illegally staying third-country nationals). The least cases have been identified among citizens of Georgia (0.04% of cases of illegally staying third-country nationals among analyzed countries, and of all cases of illegally staying third-country nationals) and Montenegro (0.8% of cases of illegally staying third-country nationals among analyzed countries, and 0.6% of cases of illegally staying third-country nationals). From the statistics, a significant increase in cases of illegal residence can be identified after the introduction of the visa-free regime, both for the Western Balkan and the Eastern Partnership countries. Unlike other indicators, in case of illegal residence among Eastern Partnership countries, the citizens of Moldova (10.4% of cases of illegally staying third-country nationals among analyzed countries, and 8.7% of cases of illegal residence of third-country nationals) are at the top of the citizens of Ukraine (8.8% of cases of illegally staying third-country nationals among analyzed countries, and 7.4% of cases of illegal residence of third-country nationals); the share of Georgian citizens is negligible.

Table 3.2.10: Total number of overstayers from the visa-free countries

Indicator	Period of interest (2007–2017)											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of overstayers from the visa-free countries												
FYROM	NA	NA	85	141	495	952	738	506	402	321	633	
Montenegro	NA	NA	7	14	20	47	38	37	31	32	43	
Serbia	NA	NA	72	194	355	927	694	422	374	358	569	
Albania	NA	NA	5	35	149	483	643	565	562	622	1.025	
Bosnia and Herzegovina	NA	NA	194	270	404	957	906	457	485	381	748	
Moldova	NA	NA	3	2	7	29	25	15	46	61	359	
Georgia	NA	NA	1	1	1	3	1	1	1	0	3	
Ukraine	NA	NA	8	48	21	129	135	81	67	40	98	
Total	NA	NA	375	705	1.452	3.527	3.180	2.084	1.968	1.815	3.478	<i>Data source: the Police</i>
Total number of third-country nationals overstayers	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

Data for 2007 and 2008 are not available.

Similarly to the data on the illegal residence of citizens of the Western Balkan and the Eastern Partnership countries, the figures on overstayers – citizens of the countries concerned, show an increase of 927% between 2010 and 2017, i.e. after the introduction of a visa-free regime. The authorized residence time in this

period was mostly exceeded by citizens of Bosnia and Herzegovina (25.8% of overstayers – citizens of considered countries), Macedonia (23%), Albania (22%), and Serbia (21.3%).

Section 4: Measures put in place to deal with possible misuse of visa-free regimes by (Member) States

SECTION 4.1: DESCRIPTION OF NATIONAL SITUATION

Q4.1. Did your (Member) State implement certain measures (if any) to deal with the challenges that appeared after the commencement of the visa-free regime? Please provide a short description of your national situation.

Specific measures can be detailed in sub-questions **Q4.1.2** to **Q4.1.7**.

In the period after the introduction of visa liberalization, Slovenia did not adopt any specific measures to address the challenges associated with this, as any special or major challenges have not been identified.

Q4.1.1 If applicable, please categorise your answer to **Q4.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

/

Eastern Partnership - Moldova, Georgia, Ukraine:

/

Q4.1.2. If applicable, did your (Member) State implement measures to increase the efforts to promote voluntary return? If yes, for which nationalities and explain their impact.

The Slovenian policy of returning foreigners follows the EU's efforts to strive towards the benefits of voluntary return of foreigners against forced return. To this end, foreigners are given sufficient time for voluntarily return, as well as the possibility of extending it in case of justified reasons. In this way, foreigners are allowed to provide and arrange themselves the necessary documents to leave the country. Only if the foreigner does not realize the voluntary return, the forced return procedure is initiated (unless the conditions for a voluntary return have not been fulfilled in the beginning). Statistics of the last period show that a higher number of forced returns compared to the number of voluntary return, therefore in this year, new amendments to the Foreigners Act are being drafted, which will provide a uniform return procedure with the issuance of a single decision and more effective supervision over their implementation. Legal changes will address all groups of foreigners, regardless of nationality.

The Police explains that Slovenia has adopted national measures to promote voluntary return, and it has improved the system of recording voluntary returns – they have established a record of voluntary return decisions. These changes were mainly due to the adoption of the EU Return Directive and were not directly related to the introduction of visa liberalization.

Q4.1.3. If applicable, did your (Member) State implement measures to expand the legal possibilities of stay? If yes, for which nationalities and explain their impact.

By amending the Foreigners Act in 2014, a change was introduced that allows a foreigner who resides in Slovenia on the basis of a permission to stay (in order to respect the principle of *non-*

refoulement), that he may submit a temporary residence application after two years of residence on this basis. In this way, the persons whom the Police allows to stay in RS based on legislative grounds (taxatively defined reasons), are allowed the possibility to regulate their legitimate stay in Slovenia. From 1 January 2018, persons may also apply for permission to stay on other grounds, not only to respect the principle of *non-refoulement*.

In addition, the amendment to the Foreigners Act of 2017 provides that a temporary residence permit may also be obtained by the victim of domestic violence (female or male foreigner), if he/she is willing to participate as a witness in criminal proceedings, which is decided upon by the competent law enforcement authority. Victims of trafficking in human beings and victims of illegal employment have been previously entitled this right.

Q4.1.4. If applicable, did your (Member) State implement measures to fight illegal employment? If yes, please explain their impact and add specific examples.

In order to prevent obtaining the residence permits through the establishment of so-called 'letter-box' business and entry into the labor market, where due to the lack of some works there has been no labor market control, the Prevention of Undeclared Work and Employment Act⁹ has been adopted. Several attempts have been identified to circumvent legitimate ways of entering and staying in the country, including by foreigners from non-visa countries.

In addition, an initiative was introduced in 2015 to amend the Companies Act regarding the chaining and massive establishment of companies by foreigners.

Q4.1.5. If applicable, did your (Member) State implement measures to fight the smuggling and/or trafficking of persons from the visa-free countries? If yes, please explain their impact and add specific examples.

Implemented measures do not differ for countries with visa-free regime and for other third countries.

Irregular migration remains one of the key priorities at the EU level, as it is a rapidly changing transnational phenomenon, which the activities of a single country do not have a significant impact on. Since the causes of irregular migration cannot be resolved in a short period of time, this is only possible through a systemic, internationally coordinated approach and concerted action by the states to achieve the result (reducing irregular migration and their consequences).

Therefore, the Police is actively involved in various initiatives, especially within the EU. The uniformed (border) police mainly collaborates with the FRONTEX agency, and the criminal police mostly with the EUROPOL agency. Both agencies as well as the EU Member States are participating in the EMPACT platform¹⁰, within which the Slovenian police mainly collaborates in operational activities, in particular investigations of activities of organized criminal organizations on the Balkan route.

The EU has developed a so-called "policy cycle" for combating organized crime, whereby on the basis of a threat assessment, it adopts priorities in combating organized crime for the next four years on the political level. Through a multidisciplinary approach, multiannual strategic plans are developed for each priority. Based on the strategic plan, an annual operational plan is developed under the European Multidisciplinary Platform Against Criminal Threats (EMPACT).

⁹ Official Gazette of RS, Nr. 32/14, 47/15.

¹⁰ European Multidisciplinary Platform Against Criminal Threats.

Impact of visa liberalisation on countries of destination

From the beginning, the Slovenian police has been involved in developing the multiannual strategic plans, as well as in operational plans for the field of irregular migration.

Q4.1.6. If applicable, did your (Member) State implement measures to fight the activities of facilitators of unauthorised entry, transit and residence? If yes, please explain their impact and add specific examples.

Measures do not differ for countries with visa-free regime and for other third countries.

Q4.1.7. If applicable, did your (Member) State implement measures to reduce the incidence of nationals found to be illegally present in your country? If yes, please explain their impact and add specific examples. Please also see **Q4.4** (on overstayers) before answering to avoid overlap.

In 2011, with the amendments to the Foreigners Act, Slovenia transposed the essential provisions of the Return Directive, and designed the legal provisions in such a way as to ensure greater efficiency in the return procedures of foreigners. The legal provisions are of course general and apply to all groups of foreigners.

Q4.1.8. If applicable, what was the effectiveness of the measures listed above and which of them were most successful in reaching their intended goals? Please provide any good practices / lessons learned you have identified.

On a general note, the competent authorities covering a particular field, particularly see difficulties in implementing the measures. They point to increasing administrative burdens that accompany procedures with foreigners. The transfer of the Return Directive and the introduction of issuing written decisions represents for the authorities issuing them, in particular the Police, significantly more administration, and at the same time a requirement for a higher degree of professionalism in issuing decisions. The implementation of return procedures in the years 2012–2018 resulted in new proposals for the amendment of the Foreigners Act, which, according to the MoI, will increase the effectiveness of these procedures.

The police monitor the situation and produces analyzes in the field of irregular migration and unauthorized residence.

Q4.2. Did your (Member) State implement measures to deal with administrative burdens since the introduction of the visa-free regime? If yes, please list and explain these measures, their impact / effectiveness and add any good practices / lessons learned you have identified.

Administrative burdens for the Police depend mainly on the extent of (irregular) migration. Automation of border control, electronic business and process optimization has been introduced.

Q4.3. Did your (Member) State implement measures to deal with the possible misuse of visa liberalisation? If yes, please list and explain these measures, their impact / effectiveness and add any good practices / lessons learned you have identified.

Special measures have not been introduced.

Q4.4. How did your (Member) State deal with cases when third-country nationals entered the country legally, but did not legalize their stay after 90 days (overstayers)? Please provide a short description of such instances while highlighting any measures implemented by your country to deal with this. If applicable, what was the impact / effectiveness of these measures and are there any good practices / lessons learned you have identified?

The situation of foreigners who remain in Slovenia even after the expiration of the authorized residence period is considered as illegal residence, and the Police may initiate the return procedures for such a foreigner. The same can be established by an administrative unit, which can issue a return procedure to a foreigner.

A foreigner is issued a (voluntary) return decision and a fine for the offense. In such cases, a voluntary return decision is generally issued, as it often refers to countries that are no longer of high migratory risk.

Q4.4.1 In the case of overstayers from the visa-free countries, does your (Member) State apply a different return procedure compared to the usual procedure? If yes, please provide a short description of such instances while highlighting any good practices / lessons learned you have identified.

No, all procedures are the same.

Q4.4.2 Does your (Member) State apply any special procedures in cases where overstayers have lost their identification documents or in instances where there are problems with their identification? If yes, please provide a short description of such instances while highlighting any good practices / lessons learned you have identified.

In these cases, too, the Police may initiate the return procedure, giving the foreigner such a deadline for a voluntary return in which he/she can obtain relevant documents (anew).

If a person cannot prove when he/she has entered the country, the procedure for subsequent confirmation of the legality of residence is available. The identity of the person is established, and the date of entry can be determined by other evidence. If the date of entry is undoubtedly established, it can be confirmed in the document (e.g. the entry stamp). If a person does not have a document and has been checked at the border, the Police has a record of when the person has been checked.

Q4.4.3 If applicable, what was the effectiveness of these procedures (see **Q4.4.1** and **Q4.4.2**) and were they successful in reaching their intended goals? Please provide any good practices / lessons learned you have identified.

The effectiveness of these procedures is difficult to measure, since the implementation of voluntary return decisions is not recorded systematically.

Q4.5. How did your cooperation with the visa-free countries evolve over time in terms of assistance and information exchange, before and after the visa-free regime commencement? Please provide a short description and specific examples of your national situation disaggregated by region and third countries of interest.

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

It is difficult to link improved cooperation only with the visa-free regime, but cooperation at various levels and different levels has improved. The MFA has participated in several twinning projects in these countries in various fields. Slovenia is also very active in all these countries in the field of internal affairs, consular activities, visa procedures, residence permits, asylum procedures, border management, and Slovenian experts have been very intensively sharing knowledge and experience over the last five years.

The Police estimates that visa liberalization has a positive impact on return procedures, which is a prerequisite for the introduction of a visa-free regime, while other effects are not directly related to the introduction of visa liberalization. Otherwise, cooperation with these countries is improving, but also due to other factors (e.g. in the framework of cooperation with FRONTEX).

Police cooperation and exchange have certainly intensified in recent years. With the introduction of the visa-free regime, these procedures went off the agenda, and other issues have been raised. Despite the transfer of knowledge and experience, the success of adaptation of processes depends on these countries.

As an example of good practice, so-called twinning technical assistance projects with third countries can be mentioned. During the analyzed period, Slovenia implemented eight projects with the Western Balkan countries, for which a visa-free regime was introduced, one project with Croatia, Montenegro and Bosnia and Herzegovina, and three projects with Serbia. The projects mainly strengthened the capacities of the recipient countries of technical assistance in the field of law enforcement, asylum system, fight against organized crime, transposition of the Schengen *acquis*, monitoring of legal migration and border management. In 2018, Slovenia is participating in a twinning project with Serbia in the field of combating trafficking in human beings.

Eastern Partnership – Moldova, Georgia, Ukraine:

Cooperation with Eastern Partnership countries is less intensive.

Q4.5.1. If applicable, how effective was the cooperation with third countries to reach your desired goals? Where there any particular differences in your interactions with different third countries and did you identify any good practices / lessons learned?

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Q4.6. If applicable, how did your (Member) State respond to the influx of asylum seekers from the visa-free countries? Please provide a short description of the measures taken and any good practices / lessons learned you have identified.

Slovenian legislation does not allow for a different approach or consideration of international protection applications of persons coming from visa-free countries. Each application must be assessed individually in accordance with the provisions of national law. During the analyzed period, most of the asylum applications were submitted by citizens of Serbia and Ukraine. Most applications have been rejected, and the reasons for refusal cannot be analyzed. In these cases, Slovenia has not used the safe country of origin institute.

Q4.6.1 If applicable, were the measures of your (Member) State effective to manage the influx of asylum seekers from the visa-free countries? Please provide a short description of your national situation highlighting any good practices / lessons learned you have identified.

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Q4.6.2 If applicable, how did your (Member) State cooperate with other (Member) States found in a similar situation (i.e. influx of asylum seekers from the visa-free countries)? Please provide a short description of your national situation and any good practices / lessons learned you have identified.

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Q4.6.3 Did you receive assistance from the EU to deal with the influx of asylum seekers from the visa-free countries? If yes, how effective was the assistance in supporting your (Member) State? Please provide a short description of your national situation and any good practices / lessons learned you have identified.

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Q4.7. What other measure (or good practice / lesson learned) was adopted by your (Member) State in relation to visa liberalisation that was not already captured in the previous questions, if applicable?

At the same time, are there any planned measures that will be adopted in the nearby future?

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Section 5: Conclusions

Q5.1. With regard to the aims of this Study, what conclusions would you draw from the findings reached in elaborating your National Contribution?

After entering the EU, Slovenia undoubtedly manages more effectively lawful and irregular migrations. This is also due to the continuous computerization of visa and police procedures, since soon after Slovenia joined the EU, began with the implementation of the Schengen *acquis* and, consequently, a system of consultations between EU Member States.

Slovenia has not encountered specific problems (unlike some other EU Member States) upon visa liberalization for the Western Balkan countries, but there has been an increase in illegal work, foreigners have stayed in Slovenia even after the expiry of the authorized period of residence or the purpose entry has differentiated from the authorized one. Of course, the visa liberalization has affected the change in the structure of citizens, who are considered due to illegal crossing of the state border, since the number of citizens of the Western Balkan countries, which previously predominated (mainly citizens of Bosnia and Herzegovina, Albania and Kosovo), has significantly declined.

Q5.2. What do you consider to be the relevance of your findings to (national and/or EU level) policymakers?

The statistical data, which are monitored by the institutions in Slovenia, give the most significant weight to the findings. The data provide a qualitative, regular and in-depth analysis. In addition, the findings in this study also result from a number of interviews with experts in these areas. Accordingly, the relevance of the findings is therefore high in our opinion. Policy-makers need exactly such analyzes, data and opinions for adoption of measures and policies, so that the decisions adopted can be legitimate and justified.