

UPDATE ON 2024



SLOVENIA



# COUNTRY REPORT

**JULY 2025**

## Acknowledgements & Methodology

This report was written by Urša Regvar, and the annex on temporary protection by Lana Krznarič at PIC and was edited by ECRE. The initial report was written by Miha Nabergoj. The 2018 to 2024 updates were written by Urša Regvar and Lana Krznarič (annex on temporary protection) at PIC and edited by ECRE.

The information in this report draws upon observations from activities carried out by PIC, including legal assistance to asylum applicants, as well as statistics and information shared inter alia by the Migration directorate, the Government Office for the Support and Integration of Migrants, and civil society organisations.

The 2024 update to the AIDA country report on Slovenia was shared with the Ministry of the Interior to provide an opportunity for comments. Any feedback received was reviewed by ECRE and, where appropriate, incorporated into the final version of this report.

The information in this report is up to date as of 31 December 2024, unless otherwise stated.

## The Asylum Information Database (AIDA)

The Asylum Information Database (AIDA) is managed by the European Council on Refugees and Exiles (ECRE). It aims to provide up-to date information on asylum practice in 25 countries. This includes 19 EU Member States (AT, BE, BG, CY, DE, ES, FR, GR, HR, HU, IE, IT, MT, NL, PL, PT, RO, SE, SI) and 6 non-EU countries (Egypt, Serbia, Switzerland, Türkiye, Ukraine and the United Kingdom) which is accessible to researchers, advocates, legal practitioners and the general public through the dedicated website [www.asylumineurope.org](http://www.asylumineurope.org). The database also seeks to promote the implementation and transposition of EU asylum legislation reflecting the highest possible standards of protection in line with international refugee and human rights law and based on best practice.



This report is part of the Asylum Information Database (AIDA) funded by the European Union's Asylum, Migration and Integration Fund (AMIF) and ECRE. The contents of the report are the sole responsibility of PIC and ECRE and can in no way be taken to reflect the views of the European Commission.



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## Glossary & List of Abbreviations

<b>Asylum Home (or its branch)</b>	Reception centre in Ljubljana where asylum seekers are accommodated. Its branches include the accommodation centre for unaccompanied minors in Postojna and the reception and accommodation centre in Logatec and Kotnikova.
<b>Centre for Foreigners</b>	Detention facility for foreigners in return procedures and asylum applicants
<b>Integration House</b>	An accommodation facility for beneficiaries of international protection, comprised of apartments
<b>UOIM</b>	Government Office for Support and Integration of Migrants   Urad vlade za oskrbo in integracijo migrantov. Authority responsible for accommodation, care and integration of asylum applicants and beneficiaries of international protection
<b>MOI</b>	Ministry of the Interior
<b>Migration directorate</b>	Authority responsible for conducting asylum procedures
<b>International Protection Procedures Division</b>	As part of the Migration directorate, the Division is responsible for overseeing asylum procedures – including lodging the applications, interviews and decision-making.
<b>AMIF</b>	Asylum, Migration and Integration Fund
<b>CPT</b>	Council of Europe Committee for the Prevention of Torture
<b>COI</b>	Country of Origin Information
<b>ECHR</b>	European Convention on Human Rights
<b>ECtHR</b>	European Court of Human Rights
<b>EDAL</b>	European Database of Asylum Law
<b>EMN</b>	European Migration Network
<b>EUAA</b>	European Union Agency for Asylum
<b>IOM</b>	International Organisation for Migration
<b>IPA</b>	International Protection Act   Zakon o mednarodni zaščiti
<b>FA</b>	Foreigners Act   Zakon o tujcih
<b>ZZZRO</b>	Temporary Protection of displaced Persons Act   Zakon o začasni zaščiti razseljenih oseb
<b>PIC</b>	PIC – Legal Center for the Protection of Human Rights and the Environment   PIC – Pravni center za varstvo človekovih pravic in okolja

## Statistics

### Overview of statistical practice

Statistics on asylum procedures are published on the Ministry of the Interior's website,<sup>1</sup> as well as the website of the Government Office for the Support and Integration of Migrants (UOIM).<sup>2</sup> More comprehensive and detailed statistics are shared with the PIC by the Ministry.

### Applications and granting of protection status at first instance: figures for 2024

The numbers in the table refer to the number of individuals not number of decisions.

	Applicants in 2024 (1)	Pending at end of 2024	Total decisions in 2024 (2)	Total in merit decisions	In merit rejection (3)	Refugee status	Subsidiary protection	Humanitarian protection (4)
<b>Total</b>	5,634	850	2,779*	392	208	150	34	N/A
Breakdown by countries of origin of the ten nationalities with the highest number of applicants								
<b>Morocco</b>	3,548	368	1,743	129	128	1	0	N/A
<b>Algeria</b>	452	59	176	32	32	0	0	N/A
<b>Afghanistan</b>	382	25	217	44	1	43	0	N/A
<b>Syria</b>	198	36	100	5	0	5	0	N/A
<b>Egypt</b>	172	27	56	1	1	0	0	N/A
<b>Ukraine</b>	123	127	38	36	0	3	33	N/A
<b>Tunisia</b>	97	12	48	2	2	0	0	N/A
<b>Pakistan</b>	83	4	34	3	3	0	0	N/A
<b>Nepal</b>	70	3	28	1	1	0	0	N/A
<b>Bangladesh</b>	55	0	23	0	0	0	0	N/A

Source: Ministry of the Interior, April 2025.

\* Out of 2,779 decisions, 2,387 were Dublin decisions. In practice the majority of Dublin decisions are issued after the applicant has already absconded.

- (1) "Applicants in 2024" refers to the total number of applicants, and not only to first-time applicants.
- (2) Statistics on decisions cover the decisions taken throughout the year, regardless of whether they concern applications lodged that year or in previous years.
- (3) "In-merit rejection" only cover negative decisions on the merit of the application. It does *not* cover inadmissibility decisions.
- (4) Slovenia does not have a system for granting humanitarian protection in place.

<sup>1</sup> Ministry of the Interior, *Statistični podatki o mednarodni zaščiti*, available in Slovenian [here](#).

<sup>2</sup> UOIM, *Statistika*, available in Slovenian [here](#).

**Applications and granting of protection status at first instance: rates for 2024 (on the basis of in-merit total decisions)<sup>3</sup>**

	In merit rejection rate	In merit protection rate	Refugee rate	Subsidiary protection rate
<b>Total</b>	53%	47%	38%	9%
<b>Morocco</b>	99%	1%	1%	0%
<b>Algeria</b>	100%	0%	0%	0%
<b>Afghanistan</b>	2%	98%	98%	0%
<b>Syria</b>	0%	100%	100%	0%
<b>Egypt</b>	100%	0%	0%	0%
<b>Ukraine</b>	0%	100%	8%	92%
<b>Tunisia</b>	100%	0%	0%	0%
<b>Pakistan</b>	100%	0%	0%	0%
<b>Nepal</b>	100%	0%	0%	0%

Source of the percentages: Ministry of the Interior, April 2025.

**Gender/age breakdown of the total number of applicants: 2024**

	Men	Women
<b>Number</b>	5,404	230
<b>Percentage</b>	96%	4%

	Adults	Children	
		Accompanied	Unaccompanied
<b>Number</b>	5,254	239	141
<b>Percentage</b>	93%	4%	3%

Source: Ministry of Interior, April 2025.

<sup>3</sup> The data contained in this table only refer to in-merit decisions.



### First instance and appeal decision rates: figures for 2024

It should be noted that, during the same year, the first instance and appeal authorities handle different caseloads. Thus, the decisions below do not concern the same applicants.

	First instance		Appeal	
	Number	Percentage	Number	Percentage
<b>Total number of decisions</b>	392	100%	305	100%
Positive decisions (appeal granted, case returned to the Ministry for a new decision)	184	47%	56	18%
• Refugee status	150	38%	1	0.3%
• Subsidiary protection	34	9%	0	0%
Negative decisions	208	53%	249	82%

Source: Official statistics provided by the Migration directorate, April 2025 and Administrative court, March 2025.

## Overview of the legal framework

### Main legislative acts on asylum procedures, reception conditions, detention and content of international protection

Title (EN)	Original Title (SI)	Abbreviation	Web Link
International Protection Act Official Gazette of RS, No. 16/17 and subsequent amendments	Zakon o mednarodni zaščiti Uradni list RS, št. 16/17 in nadaljnje spremembe	IPA	<a href="http://bit.ly/2g7aCiV">http://bit.ly/2g7aCiV</a> (SI)
Foreigners Act Official Gazette of RS, No. 46/25	Zakon o tujcih Uradni list RS, št. 46/25	Foreigners Act	<a href="http://bit.ly/2ybiEOh">http://bit.ly/2ybiEOh</a> (SI)
General Administrative Procedure Act Official Gazette of RS, No. 24/06 and subsequent amendments	Zakon o splošnem upravnem postopku Uradni list RS, št. 24/06 in nadaljnje spremembe		<a href="http://bit.ly/2ybHHkn">http://bit.ly/2ybHHkn</a> (SI)
Administrative Dispute Act Official Gazette of RS, No.105/06 and subsequent amendments	Zakon o upravnem sporu Uradni list RS, št. 105/06 in nadaljnje spremembe		<a href="http://bit.ly/2ybYByU">http://bit.ly/2ybYByU</a> (SI)
Temporary Protection of Displaced Persons Act, Official Gazette of RS, no. 16/17	Zakon o začasni zaščiti razseljenih oseb		<a href="https://bit.ly/3ac7w8T">https://bit.ly/3ac7w8T</a> (SI)
Act Regulating Measures to Optimise Certain Procedures in Administrative Units, Official Gazette of RS, no. 62/24.	Zakon o ukrepih za optimizacijo določenih postopkov na upravnih enotah Uradni list RS, št. 62/24.		<a href="https://bit.ly/40a6Ln6">https://bit.ly/40a6Ln6</a> .

## Main implementing decrees, guidelines and regulations on asylum procedures, reception conditions, detention and content of international protection

Title (EN)	Original Title (SI)	Abbreviation	Web Link
Rules on the procedure for aliens who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection Official Gazette of RS, No. 173/21 and 131/22	Pravilnik o postopku s tujcem, ki izrazi namen podati prošnjo za mednarodno zaščito v Republiki Sloveniji, ter postopku sprejema prošnje za mednarodno zaščito Uradni list RS, št. 173/21 in 131/22		<a href="https://bit.ly/3yMuSMj">https://bit.ly/3yMuSMj</a> (SI)
Decree on the implementation of the statutory representation of unaccompanied minors and the method of ensuring adequate accommodation, care and treatment of unaccompanied minors Official Gazette of RS, No. 163/21 and 106/23	Uredba o načinu izvajanja zakonitega zastopanja mladoletnikov brez spremstva ter načinu zagotavljanja ustrezne nastanitve, oskrbe in obravnave mladoletnikov brez spremstva, Uradni list RS, št. 163/21 and 106/23		<a href="https://bit.ly/38EbSVF">https://bit.ly/38EbSVF</a> (SI)
Decree on providing appropriate accommodation, care and treatment of unaccompanied minors Official Gazette of RS, No. 106/23	Uredba o načinu zagotavljanja ustrezne nastanitve, oskrbe in obravnave mladoletnikov brez spremstva,, Uradni list RS, št. 106/23		<a href="http://bit.ly/48cKBTj">http://bit.ly/48cKBTj</a> (SI)
Rules on the access to refugee counsellors, remuneration and reimbursement of the expenses of refugee counsellors, and criteria for calculation the reimbursement of the expenses from the person with sufficient own means Official Gazette of RS, No. 162/21 and 74/24	Pravilnik o načinu dostopa prosilcev za mednarodno zaščito do svetovalcev za begunce, nagrajevanju in povračilu stroškov svetovalcem za begunce ter merilih za izračun povrnitve stroškov od osebe, ki ima zadostna lastna sredstva Uradni list RS, št. 162/21 and 74/24		<a href="https://bit.ly/3lsxzel">https://bit.ly/3lsxzel</a> (SI)
Decree on the methods and conditions for ensuring the rights of applicants for international protection Official Gazette of RS, No. 173/21	Uredba o načinih in pogojih za zagotavljanje pravic prosilcem za mednarodno zaščito Uradni list RS, št. 173/21		<a href="https://bit.ly/3Pw8ZH1">https://bit.ly/3Pw8ZH1</a> (SI)
Decree on the methods and conditions for ensuring the rights of persons with international protection Official Gazette of RS, No. 173/21	Uredba o načinih in pogojih za zagotavljanje pravic osebam z mednarodno zaščito Uradni list RS, št. 173/21		<a href="https://bit.ly/39AMEYI">https://bit.ly/39AMEYI</a> (SI)

Decree on the relocation of persons admitted to the Republic of Slovenia on the basis of a quota and burden sharing among Member States of the European Union Official Gazette of RS, No. 24/17 and 167/21	Uredba o načinu izvedbe preselitve oseb, ki so v Republiko Slovenijo sprejete na podlagi kvote in delitve bremen med državami članicami Evropske unije Uradni list RS, št. 24/17 in 167/21		<a href="https://bit.ly/3wsBYEs">https://bit.ly/3wsBYEs</a> (SI)
Ordinance determining the list of safe countries of origin Official Gazette of RS, No. 47/22	Odlok o določitvi seznama varnih izvornih držav Uradni list RS, št. 47/22.		<a href="https://bit.ly/3G2jyK">https://bit.ly/3G2jyK</a> (SI)
Decree on Asylum Centre House Rules Official Gazette of RS, No. 173/21	Uredba o hišnem redu azilnega doma Uradni list RS, št. 173/21		<a href="https://bit.ly/3Lnac0I">https://bit.ly/3Lnac0I</a> (SI)
Rules on residing in the Foreigners Centre and issuance of the card stating permission to stay Official Gazette of RS, No. 35/24.	Pravilnik o bivanju v Centru za tujce in izdaji izkaznice o dovolitvi zadrževanja Uradni list RS, št. 35/24.		<a href="https://bit.ly/4a7GURa">https://bit.ly/4a7GURa</a> (SI)
Rules on the content, format and method of issuing passports to refugees Official Gazette of RS, No. 79/16	Pravilnik o vsebini, obliki in načinu izdaje potnega lista za begunca Uradni list RS, št. 79/16		<a href="http://bit.ly/2hZjFCV">http://bit.ly/2hZjFCV</a> (SI)
Decree on the House Rules of the Integration House Official Gazette of RS, No. 173/21	Uredba o hišnem redu integracijske hiše Uradni list RS, št. 173/21		<a href="https://bit.ly/37Y0y6y">https://bit.ly/37Y0y6y</a> (SI)
Decree on ways of providing support for integration of third country nationals Official Gazette of RS, No. 27/24	Uredba o zagotavljanju pomoči pri vključevanju tujcev, ki niso državljani Evropske unije Uradni list RS, št. 27/24.		<a href="https://bit.ly/40eshqW">https://bit.ly/40eshqW</a> (SI)
Rules on the remuneration and reimbursement of the expenses of statutory representatives of unaccompanied minors Official Gazette of RS, No. 167/21	Pravilnik o nagradi in povračilu stroškov zakonitim zastopnikom mladoletnikov brez spremstva Uradni list RS, št. 167/21		<a href="https://bit.ly/3Pzd6Cf">https://bit.ly/3Pzd6Cf</a> (SI)
Rules on knowledge testing of candidates for refugee counsellors and on the training of refugee counsellors at the Judicial Training Centre Official Gazette of RS, No. 73/16	Pravilnik o preverjanju znanj kandidatov za svetovalce za begunce in o usposabljanju svetovalcev za begunce v okviru Centra za izobraževanje v pravosodju Uradni list RS, št. 73/16		<a href="http://bit.ly/2CUKpdF">http://bit.ly/2CUKpdF</a> (SI)
Rules on the return decision form Official Gazette of RS, No. 135/22	Pravilnik o obrazcu odločbe o vrnitvi, Uradni list RS, št. 135/22		<a href="https://bit.ly/40ow1ak">https://bit.ly/40ow1ak</a>

## Overview of the main changes since the previous report update

### International protection

#### Statistics

- ❖ **Key statistics:** During 2024 the Police detected 46,192 irregular crossing, a decrease in comparison to 2023. 44,383 individuals expressed their intention to apply for international protection. However, only 5,634 applications were lodged (141 by unaccompanied minors). 150 decisions granting refugee status and 34 subsidiary protection were issued. Out of 34 beneficiaries that were granted subsidiary protection, 33 were from Ukraine.
- ❖ **General developments:** A new Immigration strategy was adopted in March 2024. In the first half of 2024, EUAA staff was deployed in Slovenia to provide support with asylum, reception and temporary protection activities. At the beginning of 2024, the Slovenian Government announced the intent to open 2 more branches of the asylum home in Brežice and Središče ob Dravi. However, these were not established by the end of the year due to strong opposition of the local communities. In April 2024, the first accommodation center for unaccompanied minors was established. In order to prepare for the implementation of the Pact, a new Governmental working group for implementation of the Pact was formed. The national implementation plan (NIP) was adopted by the end of 2024.

#### Asylum procedure

- ❖ **Absconding rate:** After expressing their intent to apply for international protection (i.e., making an application), applicants had to wait from 3 to 20 days to lodge their application. The majority of individuals (88%) absconded before registering and lodging their application. The absconding rate of applicants after lodging their applications also remained high (82%).
- ❖ **Dublin procedure:** 85% of decisions issued were taken in the Dublin procedure. Due to a high absconding rate, a high percentage of those decisions were issued to applicants after they had left Slovenia.
- ❖ **Lengthiness of the procedure:** The lengthiness of the procedure continued to be one of the systematic challenges of the asylum procedure. Applicants processed in the regular procedure waited up to 2 years for a first instance decision and up to 5 years for a final decision due to the backlog in the court procedures.
- ❖ **Legal assistance:** Free legal counselling and representation during the first instance procedure was provided by the PIC, albeit not to all asylum seekers. Access to free legal assistance and representation before the Administrative Court continued to be a challenge for most asylum seekers. Due to difficulties to access refugee counsellors (including due to unclear information provided by the Migration directorate, language barriers, etc.) and short time limits for the judicial review, some asylum seekers were unable to exercise their right to a legal remedy. Regarding the 3-day time limit for judicial review, the CJEU issued the preliminary ruling stating that this restricts access to judicial review.<sup>4</sup> The court procedures were also prolonged at second instance, due to the backlog of cases. In practice, asylum seekers can wait for more than 3 years to get a decision from the Administrative Court if their application was rejected in a regular procedure. In case of appeal to the Supreme Court, the court procedure can last for several years depending on the case.

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<sup>4</sup> CJEU, *Y.N. v Republika Slovenija* (C-58/23), 27. September 2023, available [here](#).

### *Reception conditions*

- ❖ **General:** Although the number of new arrivals decreased in 2024, the reception conditions did not improve significantly due to lack of capacity. Both in the Asylum Home and its branch Logatec individuals had to wait in containers to lodge their application.
- ❖ **Unaccompanied minors:** In April 2024, the first accommodation center for systematic accommodation of unaccompanied children was established, with the capacity to accommodate up to 70 unaccompanied minors. It serves both as a reception and accommodation center.

### *Detention of asylum applicants*

- ❖ In 2024, 58 asylum seekers were detained by the MOI and UOIM. According to the statistics of the Administrative court, only 34 lodged the judicial review. In practice, asylum seekers face difficulties in accessing legal representation in the 3-day timeframe imposed by the IPA to lodge the judicial review.

### *Content of international protection*

- ❖ **Family reunification:** In 2024, 178 applications for family reunification were lodged. The number of applications for family reunification increased due to a high number of applicants from Burundi granted international protection. Out of 178 applications, 115 were lodged by applicants from Burundi.
- ❖ **Integrational contract:** While all beneficiaries of international protection are entitled to basic rights (health care, access to the labour market, education, etc.), they have to sign an integration contract if they want to access the full scope of the rights (accommodation in the integration house, social support for accommodation, etc.). In practice, the majority of beneficiaries sign the integration contract.

### **Temporary protection**

For further information, see [Annex on Temporary Protection](#).

### *Temporary protection procedure*

- ❖ **Key temporary protection statistics:** In 2024, a total of 1,899 persons applied for temporary protection in the Republic of Slovenia. Out of these, 1,864 were Ukrainian citizens, 7 were Russian citizens, and others were of other nationalities. Temporary protection was granted to 1,810 persons in 2024, of which 1,790 were Ukrainian citizens. Additionally, 19 applications for temporary protection were dismissed, 10 were rejected, and 76 procedures were stopped. In the same period, Ukrainian citizens also submitted 123 applications for international protection.
- ❖ **Procedure:** Temporary protection was extended until 4 March 2026. The legal basis is the Temporary Protection of Displaced Persons Act (ZZZRO) from 2005, with a new Act (ZZZRO-1) having been adopted in March 2025 and in force since 19 April 2025. According to the ZZZRO, applications can be submitted to the Police or directly to administrative units, which are the deciding authority. Displaced persons entering irregularly or already in Slovenia must apply within three days at the local police office or administrative unit. The Police then forwards the applications to the relevant administrative unit. Administrative units process applications and decide on eligibility, with a decision that, by law, shall be issued at the latest within one month from the day of receiving a complete application. Applicants receive an identity card upon receiving a positive decision, which serves as a temporary residence permit.
- ❖ **Backlog:** While most administrative units issued decisions within 30 days on average in 2024, some significantly exceeded this time limit, with the longest average processing time in 2024 having been 159.4 days (in the administrative unit Škofja Loka). These delays are presumed to result from administrative

units being overloaded with applications and also understaffed, although incomplete applications may have also contributed in some cases. Additionally, according to the Ministry of the Interior, 5 second-instance decisions were issued in 2024 in appeal procedures lodged against negative decisions regarding applications for temporary protection. The result of one of these appeals was positive, and the average duration of the appeal procedure was 63 days.

### *Content of temporary protection*

- ❖ **Rights of Persons with Temporary Protection:** applicants for temporary protection as well as temporary protection holders are entitled to accommodation and meals in accommodation centers. Additionally, temporary protection beneficiaries also have the right to monthly allowances (if they stay in accommodation centers) or financial assistance for private accommodation and everyday expenses if they are not staying in state-provided accommodation. Rights of temporary protection beneficiaries also include the right to work and access to the labor market under the same conditions as Slovenian nationals. Persons under the age of 18 have the right to primary and secondary education under the same terms as Slovenian citizens, with costs being covered by the State. Those over the age of 18 can participate in education under education conditions for adults. Moreover, temporary protection holders have the right to emergency medical care, specialist and clinical health care emergencies, and healthcare for women. Minors have access to the same full medical care as Slovenian children.
- ❖ **Main issues:** In 2024, beneficiaries of temporary protection in Slovenia were still unable to exercise their right to family reunification. Access to affordable private accommodation remained a key challenge, particularly for vulnerable groups, due to both a shortage of housing options and the increased risk of exploitation in private settings. Conditions in container housing at the Logatec accommodation centre also continued to raise concerns, although efforts were made to relocate people. Access to healthcare continued to be limited, as temporary protection beneficiaries are entitled only to limited medical care and treatments, unless they are employed and covered under the compulsory health insurance scheme. Language barriers, insufficient information on the rights of persons under temporary protection among healthcare providers, and long waiting times for non-urgent medical services were also reported as practical issues. The risk of exploitation and human trafficking remained an area of concern: while no new cases were detected, both government institutions and NGOs continued to conduct awareness-raising campaigns targeting displaced persons, particularly women and children.

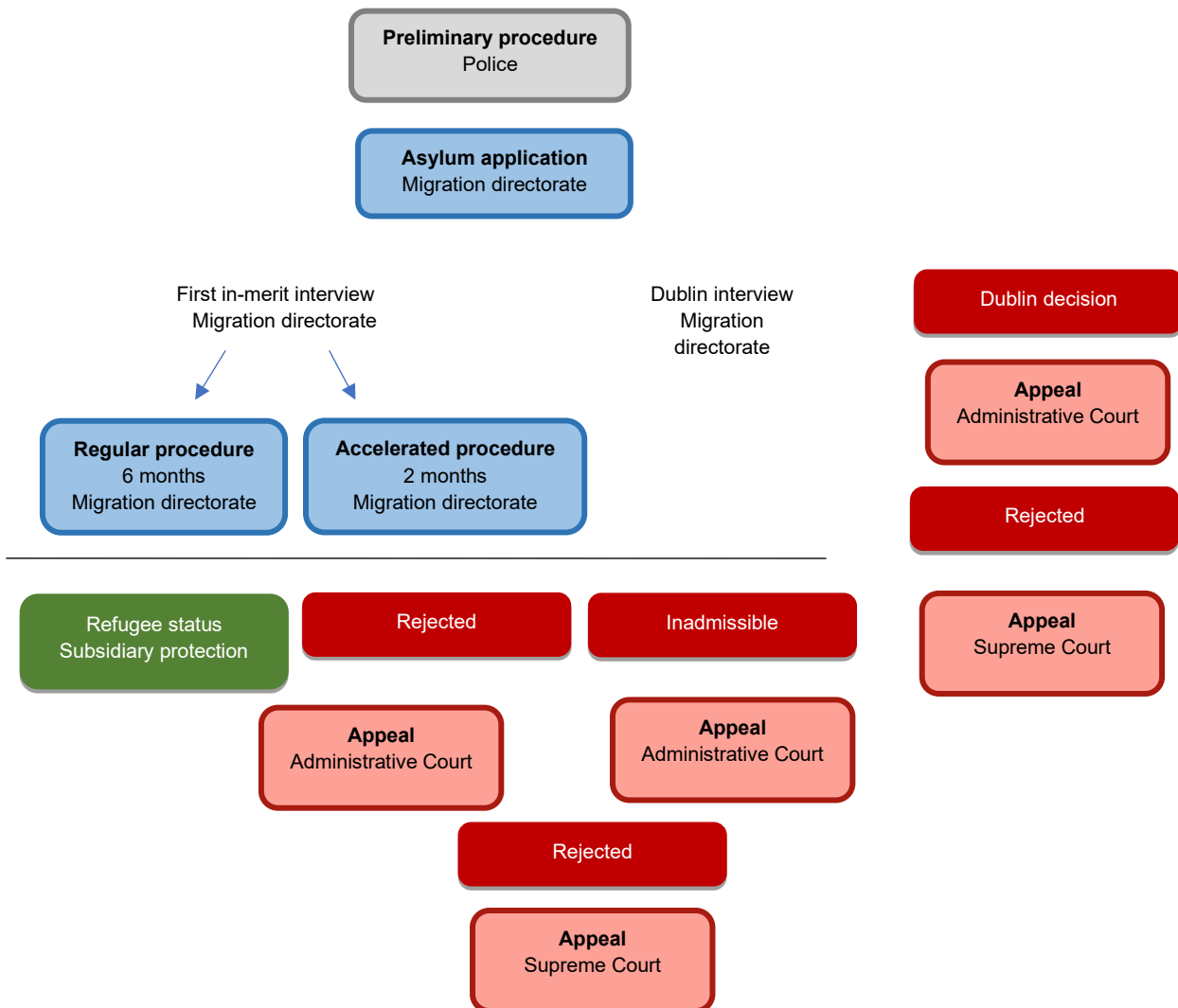
A notable systemic issue in 2024 was the absence of legal pathways for transitioning from temporary protection to other residence statuses, such as for employment or study, under the Foreigners Act. Under the legislation in force at the time, such a transition would require the individual to renounce temporary protection, leave Slovenia, and initiate the application process from abroad in order to obtain another type of residence permit. This presented a significant legal and practical barrier, particularly for those already integrated into Slovenian society or engaged in employment or education.

Recognition of temporary protection identity cards by foreign border control authorities also continued to present difficulties, reportedly due to the cards' physical characteristics (e.g., laminated material). Additionally, a provision in the legal framework allowing for the withdrawal of temporary protection on grounds of public order violations was identified as problematic, particularly due to its significant disproportionality.

## Asylum Procedure

### A. General

## 1. Flow chart





## 2. Types of procedures

### Indicators: Types of Procedures

1. Which types of procedures exist in your country?
 

<ul style="list-style-type: none"> <li>❖ Regular procedure:               <ul style="list-style-type: none"> <li>▪ Prioritised examination:<sup>5</sup></li> <li>▪ Fast-track processing:<sup>6</sup></li> </ul> </li> <li>❖ Dublin procedure:</li> <li>❖ Admissibility procedure:</li> <li>❖ Border procedure:</li> <li>❖ Accelerated procedure:<sup>7</sup></li> <li>❖ Other:</li> </ul>	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No <input checked="" type="checkbox"/> No
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2. Are any of the procedures that are foreseen in the law, not being applied in practice?
 

☒ Yes   ☐ No

Although regulated in Article 43 of the International Protection Act (IPA),<sup>8</sup> the procedure at the border, airport or port is not used in practice. People who apply for international protection at the border, airport or port are therefore first processed by the Police in the preliminary procedure and then transferred to the Asylum Home in **Ljubljana** or its branch in **Logatec** as part of the ordinary procedure.

## 3. List of authorities that intervene in each stage of the procedure

Stage of the procedure	Competent authority (EN)	Competent authority (SI)
Intention to apply for asylum	Any state authority or authority of self-governing local community	Katerikoli državni organ ali organ samoupravne lokalne skupnosti
Preliminary procedure	Police	Policija
Application At the border On the territory	Migration directorate <sup>9</sup>	Direktorat za migracije
Dublin	Migration directorate	Direktorat za migracije
Refugee status determination	Migration directorate	Direktorat za migracije
Judicial review	Administrative Court and Supreme Court	Upravno sodišče RS In Vrhovno sodišče RS
Subsequent application	Migration directorate	Direktorat za migracije
Withdrawal	Migration directorate or Administrative Court <sup>10</sup>	Direktorat za migracije Ali Upravno sodišče RS

<sup>5</sup> For applications likely to be well-founded or made by vulnerable applicants.

<sup>6</sup> Accelerating the processing of specific caseloads as part of the regular procedure.

<sup>7</sup> Labelled as “accelerated procedure” in national law.

<sup>8</sup> International Protection Act, Official Gazette of RS, No. 16/17 and subsequent amendments.

<sup>9</sup> The Migration directorate is part of the Ministry of the Interior.

<sup>10</sup> Depending on the phase of the procedure.

#### 4. Determining authority

Name in English	Number of staff	Ministry responsible	Is there any political interference possible by the responsible Minister with the decision making in individual cases by the determining authority?
Migration directorate	60	Ministry of the Interior	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Source: Migration directorate, April 2025.

The determining authority is the International Protection Procedures Division, which is part of the Migration directorate of the Ministry of the Interior. It is a specialised and centralised authority responsible for examining applications for international protection and competent to take decisions at first instance.

Out of 60 employees at the Migration directorate, 33 work in the International Protection Procedures division, 12 of which make decisions on asylum applications. This means that the caseworker conducting the interview is not necessarily responsible for deciding on the asylum application. The separation of tasks between an interviewer and a decision-maker was introduced in June 2016 with the aim of speeding up and improving the efficiency of the asylum procedure. The lodging of the application is short and requires that the applicant states their reasons for asylum in few sentences. After an application for international protection is lodged, a “first interview on the merits” is conducted, during which the applicant provides detailed grounds for applying for asylum. The case is then referred to a “decision maker”, who can either issue a decision on the asylum application or decide to conduct a second interview on the merits. There is no official communication between the first interviewer and the decision-maker.

Regarding quality assurance, the Migration directorate has established a mechanism whereby each decision has to be authorised by a responsible official of the International Protection Procedures Division before it is issued. A review is thus conducted on the case files, the documentation, country of origin information (COI) and the decision made in the individual case. The authorised official can approve the decision, change it or give additional instructions regarding the procedure.<sup>11</sup> Each decision is then (after International protection procedures division responsible official revises it) additionally supervised by the head of the International Protection Procedures sector, who provides additional quality control of the decisions. Each decision is supervised by two persons.<sup>12</sup>

In the absence of a specific unit responsible for applications from vulnerable persons, staff of the International Protection Procedures Division of the Migration directorate receive specific training from the European Union Agency for Asylum (EUAA, the Agency) on three modules: interviewing vulnerable groups, interviewing children, gender identity and sexual orientation.<sup>13</sup>

In December 2022, the EUAA signed its first operational plan with Slovenia, to help enhance the capacity of the Slovenian authorities with regard to asylum quality and procedures, identification of vulnerable persons and first-line reception conditions. The operational plan initially covered the period from December 2022 until 30 June 2023<sup>14</sup> and was subsequently extended until 30 June 2024.<sup>15</sup> The operational plan concluded on 30 June 2024.<sup>16</sup>

<sup>11</sup> Information provided by the Migration directorate, March 2023.

<sup>12</sup> Information provided by the Ministry of Interior in the context of their *Right of reply*, July 2025.

<sup>13</sup> ECRE, *Asylum authorities: an overview of internal structures and available resources*, October 2019, available [here](#), 45.

<sup>14</sup> EUAA, *Operational Plan 2022 agreed by the European Union Agency for Asylum and the Republic of Slovenia*, December 2022, available [here](#).

<sup>15</sup> EUAA, *Operational Plan 2022-2024 agreed by the European Union Agency for Asylum and the Republic of Slovenia*, June 2023, available [here](#).

<sup>16</sup> Information provided by the EUAA, 14 March 2025.

From January to 30 June 2024, the EUAA deployed 19 experts to Slovenia,<sup>17</sup> 12 of which were external experts. This included 4 roving team members, 4 junior social workers, 3 intermediate Dublin regulation experts and 3 junior reception experts.<sup>18</sup>

From January to 30 June 2024, the EUAA delivered 29 training sessions to a total of 793 local staff members.<sup>19</sup>

## 5. Short overview of the asylum procedure

In Slovenia, the procedure for international protection is initiated in two phases. First, the individual expresses the intention to apply for international protection. Third-country nationals can express their intention before any state or local authority, which has the duty to inform the Police. From the moment someone has expressed an intention to apply for international protection, they cannot be deported from the country.<sup>20</sup> The Police conduct the “preliminary procedure”, during which they establish the identity and travel route of the individual and complete the registration form.<sup>21</sup> In line with the new amendments of the IPA, the police also establish ‘other circumstances’ that could affect the asylum procedure. The Police also have to inform the individual of the consequences of leaving the pre-reception area before lodging the application.<sup>22</sup> Although this information is translated, the registration list is rarely given to individuals to read before signing. This means that, in practice, individuals are often not properly and effectively informed of the consequences of leaving the asylum home or its branch before lodging the application, although it can lead to their readmission or detention.<sup>23</sup> Throughout the procedure, the police must provide an interpreter, but this is often not the case due to a lack of available interpreters. The Police also take a short statement on the reasons for applying for international protection. The individual is then transferred to the Asylum Home, or its Logatec branch, where they start the second phase of the procedure by formally lodging their application for international protection.

Prior to lodging the application, the medical personnel at the Asylum Home or its Logatec branch conduct a medical examination and the staff of the Migration directorate take the person’s photograph and fingerprints, which are run through the Eurodac database after the asylum application is lodged.<sup>24</sup> Then, asylum seekers are shown an information video on the asylum procedure in Slovenia. The video contains information on the structure of the procedure, their rights and obligations as asylum seekers, the Dublin procedure, the right to appeal and representation by refugee counsellors. In 2024 the video was updated and it now also contains information on grounds / reasons for asylum. It still does not include information about the NGOs working in the field of asylum, although this is required by the IPA.<sup>25</sup> The new version of the information video also contains information related to the procedure for unaccompanied minors (e.g. legal guardians, special rules regarding the Dublin procedure). The information video is not adapted for unaccompanied minors as the same version is used for them and adults.

The IPA does not provide free legal representation for applicants in the first instance procedure. This was provided by the PIC – Legal Centre for the Protection of Human Rights and the Environment,<sup>26</sup> and financed through the Asylum, Migration and Integration Fund (AMIF) to all asylum applicants until the end of April 2020. The AMIF project enabled PIC lawyers to represent all asylum applicants during the asylum procedure. Since then, PIC continues to provide free legal help and representation as UNHCR’s implementing partner, albeit on a smaller scale. In 2024, the PIC assisted 669 asylum applicants. PIC lawyers provide legal information on asylum, represent asylum applicants during the application process and throughout the first instance procedure. A legal

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<sup>17</sup> In the course of 2024, 1 person was deployed in Slovenia under two different profiles. EUAA personnel numbers do not include deployed interpreters by the EUAA in support of asylum and reception activities.

<sup>18</sup> Information provided by the EUAA, 14 March 2025.

<sup>19</sup> Information provided by the EUAA, 14 March 2025.

<sup>20</sup> Article 36(1) IPA.

<sup>21</sup> Articles 42(1)-(2) IPA.

<sup>22</sup> Article 42(2) IPA.

<sup>23</sup> Administrative court decision, I U 1476/2022 available in Slovenian [here](#), and I U 1341/2022 available in Slovenian [here](#).

<sup>24</sup> Articles 42(4)-(5) IPA.

<sup>25</sup> Article 5(1) IPA.

<sup>26</sup> The website of PIC can be accessed [here](#).

guardian is appointed to unaccompanied minors before the procedure begins and represents them in relation to the asylum procedure, reception, health protection, education and protection of property rights and interests, from the beginning of the application and throughout the entire procedure.<sup>27</sup>

In the process of lodging the application, the individual is asked to state their personal information and describe the journey from their country of origin to their arrival in Slovenia. They also give a brief statement about their reasons for applying for international protection. The procedure is carried out in the presence of an interpreter who, at the end, orally translates the contents of the minutes for the applicant. If the individual has a legal representative or legal guardian, they are also present during the procedure. By signing the minutes, the applicant officially obtains the status of an applicant for international protection in the Republic of Slovenia. After the lodging of the application applicants are issued an asylum seeker's card and accommodated in the Asylum home or its branch.

**First instance procedure:** At first instance level, the international protection procedure is carried out by the Ministry of the Interior, specifically the International Protection Procedures Division of the Migration directorate.

Following the lodging of the application, usually within one month, a **personal interview** is conducted, during which the applicant is expected to provide detailed grounds for asylum ("first interview on the merits"). Alternatively, if a link to another Member State pursuant to the Dublin Regulation is detected, the applicant is invited to an interview for determination of the responsible country ("Dublin interview"). If it is determined in the Dublin procedure that Slovenia is responsible, the first interview on the merits is carried out.

Following the first interview on the merits, the case is referred to a "decision-maker", who organises another interview on the merits if needed, and takes an in-merit decision on the case. For applicants who lodged their application after November 2021, when the amendments of the IPA came into force, negative decisions also contain a return decision. Applicants are given 10 days for voluntary return by law,<sup>28</sup> counting from the moment the decision becomes enforceable,<sup>29</sup> and are subjected to a one-year entry ban,<sup>30</sup> that comes into force only if the person does not leave Slovenia within the timeframe for voluntary return.<sup>31</sup> The decision also mentions that, should the applicant not leave Slovenia voluntarily, they will be removed from the territory.

An **accelerated procedure** is also possible pursuant to the IPA.<sup>32</sup> There are only a few minor differences compared to the regular procedure, such as the deadline for judicial review. In addition, in the accelerated procedure, the application can only be rejected as manifestly unfounded.<sup>33</sup> The first instance decision in the accelerated procedure should be issued within two months of the lodging of the application.<sup>34</sup>

Pursuant to the law, an application can also be dismissed based on the "safe third country" or "European safe third country" concepts.<sup>35</sup> However, Slovenia does not currently implement such mechanism, and no country is designated as a safe third country.

An application lodged by an unaccompanied minor can only be processed in the accelerated procedure if it is rejected as manifestly unfounded on grounds of "safe country of origin" or "if there are good reasons to believe that the applicant poses a threat to public order, public safety or national security of the Republic of Slovenia or has been removed from the country due to good reasons of endangering public order, public safety or national security."<sup>36</sup>

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<sup>27</sup> Articles 16(1) and (3) IPA.

<sup>28</sup> Article 49(10) IPA.

<sup>29</sup> Article 49(11) IPA

<sup>30</sup> Article 49(13) IPA.

<sup>31</sup> Article 67(2) Foreigners Act.

<sup>32</sup> Article 49(1) IPA.

<sup>33</sup> *Ibid.*

<sup>34</sup> Article 47(1) IPA.

<sup>35</sup> Articles 53-60 IPA.

<sup>36</sup> IPA 49(2).

As in the regular procedure the decision rejecting the application as manifestly unfounded in an accelerated procedure also contains the return order. Applicants are given 10 days for voluntary return by law,<sup>37</sup> counting from the moment the decision becomes enforceable,<sup>38</sup> and are subjected to a one-year entry ban,<sup>39</sup> that comes into force only if the person does not leave Slovenia within the timeframe for voluntary return.<sup>40</sup> The decision also mentions that, should the applicant not leave Slovenia voluntarily, they will be removed from the territory.

**Prioritised examination** of claims is possible pursuant to the IPA, if the applicant is a vulnerable person with special needs and/or if the applicant is detained in the Asylum Home or the Foreigners Centre. However, in line with the amended IPA, this will only take place if their application is substantiated.<sup>41</sup> In practice, prioritised examination is not often used, and individuals usually have to wait from 6 months to 2 years for a decision.<sup>42</sup>

**Appeal:** Applicants cannot appeal decisions issued in the international protection procedure, but they can file an administrative dispute.<sup>43</sup> This is a judicial review of an administrative action, which is initiated by filing a lawsuit against the Ministry of the Interior. In the court proceedings that follow, the applicant for international protection acts as plaintiff and the Ministry of the Interior as defendant. The Administrative Court of the Republic of Slovenia, with headquarters in Ljubljana, decides on judicial review requests.<sup>44</sup>

The amendments to the IPA shortened the timeframe within which an individual can apply for judicial review. The applicant still has 15 days to apply for judicial review of a decision taken in the regular procedure but the timeframe in the accelerated procedure was shortened from eight to three calendar days.<sup>45</sup> The appeal deadline for all other decisions was also shortened from eight days to three.<sup>46</sup> Judicial reviews have suspensive effect in the case of rejected applications, rejected requests for extension of subsidiary protection, revocations of international protection status, cessation of the status based on withdrawal, safe third country decision, or dismissed subsequent application. In all other cases, the appeal does not have suspensive effect,<sup>47</sup> but the applicant can prevent enforcement, especially of return or removal, by adding a request to this effect in their application for judicial review.

Since the amendments to the IPA, decisions of the Administrative Court can be challenged by way of appeals to the Supreme Court.<sup>48</sup> However, the Administrative Court's decisions taken on applications lodged **before** the entry into force of the new amendments<sup>49</sup> remain final and can only be challenged with extraordinary legal remedies.

In both cases, an appeal to the Constitutional Court is also possible.<sup>50</sup>

The **lengthiness of the procedure** depends on the type of decision issued and the possibility to appeal to the Supreme Court. According to the law, first instance regular procedures need to be concluded within six months,<sup>51</sup> however this is often not respected. In the regular procedure, individuals usually have to wait from 6 months to 2 years for the first instance decision. If the first instance decision was made in the regular procedure the law

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<sup>37</sup> Article 49(10) IPA.

<sup>38</sup> Article 49(11) IPA.

<sup>39</sup> Article 49(13) IPA.

<sup>40</sup> Article 67(2) Foreigners Act.

<sup>41</sup> Article 48 IPA.

<sup>42</sup> Observation by the PIC, March 2024.

<sup>43</sup> Article 70(1) IPA.

<sup>44</sup> Article 9(6) Administrative Dispute Act.

<sup>45</sup> *Ibid.*

<sup>46</sup> Article 70(2) IPA.

<sup>47</sup> Article 70(3) IPA.

<sup>48</sup> Article 70(4) IPA.

<sup>49</sup> The new amendments came to force on 09 November 2021.

<sup>50</sup> Article 72 IPA.

<sup>51</sup> Article 47(1) IPA.

prescribes that the decisions of the Administrative and the Supreme Court need to be made in 30 days.<sup>52</sup> In practice this is also not respected, which leads to excessively long procedures. The procedure before the Administrative Court can take up to 2 years while the procedure before the Supreme Court can take several months, making the lengthiness of the procedure one of the most significant shortcomings of the Slovenian asylum system.<sup>53</sup>

## B. Access to the procedure and registration

### 1. Access to the territory and push backs

#### Indicators: Access to the Territory

1. Are there any reports (NGO reports, media, testimonies, etc.) of people refused entry at the border and returned without examination of their protection needs? ☐ Yes ☒ No
2. Is there a border monitoring system in place? ☐ Yes ☒ No
3. Who is responsible for border monitoring? ☐ National authorities ☐ NGOs ☐ Other
4. How often is border monitoring carried out? ☐ Frequently ☐ Rarely ☐ Never

In early 2017, Slovenia adopted amendments to the Foreigners Act which allowed for future restrictions on access to the asylum procedure. Pursuant to the amendments, the National Assembly (Parliament) could vote on suspending the right to asylum and the Police would be able to reject all intentions to apply for international protection as inadmissible as well as remove the individuals concerned to the country from which they entered Slovenia.<sup>54</sup> The adopted amendments were reviewed by the Constitutional Court at the initiative of the Slovenian Human Rights Ombudsperson, prepared with support from civil society organisations.<sup>55</sup> The Constitutional Court ruled that the amendments were in breach of Article 18 of the Constitution (prohibition of torture).<sup>56</sup>

Nevertheless, in 2021, the National Assembly accepted the amendments to the Foreigners Act that established the concept of a “complex crisis in the field of migration”. In line with the new provisions, the Ministry of the Interior regularly monitors the situation in the field of migration in Slovenia. If it detects that the situation regarding migration in Slovenia has changed, creating a “complex crisis”, the Ministry can propose that the government activates the articles of the Foreigners Act that allow the National Assembly to close the border for six months and restrict access to the asylum procedure. The proposal to activate the articles must involve an assessment of the situation and the effects of the “complex crisis” on the security threat level for the protection of fundamental constitutional social values, especially regarding the effective functioning of the legal and welfare state, the protection of public order and peace, the efficient functioning of the economy, the protection of health and the life of the population, and the level of security.<sup>57</sup>

Upon activation of the articles the police would have the authority to determine whether a person can apply for international protection after they express the intention to do so. If the police determine that an individual can be returned to another country, they can return the individual regardless of the provisions of the IPA. Exceptions would apply to unaccompanied minors and individuals whose health conditions prevent a return. The assessment of whether someone is an unaccompanied minor would be made by the police based on the person’s

<sup>52</sup> Article 71(1)(4) IPA.

<sup>53</sup> Observation by the PIC.

<sup>54</sup> For more on the amendments see AIDA, *Country Report Slovenia – 2021 Update: Access to territory and pushbacks*, May 2022, available [here](#).

<sup>55</sup> See also Council of Europe Commissioner for Human Rights, *Slovenia: Commissioner concerned about adoption of amendments to Aliens Act that violate human rights* 27 January 2017, available [here](#).

<sup>56</sup> Constitutional Court, Application No U-I-59/17, 18 September 2019, available [here](#). For more information on the Constitutional Court decision, see AIDA, *Country Report: Slovenia, 2021 Update*, May 2022, available [here](#).

<sup>57</sup> Article 10a Foreigners Act.

appearance, behaviour, and other circumstances. An appeal against the police order would not have a suspensive effect.<sup>58</sup> Until 2024, the amended provisions of the Foreigners Act were not yet activated.<sup>59</sup>

The Slovenian Human Rights Ombudsperson notified the European Commission of the newly adopted provisions and his position regarding the provisions. The Ombudsperson emphasized that the Government proceeded with the adoption of the amended provisions in disregard of the decision of the Constitutional Court, thereby casting doubt as to the effectiveness of potential other procedures before the latter.<sup>60</sup> The Directorate-General for Migration and Home Affairs of the European Commission (DG HOME) informed the Ombudsperson that it was conducting a careful preliminary analysis of the situation, which was raising complex questions regarding border control, police powers, asylum and return in case of a potential migration crisis. DG HOME also noted that it would ask national authorities for further explanation and, if needed, propose the initiation of a procedure to establish human rights violations.<sup>61</sup>

In February 2022, opposition parliamentarians submitted again the provisions to the Constitutional Court for constitutional review.<sup>62</sup> In July 2023, the new Government approved the opinion of the Ministry of the Interior regarding the legality of the amendments and lodged the opinion before the Constitutional Court. In the opinion, the Ministry argued that the amendments of the Foreigners act are in line with the Constitution.<sup>63</sup> The opinion and the procedure in which the opinion was approved by the Government was heavily criticised by NGOs and the parliamentarians that lodged the Constitutional review and called on the Minister to resign.<sup>64</sup> The decision of the Constitutional Court was taken in April 2025. The Constitutional Court ruled that the definition of the '*complex crisis on the field of migration*' is not in breach of the Slovenian Constitution. The Court noted that the use of indefinite legal concepts does not, in itself, constitute a breach of the principle of legal clarity as in some cases the legislator cannot foresee all future concrete and real-life events. Since the assessment that the complex crisis has occurred will be made by the Ministry and the Government, the Court emphasized that the assessment must take into account all the crucial circumstances at the time and the legal criteria set in the provision. In addition, the Constitutional Court again annulled Article 10.b of the Foreigners Act, as it considered it was not in line with the prohibition of torture enshrined in Article 18 of the Slovenian Constitution. The Court reiterated that the Slovenian Constitution allows the limitation of human rights only in 2 situations – in a state of war or emergency or in ordinary times. The Court first noted that the complex migration crisis as defined in Article 10.a does not constitute a situation that would allow a state of emergency to be declared. Therefore, the Court assessed if the limitations of rights enshrined in the provision were in line with the limitations allowed by the Constitution in ordinary times. The Court reiterated that the rights enshrined in Article 18 of the Constitution (prohibition of torture) cannot be limited and that any interference with this right is inadmissible and, therefore, not in line with the Slovenian Constitution. Therefore, the Court once again annulled the provision.<sup>65</sup>

In its fourth periodic review, the U.N. Committee against Torture also recommended that the authorities consider amending or repealing the provisions. The Committee also noted that Slovenia should ensure that effective and appropriate measures based on individualized consideration and vulnerability screening are in place for properly trained immigration officials to identify, as early as possible, all victims of torture, ill-treatment, gender-based violence and trafficking among asylum-applicants and other persons in need of international protection during border procedures, and provide such persons with access to treatment for urgent conditions and with appropriate support.<sup>66</sup>

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<sup>58</sup> Article 10a and 10b of the Foreigners Act.

<sup>59</sup> Information provided by the Ministry of Interior in the context of their *Right of reply*, July 2025.

<sup>60</sup> Varuh človekovih pravic, *Varuh Evropsko komisijo seznanil s svojimi pogledi na novelirano tujsko zakonodajo*, 16 August 2021, available in Slovenian [here](#).

<sup>61</sup> Information provided by the Ombudsperson, March 2023.

<sup>62</sup> N1, '*Stranke KUL zahtevajo presojo ustavnosti določb zakona o tujcih*', available in Slovenian [here](#).

<sup>63</sup> The lodged opinion is available in Slovene [here](#).

<sup>64</sup> MMC: *Vlada potrdila Poklukarjevo mnenje, da sta Janševa zakona ustavna. Pozivi k odstopu ministra*, 20 July 2023, available [here](#).

<sup>65</sup> Constitutional Court decision, U I 52/22, U I 202/23, April 2024, available in Slovene [here](#).

<sup>66</sup> U.N. Committee against Torture: *Concluding observations on the fourt periodic report of Slovenia*; 7 December 2023, available [here](#).



In June 2022, the Ministry of the Interior announced that Slovenia would remove its border fence with Croatia.<sup>67</sup> The works began in July 2022, however only 4,142 metres of the fence were removed by the middle of September.<sup>68</sup> By the end of 2024, 81 km of the panel fence and 27 km of the wire fence were removed.<sup>69</sup>

In October 2023, the Government reinstated internal border checks with Hungary and Croatia, while Italy reinstated the border with Slovenia,<sup>70</sup> however this did not result in an increased number of readmissions,<sup>71</sup> meaning that the majority of apprehended individuals were processed in the asylum procedure. In addition to internal border control, Slovenia carries out border control in mixed border patrols with all neighbouring countries. According to the Protocol on mixed patrolling on the Slovenian-Croatian border, mixed border patrols can operate 10km from the border line. If an individual is apprehended for irregular crossing of the border they have to be processed by the police of the country where they are present.<sup>72</sup> In 2024, 1,854 individuals were processed by the mixed border patrols.<sup>73</sup> In January 2025, the Ministry of the Interior signed an additional protocol with the Croatian and Italian police establishing tripartite mixed border patrols at the Croatian external Schengen border.<sup>74</sup>

### Pushbacks, illegal police practices and other incidents at the border

In 2024, the police detected 46,192 irregular crossings of the Slovenian border. This is a decrease in comparison to the previous year when the police detected 60,595 irregular crossings. The most common countries of origin of people who were apprehended for irregular border crossing were: **Syria** (15,065), **Afghanistan** (7,267), **Türkiye** (3,973), **Morocco** (3,645), **Bangladesh** (2,377), **Pakistan** (1,917), **Egypt** (1,728), **India** (1,586) and **Nepal** (1,135) followed by other nationalities.<sup>75</sup> In practice, Ukrainians are allowed entry and are not processed for irregular border crossing even if they do not fulfil the entry requirements (e.g., a valid passport), which is evident from the statistics.

According to the statistics, 44,383 individuals expressed their intention to apply for international protection in 2024 (a decrease from the 58,753 individuals who applied in 2023).<sup>76</sup> Out of these, 8,368 were minors. Data on the number of unaccompanied minors expressing the intention to apply for international protection is not gathered.<sup>77</sup>

Between 2018 and 2022, there was a huge discrepancy between the number of irregular crossings and the number of expressed intentions to apply for international protection due to systematic denial of access to the asylum procedure by the police and subsequent readmission of people to the neighbouring countries from which they entered, mainly Croatia.<sup>78</sup>

Readmission to neighbouring countries was conducted based on readmission agreements Slovenia has with its neighbouring countries - Croatia, Italy, Austria and Hungary. Readmission agreements form a system outside EU law and the CEAS provisions, and do not uphold the standards that these require. The readmission agreements allow the return of migrants in informal procedures in which individuals are not issued a return

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<sup>67</sup> Infomigrants, *Slovenia to dismantle border fence with Croatia*, 10 June 2022, available [here](#).

<sup>68</sup> Ptujinfo, 'Vse manj žične ograje na meji s Hrvaško, skupaj odstranili okoli štiri kilometre žice', 18 September 2022, available in Slovenian [here](#).

<sup>69</sup> Information provided by the Police, March 2025.

<sup>70</sup> MNZ, *Slovenija v soboto ponovno uvaja nadzor na meji s Hrvaško in Madžarsko*, 19. 10. 2023, available in Slovenian [here](#).

<sup>71</sup> Official police statistics, available in Slovenian [here](#).

<sup>72</sup> Protocol between the Ministry of the Interior of the Republic of Slovenia, the Police, and the Ministry of the Interior of the Republic of Croatia, the General Police Directorate, on mixed patrolling along the state border between the Republic of Slovenia and the Republic of Croatia, available in English [here](#).

<sup>73</sup> Information provided by the Police, March 2025.

<sup>74</sup> MNZ, *Šefi policij treh držav podpisali operativni memorandum o soglasju glede delovanja skupnih patrolj na zunanji hrvaški meji*, available in Slovenian [here](#).

<sup>75</sup> Information provided by the Police, March 2025.

<sup>76</sup> Official police statistics available in Slovenian [here](#).

<sup>77</sup> Information provided by the Police, March 2025.

<sup>78</sup> For more on pushbacks see AIDA, *Country Report: Slovenia, 2021 Update*, May 2022, available [here](#).



decision, do not have the right to appeal and do not have the right to free legal aid or representation.<sup>79</sup> The Ombudsperson observed that no assessment of whether the principle of *non-refoulement* could be violated by a return from Slovenia is conducted.<sup>80</sup> Therefore, there is no possibility for individuals channelled through readmission procedures to argue that they face a risk of violation of the *non-refoulement* principle, or to challenge the decisions of the police. It is also not evident from the police records if individuals expressed an intention to apply for international protection, and if so, whether the police informed the individual of the right to asylum and how the person responded.<sup>81</sup>

In February 2022, the practice changed, and the number of individuals readmitted dropped in comparison with the previous year. Although individuals continued to be readmitted on a monthly basis the number of readmissions continued to drop in comparison with 2021. In 2022, 2,361 individuals were readmitted which is a 41% decrease in comparison to 2021. In 2021, 39% of individuals who irregularly crossed the border were readmitted to a neighbouring country while in 2022, 7.4% of individuals who irregularly entered were readmitted.<sup>82</sup> This decrease can be mainly attributed to the change of practice of the Croatian authorities who in the beginning of 2022 started to refuse to accept readmitted people back to Croatia. In 2024, only 144 individuals were readmitted to another country.<sup>83</sup>

Out of 144 readmitted individuals, 11 were from Albania, 10 were from Iraq, 10 were from Syria, 9 were from Morocco, 7 were from Serbia, 7 were from Türkiye, 5 were from Kosovo, 4 were from Bosnia and Hercegovina, 4 were from Macedonia and 9 were from Pakistan. Out of 144, 89 individuals were readmitted to Croatia.<sup>84</sup>

In 2024, Slovenia also accepted readmissions into its territory for 286 individuals under readmission agreements. This is a decrease from the 377 individuals it readmitted in 2023. 185 were readmitted through the airport, 11 from Italy, 70 from Austria, 12 from Croatia and 8 from Hungary. Out of 286 individuals, 68 were from Morocco, 30 from Algeria, 24 from Syria, 18 from Kosovo, 15 from Afghanistan, 12 from Tunisia, 10 from Türkiye, 7 from Azerbaijan, 6 from China and 6 from DR Congo.<sup>85</sup>

In January 2021, the **Italian** Court of Rome ruled that the 1996 readmission agreement with Slovenia breached Italian and EU law and, therefore, could not form a legal basis for returns to Slovenia.<sup>86</sup> Whereas most readmissions from Italy stopped following this ruling, 65 readmissions took place nonetheless in 2022 according to the official statistics.<sup>87</sup> Reportedly, at the end of 2022, the Italian authorities had started to strongly urge Slovenia to resume the use of readmission agreements between the countries.<sup>88</sup> The pressure from Italian authorities to resume the use of the readmission agreement continued during 2023.<sup>89</sup> In 2024, Slovenia readmitted 11 persons from Italy.<sup>90</sup>

In August 2020, individuals started to report collective expulsions from the Austrian border to Slovenia. The number of people returned based on the readmission agreement<sup>91</sup> between Slovenia and **Austria** increased from

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<sup>79</sup> See for example: Agreement between the Government of RS and the Government of RC on delivery and reception of persons, whose entry or residence is illegal. – International agreements, Official Gazette of RS, no. 8/06., available in English [here](#).

<sup>80</sup> Ombudsperson, *Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2019*, available in Slovenian [here](#).

<sup>81</sup> *Ibid.*

<sup>82</sup> Official statistics available [here](#).

<sup>83</sup> *Ibid.*

<sup>84</sup> Information provided by the Police, March 2025.

<sup>85</sup> Official police statistics, available in Slovenian [here](#).

<sup>86</sup> Decision of Ordinary Court of Rome, N.R.G.56420/2020, 18 January 2021, available [here](#).

<sup>87</sup> Official police statistics available [here](#).

<sup>88</sup> Nuova Europa, *Migrants: Prisco, in force readmissions with Slovenia*, 6 December 2022, available [here](#).

<sup>89</sup> N1, *Italija zaradi migracij razglasila izredne razmere, Salvini žuga Sloveniji*, 11 April 2023, available [here](#). Delo: *V Italiji izredne razmere, Salvini bi begunce vračal v Slovenijo*, 11 April 2023, available [here](#). Dnevnik: *Italija za okrepitev sodelovanja s Slovenijo pri reševanju množičnih migracij*, 14 January 2023, available [here](#).

<sup>90</sup> Official police statistics available [here](#).

<sup>91</sup> Readmission agreement between Slovenia and Austria available [here](#).

23 people being returned by the end of July to 98 people being returned by the end of August. A total of 176 people were returned from Austria to Slovenia in 2020.<sup>92</sup> In 2021, 70 persons were readmitted from Austria on the basis of the readmission agreement.<sup>93</sup> Individuals' testimonies show that some were returned to Croatia by the Slovenian authorities after being readmitted from **Italy** or **Austria**.<sup>94</sup> In 2022, 58 individuals were readmitted from Austria to Slovenia.<sup>95</sup> 62 were readmitted from Austria to Slovenia in 2023 and 70 in 2024.<sup>96</sup>

At the beginning of 2022, the PIC and other organisations in Slovenia regularly detected pushbacks at the Slovenian border.<sup>97</sup> While lodging the application before the Ministry, asylum seekers stated that they have reached and tried to ask for asylum in Slovenia several times before being able to lodge the application for international protection. In February, the practice changed as the Croatian police refused to accept people based on the readmission agreements. Since then, reports on pushbacks and the use of readmission agreements have dropped significantly.

In the second half of 2022, ECCHR together with CRIN filed a complaint in the case of *U.F. against Croatia and Slovenia* with the Committee on the Rights of the Child. U.F. is a Rohingya child who was a victim of a chain pushback from Slovenia to Bosnia.<sup>98</sup>

During the year 2024, the Slovenian Ombudsperson received 7 complaints regarding asylum and migration. The Ombudsperson finished 6 investigations in 2024. The complaints were lodged regarding the lengthiness of the Dublin procedure, lack of legal possibilities to apply for different residence permits during or after the conclusion of the asylum procedure, and limitations to access the asylum procedure.<sup>99</sup>

## Border monitoring

There is no systematic border monitoring in Slovenia. Border monitoring is conducted by UNHCR. In 2024 UNHCR conducted 5 visits to police stations Obrežje, Črnomelj and Metlika where they checked police records and conducted talks with the police.<sup>100</sup> In order to conduct border monitoring, UNHCR must notify the police station prior to the visit. UNHCR can only check police documentation regarding individuals who applied for international protection.

Border monitoring is also conducted by the Slovenian Ombudsperson within the National Preventive Mechanism framework.<sup>101</sup> The Ombudsperson can make unannounced visits to police stations and has the authority to check all the police records regarding migrants in the police procedures. Based on these visits, observations and recommendations are given to the Ministry of the Interior and the police station. In 2024, the Ombudsperson visited 11 police stations. During the visit of the police station Brežice, close to the Slovenian-Croatian border, the Ombudsperson noted that unaccompanied minors were placed with adult foreigners and observed that some foreigners did not have sleeping pads and had to sleep on the floor, some had to share beds while several sleeping pads were not appropriate for accommodation. In addition, the sanitary conditions were insufficient. All the processed foreigners had expressed the intention to apply for international protection and were waiting to be transferred to the Asylum home or its branch. The Ombudsperson observed that foreigners were processed at different hours during the night and some were waiting for more than 10 hours at the Police station. Because they had expressed their intention to apply for asylum, they were not formally detained, however they could not

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<sup>92</sup> Official police statistics available [here](#).

<sup>93</sup> Official police statistics available [here](#).

<sup>94</sup> See for example: BVMN, individual testimonies and reports available [here](#), or ECRE, *Austria: Chain pushbacks to Bosnia Amid Growing Evidence of Widespread Abuse in the Balkans*, 20 November 2020, available [here](#)).

<sup>95</sup> Official police statistics available [here](#).

<sup>96</sup> *Ibid*.

<sup>97</sup> Border Violence Monitoring Network, *Testimonies*, available [here](#).

<sup>98</sup> ECCHR, *Rohingya child challenges Croatia and Slovenia over violent pushbacks*, available [here](#). CRIN, *The story of U.F. and the campaign to end child pushbacks at EU borders*, available [here](#).

<sup>99</sup> Information provided by the Ombudsperson, March 2024.

<sup>100</sup> Information provided by UNHCR, February 2024.

<sup>101</sup> The National Preventive Mechanism operates based on the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

leave the premises of the Police station meaning that they were *de facto* detained for several hours before being transported to the asylum facilities. During the visit of the Police station Črnomelj, close to the Slovenian-Croatian border, the Ombudsperson similarly observed insufficient conditions, lack of assistance of interpreters during police procedures and *de facto* detention due to the delays in transportation.<sup>102</sup>

In 2023, the Ombudsperson highlighted the extremely poor reception conditions at the Police station for Compensatory Measures Novo mesto, where the majority of individuals irregularly crossing the border are processed. The Ombudsman noted that the hall in which individuals are processed and accommodated, before being transferred to the asylum home, is dysfunctional and extremely inappropriate considering that a large number of foreigners is processed there and that they stay there for a long period of time (from 5-6 hours). The Ombudsman noted that the structure of the hall does not guarantee respect for personal safety and human dignity, especially for vulnerable groups, families with small children and unaccompanied children. The premises are also not adapted to the needs of people with mobility impairments. During the visit the premises were not sufficiently cleaned or regularly disinfected. The hall is equipped with air conditioning but does not ensure adequate ventilation as the air in the room when a large number of people is accommodated is very poor. There is also a risk of the spread of infectious diseases. Unaccompanied children are accommodated together with other foreigners.<sup>103</sup> In January 2023, the Government adopted the decision to install additional temporary facilities on the premises for the purpose of processing foreigners. The additional facilities will be installed for maximum 3 years. In the first phase, the fence and 2 sanitary containers will be built. In addition, 3 containers for accommodation and 3 tents will be installed. In the second and third phase, additional 2 tents will be built while additional sanitary containers will be installed if needed.<sup>104</sup> According to the police, 3 containers that are already installed but were not yet operating during the Ombudsman's visit will be used for accommodating vulnerable groups, including unaccompanied children. The Ombudsman noted that such accommodation is inappropriate for vulnerable groups and recommended that suitable facilities for processing vulnerable groups are established.<sup>105</sup> During 2024, 84% of irregular crossings were detected and processed by the Police station in Novo mesto.<sup>106</sup> This Police station was not visited by the Ombudsperson in 2024. In 2024, access to the facility was denied to a reporter stating that the procedures and information gathered in the facility are marked as classified. The newspaper for which the reporter in question worked lodged a subsidiary judicial review claiming that freedom of the press includes access to such facilities as it is in the interest of the public that the media covers the way authorities process and treat migrants in such facilities. The judicial review was rejected as inadmissible by the Administrative Court, stating that other legal remedies should be used by the media company. The media company appealed the decision, which was annulled by the Supreme Court, ruling that the police should assess the public interest in conducting a journalistic investigation against the rights and legitimate interests of the police. The Supreme Court instructed the Administrative Court to assess the request of the media company and decide in line with the right to freedom of expression enshrined in the ECHR. A new decision by the Administrative Court has not yet been issued by June 2025.<sup>107</sup>

## Litigation and case-law on incidents occurring at the border

In 2019, the Administrative Court of Slovenia issued its judgement in the case of a Moroccan citizen who applied for international protection in Slovenia and was rejected. Upon completion of the asylum procedure, he was returned to **Croatia** under a bilateral readmission agreement, and subsequently to **Bosnia and Herzegovina**. The applicant started a subsidiary judicial procedure by filing a complaint before the Slovenian Administrative Court alleging a violation of his human rights. The Administrative Court ruled that the applicant had not been able to object to his return based on the prohibition of *non-refoulement*, and did not have an effective legal remedy, since he was not issued a written decision.<sup>108</sup> The Ministry of the Interior appealed against this decision to the

<sup>102</sup> National Preventive Mechanism, *Priporočila iz obiskov (preglednice), Policijske postaje 2024*, available [here](#).

<sup>103</sup> National Preventive Mechanism, *Priporočila iz obiskov (preglednice)*, available [here](#).

<sup>104</sup> Dnevnik, *Vlada sklenila na območju Obrežja postaviti začasne objekte za obravnavo tujcev*, 18 January 2024, available in Slovenian [here](#).

<sup>105</sup> National Preventive Mechanism, *Priporočila iz obiskov (preglednice)*, available [here](#).

<sup>106</sup> Official police statistics, available in Slovenian [here](#).

<sup>107</sup> Mladina, *Vstop prepovedan*, available in Slovenian [here](#).

<sup>108</sup> Administrative Court, Decision I U 1412/2019, 18 December 2019, available [here](#).

Supreme Court,<sup>109</sup> which found that the fact that a written decision was not issued was not unlawful. The case was referred to the Constitutional Court on the initiative of the Ombudsperson. The case was dismissed in December 2021 because the time limit for constitutional review had expired.<sup>110</sup>

In 2020, the Administrative Court confirmed its position in a case concerning a Cameroonian national who had crossed the Slovenian border in August 2019 with the intention of applying for asylum in Slovenia. The applicant claimed that he had expressed his intention to apply for international protection several times during the police procedure. The police did not register his intention and did not refer him to the preliminary procedure. Instead, he was taken to the Croatian border and returned to Croatia on the basis of the readmission agreement. The Croatian police then returned him to Bosnia and Herzegovina. The Administrative Court found that the police had violated the prohibition of *non-refoulement*, the prohibition of collective expulsion, and the right to access the asylum procedure by returning the applicant to Croatia on the basis of the readmission agreement. It also decided that Slovenia should allow the applicant to enter the territory and apply for international protection, and that the applicant should be awarded €5,000 in compensation.<sup>111</sup> The decision was annulled by the Supreme Court and returned to the Administrative Court.<sup>112</sup> The Administrative Court decided again that the Slovenian authorities had violated the prohibition of *non-refoulement*, the prohibition of collective expulsion and the applicant's right to access the asylum procedure, however it did not award any compensation, in line with the instructions of the Supreme Court, as this would significantly prolong the procedure. Instead, it referred the plaintiff to litigation before the civil court.<sup>113</sup> The Ministry of the Interior appealed the decision to the Supreme Court, which eventually confirmed the decision of the Administrative Court, which thus became final.<sup>114</sup>

In July 2021, a case concerning three Moroccan nationals came before the Administrative Court. The applicants had crossed the Slovenian border in July 2021, after which they were apprehended by the police for irregular border crossing. During the police procedure they repeatedly asked for asylum in Slovenia. The police did not register their intention to apply for international protection and did not refer them to the preliminary procedure. Instead, they were taken to the Croatian border and returned to Croatia on the basis of the readmission agreement. The Croatian police took them to the border with Bosnia and Herzegovina and forced them to cross the border on their own. The case was stopped in 2024 as the clients could no longer be reached by their lawyer.<sup>115</sup>

In August 2023, the Administrative Court made the decision in a case of a Syrian national who entered Slovenia, for the second time, in October 2019. He entered Slovenia in a group of 12 persons and expressed the intention to apply for asylum in Slovenia. The next day, Slovenian authorities readmitted the applicant, together with other members of the group, to Croatia. Croatian authorities took the applicant to the border with Bosnia and Herzegovina and ordered him to cross the border. The court found that during the procedure the applicant managed to prove that he indeed expressed the intention for asylum in Slovenia. The Ministry of the Interior failed to prove that the intention was not overheard by the police as the procedure was not properly documented, a translator was not present during the procedure and the reports from several NGOs and the Slovenian Ombudsperson stated that, at the time, access to asylum was systematically denied to individuals during the police procedure. The Administrative Court found that, by readmitting the applicant to Croatia and preventing him to apply for asylum in Slovenia, the authorities violated the principle of *non-refoulement*, right to asylum, prohibition of collective expulsion, right to judicial review and the right to be heard.<sup>116</sup>

The PIC did not detect any systematic physical or psychological violence conducted by the Slovenian national authorities or acts that amounted to disrespectful or insulting treatment.

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<sup>109</sup> Supreme Court Decision, I Up 21/2020, 8 July 2020, available [here](#).

<sup>110</sup> Constitutional Court Decision, Up-1114/20, 13 December 2021, available [here](#).

<sup>111</sup> Administrative Court, Decision, 1490/2019, 22 June 2020, available [here](#).

<sup>112</sup> Supreme Court Decision, I Up 128/2020, 28 October 2020, available [here](#).

<sup>113</sup> Administrative Court Decision, I U 1686/2020, 7 December 2020, available [here](#).

<sup>114</sup> Supreme Court Decision, I U 1686/2020, 9. April 2021, available [here](#).

<sup>115</sup> Administrative Court, case run under the number I U 1167/2021.

<sup>116</sup> Administrative Court Decision, I U 1834/2019, 26 July 2023, available [here](#).

## Legal access to the territory

The Slovenian legislation does not foresee any legal pathways, apart from family reunification, for access to the territory of persons in need of protection (for example as humanitarian visas). Strengthening the system of complementary pathways is set as one of the objectives of the new Immigration strategy adopted by the Government in March 2024.<sup>117</sup> Nonetheless, UNHCR enabled 2 Syrian refugee students to arrive in Slovenia through an education pathway. The students obtained a residence permit for study, a scholarship and assistance with social integration.<sup>118</sup> In addition, the Ministry of Foreign Affairs provided 3 “developmental scholarships” within the international development cooperation and humanitarian aid for 3 students, one from each of the following countries: Rwanda, Uganda and Ethiopia. While individuals in need of international protection could apply, this was not a prerequisite. The Ministry of Foreign Affairs covered their tuition and scholarship.<sup>119</sup>

In October 2022 the Slovenian Government made the decision to resettle 50 persons from Türkiye. People from Afghanistan and Syria were eligible for resettlement according to the decision of the Government.<sup>120</sup> Based on the decision 23 persons resettled in Slovenia in 2023 and, 27 persons resettled in Slovenia in January 2024.<sup>121</sup> Relocation has not been carried out since 2021.

## 2. Preliminary checks of third country nationals upon arrival

### Indicators: Preliminary checks at the arrival point

1. Are there any checks that are applied systematically or regularly at the point of entry when a person enters the territory? ☒ Yes ☐ No
2. Is the person considered under law to have entered the territory during these checks? ☒ Yes ☐ No

No specific preliminary check is prescribed in national legislation. After irregularly crossing the border individuals are processed in the police procedure for irregular crossing during which they can express the intention to apply for international protection. During the procedure, the police establish their identity, take their biometric data, obtain information about their route, and check for indications of whether the person could pose a threat to public order or national security. No systematic vulnerability assessment or health check is in place. In case the person needs urgent medical attention, the police will provide it to them. There are no time limits by which the check must be completed as the check is part of the police procedure for irregular crossing. The procedures are conducted on police stations or airport. The fiction of non-entry is not applied.

During the police procedure individuals are not officially detained. However, the procedure can last for several hours during which individuals are not able to leave the premises of the police station or airport. During the visits of Police stations in 2024, the Ombudsperson noted that during that time individuals are *de facto* detained for several hours before being transferred to the Asylum home or its branch (see: [Access to the territory and push backs: Border monitoring](#)).

No decision is issued regarding the preliminary check, however the whole procedure and outcomes (the established identity, the results of biometric data processed through different data bases, health concerns, vulnerability etc) are noted in the police documentation made during the procedure. As no decision is made individuals do not have the right to appeal.

In case the individual expresses the intent to apply for international protection during the police procedure for irregular crossing, the police conducts the preliminary procedure (see [The preliminary procedure](#)).

<sup>117</sup> Immigration strategy of the Government of the Republic of Slovenia, March 2024, available [here](#).

<sup>118</sup> UNHCR: *Education pathways: Slovenia opens new opportunities for refugee students*, available [here](#).

<sup>119</sup> The public call for students can be found [here](#).

<sup>120</sup> Government of the Republic of Slovenia (2022), *Resettlement of 50 citizens of Syria or Afghanistan, eligible for refugee status, from Turkey to Slovenia*, 19 October 2022, available in Slovenian [here](#).

<sup>121</sup> Official statistics of Ministry of Interior, available in Slovenian [here](#).



### 3. Registration of the asylum application

#### Indicators: Registration

1. Are specific time limits laid down in law for making an application? ☐ Yes ☒ No  
❖ If so, what is the time limit for lodging an application?
2. Are specific time limits laid down in law for lodging an application? ☐ Yes ☒ No  
❖ If so, what is the time limit for lodging an application?
3. Are registration and lodging distinct stages in the law or in practice? ☒ Yes ☐ No
4. Is the authority with which the application is lodged also the authority responsible for its examination? ☒ Yes ☐ No
5. Can an application be lodged at embassies, consulates or other external representations? ☐ Yes ☒ No

Foreigners can express their intention to apply for asylum before any state or local authority, which has the duty to inform the police.<sup>122</sup> From the moment someone has expressed an intention to apply for international protection, they cannot be deported from the country in accordance with the IPA.<sup>123</sup>

According to Article 35 IPA, an individual who has entered Slovenia illegally must express their intention to apply for international protection within the shortest time possible. Failure to do so is one of the grounds that can lead to a rejection of the asylum application as manifestly unfounded in the Accelerated Procedure.<sup>124</sup> The application cannot be considered as manifestly unfounded solely on this ground. Whether the individual applied in the shortest time possible must be decided based on the individual case.<sup>125</sup> Individuals who express an intention to apply for international protection in due time are exempt from any penalties regarding illegal entry.<sup>126</sup>

#### 3.1. The “preliminary procedure”

The Police conduct the so-called “preliminary procedure”, in which they establish the identity and travel route of the individual and complete the registration form. In line with the IPA, the police also have to inform the asylum seekers in a language they understand about the consequences of leaving the Asylum Home or its branch before lodging their application, namely that they would be processed under the Foreigners Act.<sup>127</sup> The registration form includes a paragraph notifying the applicant of the aforementioned and information on the consequences: that the application will be considered as withdrawn and that the person can be detained in line with the IPA. This information is listed on the registration form in Slovenian and in a language that the person understands.

The applicant signs the registration form to confirm they have received this information.

While the registration form now includes the information in the language the person understands individuals often claim, during the asylum procedure, that they were not aware of the provisions as they were not given the opportunity to read the registration forms before signing them. In practice, individuals can wait for up to 20 days to lodge the application. The provision instructing asylum seekers to stay in the asylum home until lodging the application is therefore extremely problematic since it means that asylum seekers are *de facto* detained until they lodge the application. The fact that they left the premises of the Asylum home before lodging the application can also be used to justify the risk of absconding and detain the individual after they lodge the application.

<sup>122</sup> Article 42(1) IPA.

<sup>123</sup> Article 36(1) IPA.

<sup>124</sup> Article 52, seventh indent IPA.

<sup>125</sup> See for example: Administrative Court Decision, I U 1894/2011, 17 November 2011, available in Slovenian [here](#).

<sup>126</sup> Article 35 IPA.

<sup>127</sup> Articles 42(1)-(2) IPA.

In accordance with the amended IPA, the police can also establish other circumstances that are relevant for the asylum procedure.<sup>128</sup> It is not clear what those circumstances are and what is the extent of the police's authority in this regard. The police make a report about the procedure, together with any circumstances identified, and forwards it to the Migration directorate as part of the registration form.<sup>129</sup> During the procedure, the police also take a short statement regarding the reasons for applying for international protection. The documentation of the police procedure is part of the asylum procedure, and statements made during the preliminary procedure are used in practice to identify inconsistencies between the applicant's statements, and form part of the credibility assessment of the applicant. This is problematic considering that the police procedure often takes place without an interpreter and is not conducted individually, which means that individuals do not have the opportunity to make individual statements at this stage.<sup>130</sup>

In accordance with the IPA, applicants must be provided with interpretation and translation in a language that they understand throughout the preliminary procedure.<sup>131</sup> This is not necessarily the individual's mother tongue, and it is up to the police to judge whether an individual understands the language. Interpreters for some languages are not available in Slovenia, or may not be available at the given time, or the provided interpretation is of poor quality, which may lead to problems with accessing the asylum procedure.<sup>132</sup> Interpreters are selected based on a public call. During the selection, interpreters are not subject to a test to determine their level of knowledge of the Slovenian language or the language they interpret. The decisive factor in the public call is the price of the interpreter's services. Those with the lowest prices are prioritised on the list of interpreters that the police can use in the procedures.<sup>133</sup> In practice, the police also sign separate contracts with interpreters who do not have any proof of obtaining formal education in their countries of origin.

Proper interpretation is therefore one of the main systemic challenges individuals face in the preliminary procedure. As a result, the applicant's statements taken in the preliminary procedure are often inconsistent with those made later in the process, notably when they formally lodge the application. Asylum seekers often claim that the statements they made in the preliminary procedure were not read back to them or were incorrectly translated. Inconsistencies between the statements made during the preliminary procedure and those made while lodging the applications also form part of the credibility assessment of the asylum seeker. Since there is no systematic monitoring of the conduct of the preliminary procedure, recording should be introduced to allow for comprehensive supervision. Such monitoring would enable to quickly dispel any potential doubts concerning the conduct of the police during the procedure, while making it easier to detect any possible violations of standards.<sup>134</sup>

Once the preliminary procedure is concluded by the police, the individual is transferred to the Asylum Home in **Ljubljana** or its **Logatec** branch. The applicant does not receive a document from the police certifying their intention to seek asylum at that stage.

### 3.2. Lodging of the application

Upon completion of the preliminary procedure, individuals who express their intention to apply for international protection are brought to the **Asylum Home** or its branch facility in **Logatec**.

There is no time limit prescribed for the authorities between the expression of intention to apply for asylum and the lodging of the application. The average time for registration of the application has increased steadily. Although

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<sup>128</sup> Article 42(2) IPA.

<sup>129</sup> Article 2(5) and 3(2) of Rules on the procedure for aliens who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection.

<sup>130</sup> Ombudsman, *Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2019*, available at: <https://bit.ly/3c9H26y>, Ombudsman, *Končno poročilo o obravnavi policijskih postopkov s tujci na območju Policijske postaje Ilirska Bistrica*, 19 July 2019, available in Slovenian [here](#).

<sup>131</sup> Articles 4 and 6(1) IPA.

<sup>132</sup> PIC observations regarding the quality of translation and the Ministry's selection procedure for translators.

<sup>133</sup> Public call for interpretation in police procedures, published 16 January 2024, available in Slovenian [here](#).

<sup>134</sup> National Preventive Mechanism, *Priporočila iz obiskov (preglednice)*, available [here](#).

the number of arrivals decreased in 2024 asylum seekers continued to wait for up to 20 days to lodge the application. The waiting period varied during the year, depending on the number of new arrivals, but people usually had to wait 3–20 days.<sup>135</sup>

While waiting to lodge the application, asylum seekers are *de facto* detained (see [Detention: General](#)). They are not issued a detention order with respect to their detention in the **Asylum Home** or its branch. While they are no longer locked in the reception area, they are informed that if they leave the premises before lodging the application they will be processed as foreigners,<sup>136</sup> meaning they can subsequently be detained in the **Foreigners Centre** and processed in the return procedure based on the bilateral readmission agreements or the Foreigners Act. They are not given any document that would allow them to move freely within the territory. They also do not have the right to free legal advice or representation regarding their detention. Until they lodge their application, individuals are not considered to be asylum seekers and, hence, do not enjoy the rights thereof.

The Asylum home in Ljubljana, its branch in Logatec and Postojna all served as reception and accommodation centres in 2024, meaning that people waiting to lodge the application were accommodated together with asylum seekers. Postojna only hosted unaccompanied minors while Logatec served as a reception and accommodation centre for families, vulnerable groups and sometimes unaccompanied minors. In Ljubljana and Logatec vulnerable groups waiting to lodge the application were not separated from the general public. The conditions in the Asylum home in Ljubljana depended on the number of new arrivals. Due to lack of capacity people were also staying in the containers placed on the premises of the Asylum home (the parking lot and the courtyard).

In April 2024 the first reception and accommodation centre for unaccompanied minors was established in Postojna.<sup>137</sup>

Since asylum seekers are no longer locked in the reception area, a large number of asylum seekers absconded before lodging the application. During the year, 44,383 individuals expressed the intention to lodge the application<sup>138</sup> however only 5,634 applications were lodged.<sup>139</sup> The Ombudsperson previously noted that the conditions in the Asylum home and Logatec are so severe that they infringe access to asylum.<sup>140</sup>

Prior to lodging the application, the medical staff at the Asylum Home or its branch conduct a medical examination. During the medical examination, an assessment as to the person's vulnerability should also be conducted.<sup>141</sup> Subsequently, the staff of the Migration directorate will photograph and fingerprint applicants older than 15 years old and run these fingerprints through the Eurodac database.<sup>142</sup> Applicants are then shown a video presentation on the asylum procedure in Slovenia. The video contains the procedural steps, the rights and obligations of asylum seekers in the procedure, information about the Dublin procedure, refugee counsellors and judicial review. Although the IPA requires that individuals are also informed about NGOs working on the field of asylum and migration,<sup>143</sup> the video includes a reference to the existence of NGOs but does not include further practical information (e.g., which NGOs or the way of contacting them), and this information is not provided to individuals by the Ministry in any other manner. In 2024 the video was updated and it now contains the reasons for granting asylum.

The new video contains information specific for unaccompanied minors (e.g. legal guardians and special rules in the Dublin procedure) and the same video is used also for them. According to the IPA, unaccompanied minors have to be informed about their rights and obligations before they lodge an application, and this must be done in

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<sup>135</sup> Observation by the PIC.

<sup>136</sup> Article 42(2) IPA.

<sup>137</sup> N1, *V Postojni prvi nastanitveni center za mladoletne begunce*, 26 March 2024, available [here](#).

<sup>138</sup> Official police statistics, available [here](#).

<sup>139</sup> Official statistics of Ministry of the Interior, available [here](#).

<sup>140</sup> The Ombudsperson, *Sporočilo javnosti o ugotovitvah Varuha glede razmer v azilnem domu v Ljubljani*, 13 September 2023, available [here](#) and *Poročilo z obiska nastanitvenega centra v Logatcu*, 7.0-4/2022-4-NAB.

<sup>141</sup> Article 13(1) IPA.

<sup>142</sup> Articles 42(4)–(5) IPA.

<sup>143</sup> Article 5(1) IPA.



a manner that is adjusted to their age and development.<sup>144</sup> However, the video presentation is the same for all unaccompanied minors and is not adjusted for younger unaccompanied minors. Unaccompanied minors are shown the video in the presence of the interpreter and their legal guardian.

The application is then lodged with the Migration directorate. However, the officials who conduct the lodging of the application are not the same as those who take the final decision on the application. In the process of lodging the application, the individual is asked to state their personal information and describe the journey from their country of origin to their arrival in Slovenia. They also give a brief statement about their reasons for applying for international protection. If the applicant has a legal representative or a legal guardian, this person will be present during the procedure, together with the interpreter. The application is lodged after the minutes are read and signed by all those present at the lodging, confirming their content.

The general rule is that an asylum application is lodged orally. The IPA also allows the Migration directorate to instruct the asylum seeker to lodge the application in writing or electronically under exceptional circumstances, which are however not defined in law, so it is assessed discretionally.<sup>145</sup> However, as of January 2025, there is no system in place under which the applicant could lodge the application electronically.

The written application consists of a special form which is filled by the applicant, with the assistance of the Migration directorate officials (that should be available for the applicant to do so).<sup>146</sup> In practice, written applications are lodged at the Migration directorate in group settings – asylum seekers speaking the same language are put in one room where they receive the video information session after which they fill out the application forms. The groups are normally comprised of 5 to 20 foreigners filling out the form simultaneously. Foreigners are given a form in their language. The forms are then filled out by the asylum seekers in the presence of a translator who helps them fill out the form. Officials of the Migration directorate are present while foreigners fill out their applications. After they fill out the form, the translator translates the form and fills out another form in Slovenian language. The translator then gives both forms, the one filled out by the applicant and the translated one, to the official of the Migration directorate and the application is considered to be lodged. This practice does not allow asylum seekers any privacy during the lodging of the application. In addition, the interpreters are often *de facto* leading the procedure, answering the questions and helping foreigners although they are not qualified and do not have the official authorisation to do so.<sup>147</sup> Furthermore, for reasons including illiteracy, lack of information and guidance, applicants are not able to list all the reasons for which they seek asylum on the forms (except for cases of complete illiteracy<sup>148</sup>). Nevertheless, their statements made in the written application are used in the credibility assessment. Due to the increase of asylum seekers, the majority of applications were lodged in writing in 2024. Out of 5,634 applications lodged in 2023, 4,243 applications (75%) were lodged in writing, and none was lodged electronically.<sup>149</sup>

No matter how the application is lodged (oral, written, electronically although non-existent in practice) applicants can obtain the copy of the application if they wish, without any special request being needed.

According to the amendments of the IPA, the competent authority can only process the application in the border procedure if the application is inadmissible, in which case it will be processed in the accelerated procedure, or if the applicant has lodged a request for a subsequent application. During the border procedure, the applicant is accommodated at the border, airport, or port. The timeframe for the Ministry to take a decision is three weeks. If the Migration directorate does not issue a decision within three weeks, or the applicant's application is processed in the regular procedure, the applicant is allowed entry into the territory. The fiction of pre-entry is also foreseen

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<sup>144</sup> Article 16(5) IPA.

<sup>145</sup> Article 45(1) IPA.

<sup>146</sup> Article 10(4) Rules on the procedure for aliens who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection.

<sup>147</sup> Based on the observance of practice by PIC.

<sup>148</sup> Information provided by the Ministry of Interior in the context of their right of reply, July 2025.

<sup>149</sup> Official statistics provided by the Migration directorate, March 2024.

in this context.<sup>150</sup> In practice, due to a lack of infrastructure, this procedure at the border, airport and port is not used. Applicants who submit their application in such places are subject to the regular procedure.

## C. Procedures

### 1. Regular procedure

#### 1.1. General (scope, time limits)

**Indicators: Regular Procedure: General**

1. Time limit set in law for the determining authority to make a decision on the asylum application at first instance: 6 months
2. Are detailed reasons for the rejection at first instance of an asylum application shared with the applicant in writing? ☒ Yes ☐ No
3. Backlog of pending cases at first instance as of 31 December 2024: 850
4. Average length of the first instance procedure in 2024: 174 (\*45 days from lodging the application to the decision, 174 days in case of in-merit decisions).<sup>151</sup>

The regular procedure is regulated in the International Protection Act. The determining authority must take a decision in the shortest time possible, and no later than six months from lodging the application. If it cannot issue a decision within six months, it needs to inform the applicant in writing about the delay, the reasons for the delay and the timeframe within which they can expect a decision. If it cannot make a decision in the estimated timeframe, it can again inform the applicant in writing about the reason for the delay and set a new timeframe within which they can expect the decision.<sup>152</sup> In practice, the reasons in writing are only given in very broad terms, e.g., “the authority is working on pending cases that were submitted earlier and on priority cases of vulnerable persons.”<sup>153</sup>

The determining authority can extend the 6-month time limit for no longer than 9 months: (a) if the applicant does not fulfil their obligations regarding the asylum procedure; (b) if the authority is faced with complex legal and factual questions; or (c) in case of a large number of applications for international protection.<sup>154</sup> According to the amended IPA, if the Migration directorate is to extend the time limit due to a large number of applicants for international protection, it has to notify the European Commission about this decision at least once per year and as soon as the reasons for the extension no longer exist.<sup>155</sup> It is evident from the proposal of the amendments<sup>156</sup> that the purpose of the provision is to implement article 49, paragraph 3 of the Asylum Procedures Directive. However, the IPA does not contain any objective criteria regarding the number of asylum applicants or other circumstances that would prompt the use of the provision.

The Ministry can further extend the additional 9-month time limit by no more than 3 months, under justified circumstances and in order to ensure a proper and comprehensive examination of the application.<sup>157</sup>

In addition, the determining authority may suspend the procedure if, due to an uncertain situation in the country of origin, which is expected to be of temporary nature, it cannot be expected from the determining authority to decide in any of the abovementioned timeframes. In this case, the determining authority needs to review the

<sup>150</sup> Article 43(1)-(2) IPA.

<sup>151</sup> Information provided by the Migration directorate, April 2025.

<sup>152</sup> Article 47(1)-(2) IPA.

<sup>153</sup> Observation by the PIC.

<sup>154</sup> Article 47(3) IPA.

<sup>155</sup> *Ibid.*

<sup>156</sup> Državni zbor: *Besedilo Predloga zakona o spremembah in dopolnitvah Zakona o mednarodni zaščiti*, 10 December 2020, available in Slovenian [here](#).

<sup>157</sup> Article 47(4) IPA.

situation in the country of origin every 6 months, inform the applicant about the reasons for suspending his application and inform the European Commission about the suspension of all procedures regarding this country of origin. The maximum time period in which the application needs to be examined in this case is 21 months.<sup>158</sup> In practice, this provision has not been implemented.

If the application of the asylum applicant is processed in the Dublin procedure, the time limit for making a decision starts when it is established, in accordance with the Dublin regulation, that Slovenia is responsible for the examination of the application and the applicant is on its territory.<sup>159</sup>

There are no consequences set out in law for not respecting the time limit. In practice the time limits are not respected, and duration of the procedure is one of the biggest shortcomings of the Slovenian asylum system. In 2024, 5,634 applications for international protection were lodged and 850 asylum applications were pending by the end of the year. According to official statistics, the average duration of the procedure in 2024 was 45 days from lodging the application to the decision.<sup>160</sup> In case of an in-merit decision the average duration of the procedure was 174 days.<sup>161</sup> Out of 184 positive decisions issued by the Migration directorate, 64 were issued in less than 6 months. Out of 34 decisions granting subsidiary protection, 33 were issued to Ukrainian citizens,<sup>162</sup> whose claims were in practice prioritised.<sup>163</sup> Other asylum applicants had to wait longer for first instance decisions, as 43 positive decisions were issued 6 to 12 months after the lodging the application and 76 were issued one year after lodging the application. In 2024, 208 negative in-merit decisions were issued, out of which 173 were issued in less than 6 months, 17 were issued 6 to 12 months after lodging the application, and 18 were issued 1 year after lodging the application.<sup>164</sup>

In 2024, the in-merit refugee recognition rate at first instance was 38%. However, it should be noted this refers to a limited number of persons, as 150 applicants were granted refugee status. The percentage of people obtaining subsidiary protection after in-merits assessments at first instance was 9%, as 34 persons were granted subsidiary protection. Out of these, 33 were from Ukraine.<sup>165</sup>

For applicants who lodged their application after November 2021, when the amendments of the IPA came into force, negative decisions also contain a return decision. Applicants are given 10 days for voluntary return by law,<sup>166</sup> counting from the moment the decision becomes enforceable,<sup>167</sup> and are subjected to a one-year entry ban,<sup>168</sup> that comes into force only if the person does not leave Slovenia within the timeframe for voluntary return.<sup>169</sup> The decision also mentions that, should the applicant not leave Slovenia voluntarily, they will be removed from the territory. 207 such decisions were issued in 2024.<sup>170</sup>

## 1.2. Prioritised examination and fast-track processing

According to Article 48 of the IPA, the Migration directorate must prioritise cases of vulnerable persons with special needs or cases in which the applicant has been detained in the **Asylum Home** or the **Foreigners Centre**. However, in accordance with the amended IPA, only applications which are likely to be substantiated can be prioritised. However, this is often not respected in practice.<sup>171</sup> Official statistics on the number of prioritised

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<sup>158</sup> Article 47(5)-(6) IPA.

<sup>159</sup> Article 47(8) IPA.

<sup>160</sup> This includes procedures that were stopped due to the high absconding rate of applicants, and Dublin procedures.

<sup>161</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>162</sup> *Ibid.*

<sup>163</sup> Observation by the PIC.

<sup>164</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>165</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>166</sup> Article 49(10) IPA.

<sup>167</sup> Article 49(11) IPA.

<sup>168</sup> Article 49(13) IPA.

<sup>169</sup> Article 67(2) Foreigners Act.

<sup>170</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>171</sup> Observation by the PIC.

applications are not gathered by the Migration directorate. In practice, Ukrainian applications for asylum were prioritised during 2024 as the majority of applicants were granted subsidiary protection.<sup>172</sup>

According to Article 49/1 of the IPA, in a fast-track procedure, the application can only be rejected as manifestly unfounded. 147 applications were processed in the fast-track procedure in 2024.<sup>173</sup> All applications processed in the fast-track procedure were rejected as manifestly unfounded. In 2024, none of the applications lodged by unaccompanied minors were processed in a fast-track procedure and rejected as manifestly unfounded.<sup>174</sup>

### 1.3. Personal interview

**Indicators: Regular Procedure: Personal Interview**

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the regular procedure? ☒ Yes ☐ No
  - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No
2. In the regular procedure, is the interview conducted by the authority responsible for taking the decision? ☒ Yes ☐ No
3. Are interviews conducted through video conferencing? ☐ Frequently ☐ Rarely ☒ Never
4. Can the asylum applicant request the interviewer and the interpreter to be of a specific gender? ☒ Yes ☐ No
  - ❖ If so, is this applied in practice, for interviews? ☐ Yes ☒ No

The law provides that the Migration directorate has to conduct the personal interview before taking a decision both in the regular and accelerated procedure, in the inadmissibility procedure and in the Dublin procedure.<sup>175</sup> The personal interview can be omitted if:<sup>176</sup>

- ❖ The Migration directorate can grant the applicant refugee status on the basis of evidence at its disposal;
- ❖ The applicant cannot participate in the procedure on their own due to a temporary or permanent mental disorder or illness or reasons which prevent them from understanding the meaning of the procedure.
- ❖ The applicant has otherwise provided relevant information for the process of determining the State responsible for examining the application, provided that the competent authority enables the applicant, before making a decision on his transfer to the responsible State, to send all relevant information needed for the correct decision on the responsible State.

Upon lodging their application, asylum applicants are given the date and time of the personal interview. In practice the personal interview is normally conducted within one month after the lodging of the application. Interpretation is provided by the Migration directorate. The personal interview is conducted with each adult asylum applicant individually, even if they are family members. In some cases, applicants from the same family are given separate asylum decisions in order to ensure that information provided during the procedure is not included in a common final decision and therefore revealed to other family members. During the interviews the Ministry informs the applicant that privacy and confidentiality have to be ensured by everyone present.

Children are not present during the parents' personal interview. In case of a minor who is 15 years old or older and in case of an unaccompanied minor the legal guardian is present during the personal interview.<sup>177</sup> If the presence of the family member during the personal interview is not in the best interest of the child, a legal guardian can be appointed to the minor.<sup>178</sup> The personal interview with a minor under 15 years old can only be

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<sup>172</sup> *Ibid.*  
<sup>173</sup> Official statistics provided by the Migration directorate, April 2025.  
<sup>174</sup> *Ibid.*  
<sup>175</sup> Article 46(1) IPA.  
<sup>176</sup> Article 38(1) IPA.  
<sup>177</sup> Article 37(2) IPA.  
<sup>178</sup> Article 37(5) IPA.

conducted in exceptional cases.<sup>179</sup> This is normally done in cases of unaccompanied minors in order to obtain the information needed for status determination.

In 2024, officials of the Migration directorate attended different trainings on vulnerability (see: Determining authority). While there is no special division for processing applications of vulnerable groups, all decision makers were trained by the EUAA on working with vulnerable groups, while only one official was trained on working with unaccompanied minors.<sup>180</sup>

If the applicant has legal representation, their representative is also present. With the applicants' consent, the official of the Migration directorate can also allow the presence of a UNHCR representative, another official or employee of the Ministry of the Interior (MOI), a researcher, a student or another public official if their presence is important for scientific work or their institution.<sup>181</sup> Since the September 2021 amendment of the IPA, applicants can no longer be accompanied by a person of their own choosing for emotional support during the interview.

The personal interview is carried out by the officials of the Migration directorate who have previously carried out the application procedure. During this interview ("first in-merit interview"), the officials of the Migration directorate aim to establish the identity of the applicant and accompanying family members, the applicant's reasons for seeking asylum and all other facts and circumstances that are important for the decision.<sup>182</sup> During the personal interview, the applicant is expected to provide detailed grounds for asylum as well as to provide documents and other evidence.<sup>183</sup> Until June 2016, the first in-merit interview regarding grounds for asylum was conducted together with the lodging of the asylum application. Since then, the practice changed and this has been separated into two distinct phases in an attempt to make procedures more efficient, considering that more than half of the applicants abscond soon after the lodging of the application and a high percentage of applications is dismissed in Dublin procedures, meaning that many lengthy interviews regarding grounds for asylum were conducted in vain. It also enables the Migration directorate to lodge a higher number of applications daily. Nonetheless, delays in individuals being able to lodge an application are increasing each year, and this continues to be one of the bigger shortcomings of the asylum system in Slovenia (see also: [Lodging of the application](#)).

Under the provisions of the IPA, the date of the personal interview is determined during the lodging of the application. The personal interview can be conducted immediately after the application is lodged only if: the application is processed in the border procedure; or if is evident from the information, given at the lodging of the application, that the grounds for processing the application as inadmissible or manifestly unfounded are met.<sup>184</sup> Notwithstanding the provisions of the IPA, the Ministry conducted personal interviews with Ukrainian asylum applicants immediately after they lodged the application for international protection in 2024. Their applications were not processed as inadmissible or manifestly unfounded as they were granted subsidiary protection.

The personal interview is completed after the minutes are read to the asylum applicant and signed by everyone present during the interview. The personal interview can also be recorded using electronic audio or video recording devices. In this case, the Migration directorate has to ensure that the recording is attached to the mentioning that the interview was recorded,<sup>185</sup> and the asylum applicant does not have to confirm the content of the minutes.<sup>186</sup> Electronic audio and video recording of personal interviews is not used in practice.<sup>187</sup> The IPA also allows in exceptional circumstances for the personal interview to be conducted through modern electronic

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<sup>179</sup> Article 37(3) IPA.

<sup>180</sup> Information provided by the Migration directorate, April 2025.

<sup>181</sup> Article 37(4) IPA.

<sup>182</sup> Article 46(2) IPA.

<sup>183</sup> Article 21(2) IPA.

<sup>184</sup> Article 45(5) IPA.

<sup>185</sup> Article 37(7) IPA.

<sup>186</sup> Article 37(9) IPA.

<sup>187</sup> Observation by the PIC.

media under the condition that secure data transmission is ensured.<sup>188</sup> This provision is also not used in practice.<sup>189</sup>

In line with the IPA, the official of the Migration directorate has to conduct the personal interview in a way that enables the applicant to fully present their reasons for seeking asylum and their personal circumstances, such as their cultural background, gender, sexual orientation and identity or vulnerability. While conducting the personal interview the official also has to take the abovementioned personal circumstances of the applicant into account.<sup>190</sup> The applicant can request that the interview be conducted and interpreted by, respectively, an official and an interpreter of the same gender.<sup>191</sup> The manner in which the personal interview is conducted depends on the official that conducts it. Due to the lack of female translators, translation by a person of the same gender is not often provided to female asylum applicants in practice while the Migration directorate arranges the caseload in a way that female officials conduct the majority of personal interviews with female asylum applicants.<sup>192</sup>

Following this first in-merit interview, the case is referred to a “decision-maker”, who decides if another in-merit interview is needed before an in-merit asylum decision is taken on the case. In some cases, this interview is omitted when the decision-maker can grant the applicant international protection on the basis of evidence at their disposal or reject the application. Before the final decision is issued, it has to be authorised by a responsible official of the sector for international protection procedures.<sup>193</sup>

Official statistics on the number of personal interviews is not gathered by the authorities.<sup>194</sup>

### 1.3.1. Interpretation

The IPA states that the assistance of an interpreter must be provided to a person who does not understand the official language during the lodging of the application and during the personal interview. In other justified cases, the assistance of an interpreter can be approved by the competent authority.<sup>195</sup>

The amendments to the IPA also foresee that applicants and refugee counsellors are entitled to the assistance of an interpreter during the procedure before the Administrative and Supreme Court. They are entitled to 2 hours or four translation pages per case, irrespective of the lengthiness of the procedure.<sup>196</sup> This provision was included in the amendments to the IPA as a result of a Supreme Court decision, stating that applicants are entitled to an interpreter if required for communication with their counsellors in preparation of the legal remedy.<sup>197</sup>

According to the IPA, the interpreter is bound to respect the rules of the Code of Conduct for interpreters and translators in the international protection procedures which is adopted by the Minister of the Interior. The Ministry also needs to inform the interpreters on the rules and specifics of interpreting in the international protection procedures and on their role in such procedures.<sup>198</sup> In 2024 the Ministry of the Interior did not organise any training on interpretation in the asylum procedures.<sup>199</sup>

Lack of qualified interpreters for certain languages is a systematic problem in Slovenia. The quality of interpretation varies considerably and, in some cases, does not meet required standards. Interpreters are selected based on a public call. During the selection, while they need to submit proof of knowledge of the

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<sup>188</sup> Article 37(8) IPA.

<sup>189</sup> According to the PIC's experience.

<sup>190</sup> Article 37(1).

<sup>191</sup> Article 37(6) IPA and Article 6(6) IPA.

<sup>192</sup> Observation by the PIC.

<sup>193</sup> Information provided by the Migration directorate April 2025.

<sup>194</sup> Information provided by the Migration directorate, April 2025.

<sup>195</sup> Article 6(1)-(2) IPA.

<sup>196</sup> Article 11(1) IPA.

<sup>197</sup> Supreme Court, Decision I Up 226/2017, 22. November 2017, available in Slovenian [here](#).

<sup>198</sup> Article 6(10)-(11) IPA.

<sup>199</sup> Official statistics provided by the Migration directorate, April 2025.

Slovenian language,<sup>200</sup> interpreters are not subject to a test to determine their level of knowledge of the Slovenian language or the language they interpret. Although interpreters have to submit proof of language, education and references, the decisive factor in the public call is the price of the interpreter's services. Those with the lowest prices are prioritised on the list of interpreters that the Migration directorate can use in the procedures.<sup>201</sup> In practice, Migration directorate does not monitor the quality of the translation. Often, interpreters operate in languages in which they are not fluent, but which are used in their countries of origin. As some cannot adequately write in these languages, decisions on asylum are often wrongly translated by interpreters. There were also cases where the translation stated that the person does not have the right to appeal the asylum decision. The lack of proper interpretation affects the credibility assessment of asylum applicants. Systematic changes in the selection of interpreters should be made in order to provide asylum applicants with proper interpretation in the asylum procedure and guarantee their ability to obtain international protection in Slovenia.<sup>202</sup>

The IPA foresees that, where possible, asylum applicants can request the presence of an interpreter of the same sex.<sup>203</sup> In practice, however, this is often not respected due to the lack of available female interpreters (See: [Personal interview](#)).<sup>204</sup>

Interpreting can be conducted through video conferencing if secure data transfer is guaranteed.<sup>205</sup> In practice this is used only for the interpretation of languages for which an interpreter cannot be provided in Slovenia. In this regard, the Ministry of the Interior can ask for help with interpretation from another Member State, EU institutions or other international organisation.<sup>206</sup> In 2024, the Migration directorate had contracts with 49 interpreters for different languages. In 2024, because of the lack of available interpreters for certain languages, the Ministry of the Interior had to request the EUAA for assistance with interpretation in certain procedures.<sup>207</sup>

### 1.3.2. Recording and report

Minutes are taken during the lodging of the application and during personal interviews. According to the law, the interview can also be recorded with audio/video electronic devices. In this case, the competent authority needs to ensure that the recording is attached to the official record which needs to contain a note that the recording has been made.<sup>208</sup> In practice, the audio/video recordings are not used (see [Personal interview](#)).

In practice the applicant's statements are not written down *verbatim*; the interpreters often only summarise the applicants' statements, and the interviewer rephrases the translated answers so as to include their important elements. Upon completion of the lodging of the application or of the personal interview, the interpreter has to translate orally the contents of the report to the applicant, who can then add comments. When the applicant signs the minutes after lodging the application, they officially obtain the status of an applicant for international protection in Slovenia. Others who are also present at the lodging (e.g., the official of the Migration directorate, interpreter, legal guardian, legal representative) also have to sign the minutes. Further changes cannot be made to the official minutes at a later stage. The copy of the minutes is given to the applicants' legal representative and to the applicant if they want, there is no need for a special request.<sup>209</sup>

In practice, asylum applicants often complain upon second reading after the personal interview that their statements were wrongly interpreted, and that their statements were not properly read to them by the interpreter, meaning that they were not aware of the content of the minutes made during the interview. <sup>210</sup>

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<sup>200</sup> Information provided by the Ministry of Interior in the context of their right of reply, July 2025.

<sup>201</sup> Example of the Ministry's public call [here](#).

<sup>202</sup> Observation by the PIC.

<sup>203</sup> Article 6(6) IPA.

<sup>204</sup> Observation by the PIC.

<sup>205</sup> Article 6(13) IPA.

<sup>206</sup> Article 6(12) IPA.

<sup>207</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>208</sup> Article 37(7) IPA.

<sup>209</sup> Observation by the PIC.

<sup>210</sup> *Ibid.*



## 1.4. Appeal

### Indicators: Regular Procedure: Appeal

1. Does the law provide for an appeal against the first instance decision in the regular procedure?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Judicial	<input type="checkbox"/> Administrative
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Some grounds <input type="checkbox"/> No
- ❖ If yes, is it
- ❖ If yes, is it automatically suspensive
2. Average processing time for the appeal body to make a decision: Not available.

### 1.4.1. First appeal

The legal remedy available to rejected asylum applicants is a judicial review, which is initiated by filing a lawsuit against the Ministry of the Interior.<sup>211</sup> In the proceedings that follow, the applicant for international protection acts as the plaintiff and the Ministry as the defendant. The Administrative Court of the Republic of Slovenia, with headquarters in **Ljubljana**, decides on the application for judicial review. The general rules of procedure are set out in the Administrative Dispute Act, while specific provisions particular to judicial review in international protection procedures are included in the IPA.

If the application was rejected in the regular procedure, the deadline for lodging the judicial review is 15 days. The Administrative Court must decide on it within 30 days,<sup>212</sup> yet court proceedings are usually much longer in practice, sometimes taking up to one year or longer. The length of the procedure mostly depends on the complexity of the case. This practice continued in 2024.<sup>213</sup>

An application for judicial review against the rejection of an application in the regular procedure has automatic suspensive effect.<sup>214</sup> The review includes an assessment of both facts and points of law. Because a negative decision issued in the regular procedure also includes a return order the applicant must present arguments regarding asylum and return when lodging the judicial review. As no other separate legal remedy is prescribed for the return decision the applicant cannot lodge a separate judicial review after the court decision becomes final.

In practice, most asylum applicants that receive a rejection decision have difficulties filling for judicial review due to difficulties in obtaining a refugee counsellor. In 2020, the practice of accessing refugee counsellors changed and asylum applicants have faced challenges to secure legal representation since then, including in 2024 (see [Legal assistance on appeal](#)).

In 2024, 208 negative in-merit decisions, 2,387 Dublin decisions, 58 detention orders and 20 inadmissibility decisions were issued. 353 appeals regarding asylum cases were lodged at the Administrative Court. 106 were lodged against negative asylum decisions and 34 against detention orders. In 2024, the Administrative Court issued 318 asylum-related decisions. In 271 of these cases, the Administrative Court conducted a hearing before taking the decision.<sup>215</sup>

In 2021, the practice of the Administrative Court changed and oral hearings became more frequent due to the decision of the Supreme Court in *X Ips 22/2020*,<sup>216</sup> in which the court noted that an oral hearing has to be conducted if the facts of the case are disputed, and that the court has to make a decision regarding the suggested

<sup>211</sup> Article 70(1) IPA.

<sup>212</sup> Articles 70(1) and 71(1) IPA.

<sup>213</sup> Information provided by the refugee counsellors, January 2025.

<sup>214</sup> Article 70(3) IPA.

<sup>215</sup> Official statistics provided by the Administrative Court, Ministry of the Interior and UOIM March 2025.

<sup>216</sup> Supreme Court decision, *X Ips 22/2020*, 26. 8. 2020, available in Slovenian [here](#).



evidence at the oral hearing.<sup>217</sup> However, the fact that the oral hearing is conducted does not necessarily mean that the applicant will be questioned. Therefore, the oral hearings in some cases last less than 20 minutes. The practice of conducting oral hearings differs between judges based on their interpretation of the Supreme Court's decision. In 2024, the Administrative Court carried out 271 oral hearings. In 81 cases, the Administrative Court made decisions without an oral hearing.<sup>218</sup>

Oral hearings are public. Decisions of the Administrative Court are published, with information on the applicant's identity removed.<sup>219</sup>

In the vast majority of the cases where the Administrative Court finds faults in the first instance decision, it annuls the decision and returns the case to the first instance. The Migration directorate is then obliged to issue a new decision within 30 days.<sup>220</sup> However, this is not respected in practice. Instead, the repeated procedure in front of the Migration directorate again takes an excessively long time, which can bring the duration of the entire asylum procedure, from the time of lodging the application to the final decision, to several years. In addition, the Migration directorate often does not respect the decision or the instructions of the Administrative Court, which can further prolong the procedure.<sup>221</sup> In 2024, the Administrative Court granted international protection in one case.<sup>222</sup>

### 1.4.2. Onward appeal

The amendments to the IPA foresee the right of appeal to the Supreme Court against a decision of the Administrative Court,<sup>223</sup> as was already the case under the former IPA into force until 24 April 2016. The Supreme Court has to issue its decision within 30 days of receiving the appeal.<sup>224</sup> This right of appeal applies only to those asylum applicants who lodged their application after the amendments came into force. To be noted that applicants who lodged their application before the 24 April 2016 amendment of the former IPA can also appeal to the Supreme Court against a decision of the Administrative Court. In 2024, appeals to the Supreme Court were made in 146 cases.<sup>225</sup>

Asylum applicants who lodged their application between 24 April 2016 and 09 November 2021 cannot appeal against a decision of the Administrative Court. They can, however, challenge the decision by way of extraordinary legal remedies.

Decisions of the Supreme Court are published, with identifying information of applicants anonymised.<sup>226</sup>

In any case, applicants can appeal to the Constitutional Court. The appeal needs to be lodged within 15 calendar days of the applicant being served the decision of the Administrative Court or the Supreme Court.<sup>227</sup> Decisions of the Constitutional Court are published, with identifying information of applicants anonymised.<sup>228</sup> Constitutional appeals were not lodged by refugee counsellors in 2024.<sup>229</sup>

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<sup>217</sup> The decision of the Supreme Court follows the decision of the Constitution Court Up 360/16-22, 18.6.2020 and the decisions of the ECtHR, Application No 32303/13, Judgment of 13 March 2018, *Mirovni inštitut v. Slovenia*, available [here](#), and ECtHR, Application No 58512/16, Judgment of 30 June 2020, *Cimperšek v. Slovenia*, available [here](#).

<sup>218</sup> Official statistics provided by the Administrative Court, March 2025.

<sup>219</sup> Decisions can be found [here](#).

<sup>220</sup> Article 64(4) Administrative Dispute Act.

<sup>221</sup> Observation by the PIC.

<sup>222</sup> Official statistics provided by the Administrative court, March 2025.

<sup>223</sup> Article 70(4) IPA.

<sup>224</sup> Article 71(4) IPA.

<sup>225</sup> Official statistics provided by the Supreme court, March 2025.

<sup>226</sup> Available in Slovenian [here](#).

<sup>227</sup> Article 72 IPA.

<sup>228</sup> Available in Slovenian [here](#).

<sup>229</sup> Official statistics provided by the Migration directorate, April 2025.

## 1.5. Legal assistance

### Indicators: Regular Procedure: Legal assistance

1. Do asylum applicants have access to free legal assistance at first instance in practice?  
☐ Yes ☒ With difficulty ☐ No  
❖ Does free legal assistance cover: ☒ Representation in interview ☒ Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against a negative decision in practice?  
☐ Yes ☒ With difficulty ☐ No  
❖ Does free legal assistance cover: ☒ Representation in courts ☒ Legal advice

### 1.5.1. Legal assistance at first instance

The IPA does not provide free legal representation for applicants in the first instance procedure. This was provided by a non-governmental organisation PIC – Legal Center for the Protection of human Rights and the Environment<sup>230</sup> financed by AMIF, under which most funding was provided by the European Commission and a smaller part by the Republic of Slovenia. In line with the project, PIC provided free legal help and representation to all asylum applicants during the project implementation. At the end of April 2020, the AMIF program concluded. This coincided with the formation of a new government in Slovenia that was less inclined to NGOs and therefore decided that they will not open a new call for the NGOs. Since then, legal advice and representation is no longer provided to all asylum applicants in Slovenia, however the NGO PIC continues to provide legal representation during the first instance as UNHCRs implementing partner. The PIC provides legal representation throughout the whole first instance procedure, which includes the lodging of the application and all subsequent personal interviews, legal assistance throughout the asylum procedure, preparation of country of origin information and help with accessing refugee counsellors when requests for judicial review need to be filed. In 2024, PIC assisted 669 individuals in the asylum procedure. PIC remains the only NGO providing legal assistance to asylum applicants.

The PIC has an office next to the **Asylum Home** in Ljubljana, the accommodation facility where the majority of applicants reside during the international protection procedure. PIC lawyers are available to asylum applicants by phone and email every working day between 8 am and 3 pm. Additionally, they also organise in-person meetings and visit the Asylum Home or its branches (Logatec, Postojna, Kotnikova) and the Foreigners Centre.

### 1.1.1. Legal assistance on appeal

Legal assistance in the appeal procedure is provided to applicants by refugee counsellors.<sup>231</sup> The latter are graduate lawyers, selected by public tender and appointed by the Ministry of the Justice for a term of 5 years. Before they can start undertaking cases, prospective refugee counsellors have to participate in a seminar on law of international protection for a minimum duration of 10 hours. If they do not have the required one-year experience on refugee and asylum law or have not previously represented asylum applicants at least 3 times before the national courts, they also have to pass an exam before participating in the seminar.<sup>232</sup> In line with the amended IPA, they also have to pass a security check and obtain permission to access classified information.<sup>233</sup>

Since refugee counsellors selected in the last call in 2023 were appointed based on the provisions of the former IPA, passing the security check and obtaining the permission was not needed at the last appointment. The provision has therefore not been used in practice.

<sup>230</sup> PIC – Legal Center for the Protection of Human Rights and the Environment, available [here](#).

<sup>231</sup> Article 9(1) IPA.

<sup>232</sup> Article 12 Rules on knowledge testing of candidates for refugee counsellors and on the training of refugee counsellors at the Judicial Training Centre.

<sup>233</sup> Article 9(4), indent 7 IPA.

There is no “merits test” on the basis of which the applicant can be refused legal assistance.

Applicants therefore have access to refugee counsellors who initiate judicial review on their behalf and represent them in court, free of charge. The most recent public call was published in October 2021; the procedure of appointing new refugee counsellors was finalised by March 2023. In January 2025 the list contained 41 refugee counsellors.<sup>234</sup>

The amendments of the IPA include several novelties regarding the work of refugee counsellors. According to the new provisions, refugee counsellors have to pass a security check and obtain permission to access classified information.<sup>235</sup> Both new provisions were heavily criticised by NGOs and lawyers as refugee counsellors are the only legal professionals in Slovenia required to do so in order to be able to represent their clients. As other legal representatives refugee counsellors are bound by confidentiality. In addition, they should have access to all the relevant information pertaining the case in order to be able to represent their clients. Since refugee counsellors are bound by the same legal standards as other legal representatives the provision is not necessary for the function of the refugee counsellors. In practice, the provisions have not been used as refugee counsellors have not been appointed based on the new provisions yet.

One of the most notable and problematic changes of the IPA are the new grounds for dismissal of the refugee counsellor. Under the new provisions, the refugee counsellor can be dismissed by the Ministry of Justice if it is established that they:

- ❖ are aware of the true identity of the asylum applicant;
- ❖ have the identity documents of the asylum applicant;
- ❖ are aware of the asylum applicant's actual age, in case the asylum applicant claims they are underage; or
- ❖ are aware of facts based on which the asylum applicant is not eligible for refugee status or subsidiary protection and does not disclose these facts to the Migration directorate.<sup>236</sup>

According to the Administrative Court's case law, the activities of refugee counsellors, as established by the IPA, are identical to the activities of attorneys.<sup>237</sup> As refugee counsellors carry out the same activities as attorneys, they share the same rights and obligations in relation to their clients;<sup>238</sup> including the obligation to respect attorney-client privilege under which the communication between the attorney and client is protected as confidential.<sup>239</sup> Breach of this obligation is considered a severe violation of the attorney's duties according to the Constitutional Court.<sup>240</sup> In addition, the duty to protect attorney-client privilege is not the privilege of the attorney but his/her obligation, together with the protection of his/her clients' constitutionally protected human rights, mainly the protection of privacy and personal rights, protection of secrecy of letters and other media and protection of personal data. This ensures the respect of the right to judicial review and the right to appeal.<sup>241</sup>

The provision that allows the refugee counsellor to be dismissed from the function is therefore in direct violation of the Slovenian Constitution. Refugee counsellors submitted the provisions for review to the Advocate of the Principle of Equality. The Advocate of the Principle of Equality stated in his decision that asylum applicants have the right to an effective legal remedy and judicial review and that the provision of the IPA renders that right void and null. He noted that confidentiality between the asylum applicant and the refugee counsellor is the basis for

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<sup>234</sup> Ministry of the Interior, *Imenik svetovalcev za azil / begunce*, available in Slovenian [here](#).

<sup>235</sup> Article 9(4), intendant 7 IPA.

<sup>236</sup> Article 9(10) intendant 6 IPA.

<sup>237</sup> Administrative Court decision, U 2135/2004, 14. November 2005, available in Slovenian [here](#), Administrative Court decision, I U 1858/2015, 16. November 2016, available in Slovenian [here](#).

<sup>238</sup> *Ibid.*

<sup>239</sup> Zagovornik načela enakosti, *Ocena diskriminatornosti zakona ali drugega predpisa po 38. členu ZVARD*, 10 June 2022, available [here](#).

<sup>240</sup> Constitutional Court decision, Up-2530/06, 14. April 2010, available in Slovenian [here](#). Constitutional Court decision, U I 115/14, 21. January 2016, available in Slovenian [here](#).

<sup>241</sup> *Ibid.*

exercising the right to an official legal remedy. The Advocate of the principle of Equality also issued a recommendation to the Ministry of the Interior to change the discriminatory provisions relating to the lawyer-client privilege of asylum applicants and refugee counsellors.<sup>242</sup> In February 2022, opposition parliamentarians submitted the provision to the Constitutional Court for constitutional review however the decision was not taken by the end of the year 2024.<sup>243</sup>

Since then, the Migration directorate provides asylum applicants with a list of refugee counsellors, together with a decision, in their language, by post mail. The list instructs asylum applicant to obtain the help of a refugee counsellor themselves or contact the Migration directorate to provide them with one. In practice, many individuals cannot access refugee counsellors before the deadline for the appeal. Detained asylum applicants face problems in accessing the help of refugee counsellors since many have no access to a phone. Lack of interpretation, mistranslated decisions and illiteracy also prevent asylum applicants from obtaining the representation of refugee counsellors. Asylum applicants therefore either leave Slovenia without filing for the judicial review or rely heavily on social workers, the PIC or other NGOs to help them find a refugee counsellor. There have also been reported cases of more than one refugee counsellor lodging an appeal at the Administrative Court against the decision of an asylum applicant in cases when the same asylum applicant would obtain the help of more than one refugee counsellor.

In 2024 the Ministry of the Interior provided asylum applicants with refugee counsellors in 64 cases. In all other cases applicants obtained the help of refugee counsellors on their own. According to official statistics, 208 in-merit negative decisions, 2,387 Dublin decisions, 20 inadmissibility decisions and 58 detention orders were issued in 2024.<sup>244</sup> However only 353 appeals were lodged before the Administrative court during the year,<sup>245</sup> out of which only 106 were lodged against a negative decision.<sup>246</sup> According to official statistics, only 34 appeals against detention orders were received by the Administrative court.<sup>247</sup> Although the majority of Dublin decisions are issued to applicants who have already absconded and are no longer present in Slovenia and therefore cannot lodge the judicial review statistics shows that judicial review is not lodged in a high number of cases.<sup>248</sup>

Refugee counsellors are entitled to the assistance of a translator for the amount of 2 hours or 4 translated pages per case.<sup>249</sup> They are not entitled to reimbursement for extraordinary legal remedies,<sup>250</sup> however they are entitled to reimbursement for the appeal procedure before the Supreme Court.<sup>251</sup> They are still not entitled to reimbursement for representation before the Constitutional Court, the ECtHR or the CJEU.<sup>252</sup>

The financial compensation of the refugee counsellors is half the amount of the official attorney's fee, same as for free legal aid.<sup>253</sup> In 2022, the law on Attorney's Tariff changed. Since then, the fee for the free legal aid is the full attorney's fee,<sup>254</sup> and refugee counsellors' services are the only services compensated at half the tariff. According to informally obtained data at least two refugee counsellors initiated an administrative dispute in 2023, and one in 2024 claiming discrimination, before the Administrative Court. By the end of the year the decisions have not been made.<sup>255</sup>

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<sup>242</sup> Zagovornik načela enakosti, *Ocena diskriminatornosti zakona ali drugega predpisa po 38. členu ZVARD*, 10 June 2022, available in Slovenian [here](#).

<sup>243</sup> 24.ur: *Določbe zakona o tujcih in mednarodni zaščiti v ustavno presojo*, 10 February 2022, available in Slovenian [here](#).

<sup>244</sup> Official statistics provided by the Migration directorate, April 2025; and Administrative court, March 2025.

<sup>245</sup> Official statistics provided by the Administrative court, March 2025. The statistics include all judicial reviews lodged in 2024.

<sup>246</sup> *Ibid.*

<sup>247</sup> Information provided by the Administrative court, March 2025.

<sup>248</sup> Observation by the PIC.

<sup>249</sup> Article 11(1) IPA.

<sup>250</sup> Article 11(4) IPA.

<sup>251</sup> Article 11(1) IPA.

<sup>252</sup> *Ibid.*

<sup>253</sup> Article 5(1) Rules on the access of applicants for international protection to refugee counsellors and on the remuneration and reimbursement of the expenses of refugee counsellors, Official Gazette of RS, No. 22/17.

<sup>254</sup> Amendments to the Attorney's Tariff, available in Slovenian [here](#).

<sup>255</sup> Informally obtained data by refugee counsellors – cases are run under the numbers I U 1735/2023, I U 1348/2023 and I U 1889/2024.

The remuneration and reimbursement of expenses for their work are granted by the Ministry of the Interior.<sup>256</sup> The refugee counsellor is not entitled to financial compensation in the following instances:

- ❖ if the applicant has left the premises of the Asylum Home or its branch (and not returned) three days before the appeal was lodged before the Administrative Court;
- ❖ the applicant retracts the power of attorney before the legal remedy is lodged;
- ❖ the refugee counsellor does not lodge the legal remedy in time; or
- ❖ another refugee counsellor has already lodged the legal remedy.<sup>257</sup>

In practice, refugee counsellors are often not fully reimbursed for their representation, as the Ministry does not approve the reimbursement claims in full or in the same manner as reimbursement claims are approved by the court in other proceedings.<sup>258</sup> In addition, refugee counsellors can only issue a reimbursement claim after the decision in the procedure becomes final.<sup>259</sup> This means that in practice, refugee counsellors can issue the reimbursement claims after several months or even years due to the lengthiness of the procedures.

In accordance with the new amendments, legal remedies before the Administrative and the Supreme Courts can no longer be free for all asylum applicants. The new provisions state that the Ministry of the Interior can demand reimbursement of costs, or a proportionate part of the costs, for refugee counsellors from asylum applicants with sufficient means of subsistence.<sup>260</sup> To this end, the Ministry can demand that asylum applicants submit documentation regarding their financial situation (e.g., bank statements). The following revenue can count as means of subsistence: revenue from employment contracts; unemployment benefits; revenue from other forms of work contracts; pension; revenue from self-employment; annuity, rent or lease; benefits rewarded by a court decision, with the exception of maintenance.<sup>261</sup> In 2024, the Ministry did not enforce the provision.<sup>262</sup>

## 2. Dublin

### 2.1. General

The Dublin procedure is regulated in the International Protection Act. In 2024, Slovenia made 2,907 outgoing Dublin requests. During the year 5,634 applications for international protection were lodged, meaning that requests were made for 51% of applicants for international protection. This is a decrease in comparison to 2023 when 4,776 requests were made while 7,261 applications were lodged. In 2024, 68 outgoing transfers and 165 incoming transfers were carried out regarding Slovenia.<sup>263</sup>

#### Dublin statistics: 1 January – 31 December of 2024

Outgoing procedure				Incoming procedure			
	Requests	Accepted	Transfers		Requests	Accepted	Transfers
<b>Total</b>	2,866	2,267	68	<b>Total</b>	1,642	836	165
Croatia	1,168	1,067	62	Switzerland	247	161	70
Bulgaria	1,269	1,095	2	Germany	417	296	49
France	23	8	2	Austria	59	34	20

<sup>256</sup> Article 11(1) IPA.

<sup>257</sup> Article 11(2) IPA.

<sup>258</sup> Observation made by refugee counsellors.

<sup>259</sup> Article 11(4) IPA.

<sup>260</sup> Article 11(5) in relation to Article 11(1) if the IPA.

<sup>261</sup> Article 8(2)-(3) Rules on the access to refugee counsellors, remuneration and reimbursement of the expenses of refugee counsellors, and criteria for calculating the reimbursement of the expenses from the person with sufficient own means.

<sup>262</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>263</sup> Official statistics provided by the Migration directorate, April 2025.

Austria	42	9	1	Netherlands	69	44	10
Netherlands	26	8	1	France	236	87	6
				Belgium	69	37	4
				Denmark	2	2	2
				Luxembourg	7	5	2
				Finland	4	4	2

Source: Migration directorate, April 2025.

“Transfers” refers to the number of transfers actually implemented, not to the number of transfer decisions.

Outgoing Dublin requests by criterion: 2024		
Dublin III Regulation criterion	Requests sent	Requests accepted
<b>“Take charge”: Articles 8-17:</b>	21	14
Article 8 (minors)	0	0
Article 9 (family members granted protection)	0	0
Article 10 (family members pending determination)	0	0
Article 11 (family procedure)	2	0
Article 12 (visas and residence permits)	4	4
Article 13 (entry and/or remain)	15	10
Article 14 (visa free entry)	0	0
“Take charge”: Article 16	0	0
“Take charge” humanitarian clause: Article 17(2)	0	0
<b>“Take back”: Articles 18 and 20(5)</b>	2,855	2,253
Article 18 (1) (b)	2,855	2,253
Article 18 (1) (c)	0	0
Article 18 (1) (d)	0	0
Article 20(5)	0	0

Source: Migration directorate, April 2025.

Incoming Dublin requests by criterion: 2024		
Dublin III Regulation criterion	Requests received	Requests accepted
<b>“Take charge”: Articles 8-17</b>	132	104
Article 8 (minors)	1	0
Article 9 (family members granted protection)	0	0
Article 10 (family members pending determination)	1	0
Article 11 (family procedure)	0	0
Article 12 (visas and residence permits)	112	104
Article 13 (entry and/or remain)	18	0
Article 14 (visa free entry)	0	0
“Take charge”: Article 16	0	0
“Take charge” humanitarian clause: Article 17(2)	0	0
<b>“Take back”: Articles 18 and 20(5)</b>	1,510	732
Article 18 (1) (b)	1,503	732
Article 18 (1) (c)	1	0
Article 18 (1) (d)	6	0
Article 20(5)	0	0

Source: Migration directorate, April 2025.

### 2.1.1. Application of the Dublin criteria

In practice, the most frequently used criteria for outgoing Dublin requests are irregular entry,<sup>264</sup> and first country of application.<sup>265</sup> The most frequently used criterion for incoming requests is the first country of application.<sup>266</sup>

In 2024, the most frequently used basis for outgoing requests was Article 18 of the Dublin Regulation, while the majority of incoming requests were based on Article 18(1)(b) of the Regulation. Out of 2,866 outgoing requests made in 2024, 599 were rejected by other Member States. The most common reason for rejecting the outgoing request was that the Members state deemed it was no longer responsible based on the criteria either because the applicant was outside of the territory of Member States for more than 3 months. In 2024, Slovenia received

<sup>264</sup> Article 13(1) Dublin III Regulation.

<sup>265</sup> Article 3(2) Dublin III Regulation.

<sup>266</sup> *Ibid.*



1,642 requests and rejected 806. The most common reason for rejecting the request was that Slovenia deemed it was no longer responsible based on the Dublin criteria.<sup>267</sup>

As seen from the statistics the family unity criteria under Articles 8-11 of the Regulation are really applied in practice. Originals or at least copies of documents showing family links (birth certificates, family books) are required by authorities, while DNA analysis was used for the first time in 2019 because the applicant could not provide a copy of his documents. DNA analysis has not been needed and used since.<sup>268</sup> In practice, the application of the family provisions is not refused, even if the asylum applicant fails to indicate the existence of family members in another Member State from the outset of the asylum application. The asylum applicant can invoke the application of family unity criteria within the timeframe for sending the Dublin request to another Member State, *i.e.*, three months from the asylum application. Due to the high absconding rate and the long duration of the Dublin procedure the procedure is usually stopped before it can be completed and transfer to another Member State implemented.<sup>269</sup> Since 2019 none of the unaccompanied children were reunited under Article 8 with a relative in another Member State through the Dublin procedure. The last case of reuniting family members based on Article 9 and 10 of the Regulation was registered in 2017.<sup>270</sup>

### 2.1.2. The dependent persons and discretionary clauses

The use of the “sovereignty” clause under Article 17(1) of the Dublin Regulation is not done through a formal procedure and no decision is taken on it; applicants are simply not processed in the Dublin procedure and their case is instead referred by the authorities to the regular procedure.<sup>271</sup> The sovereignty clause was first used in 2014. The sovereignty clause was not used from 2018 up to 2022. In 2023, it was used in 2 cases.<sup>272</sup> It was not used in 2024.<sup>273</sup>

Transfers under the “dependent persons” and “humanitarian” clauses have not been implemented in practice so far.<sup>274</sup>

## 2.2. Procedure

### Indicators: Dublin Procedure

1. Is the Dublin procedure applied by the authority responsible for examining asylum applications?  
☒ Yes   ☐ No
2. On average, how long does a transfer take after the responsible Member State has accepted responsibility?  
5 months<sup>275</sup>

The Dublin procedure is regulated by the provisions of the IPA. After the applicant lodges the application, the case is first examined for a possible application of the Dublin Regulation. While lodging the application the applicant is informed about the use of fingerprints in line with the Eurodac Regulation, possibility of sending the request to another Member state and applying the Dublin procedure. In the event that another EU Member State is determined as responsible in accordance with the Dublin Regulation, the Ministry of the Interior conducts a Dublin interview during which they inform the applicant of the sent request, legal grounds, the evidence used for the request and the reply of the responsible state, and the possibility is provided to the applicant to express any concerns they might have about the transfer<sup>276</sup>. After the Dublin interview, the Ministry issues a Dublin decision which, once final, terminates the procedure in Slovenia, and the person is transferred to the state responsible. If

<sup>267</sup> Official statistics provided by the Migration directorate, March 2024.

<sup>268</sup> *Ibid.*

<sup>269</sup> Observation by the PIC.

<sup>270</sup> *Ibid.*

<sup>271</sup> Observation by the PIC.

<sup>272</sup> Official statistics provided by the Migration directorate, March 2024.

<sup>273</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>274</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>275</sup> *Ibid.*

<sup>276</sup> As noted by the Ministry of Interior in the context of their right of reply, July 2025.



the transfer is not carried out, the Migration directorate annuls the Dublin decision and starts processing the application for international protection.<sup>277</sup>

The fingerprints of each applicant are obtained before they apply for international protection. Once the applicant lodges the application their fingerprints are entered into the Eurodac database. If the person refuses to be fingerprinted, the application can be rejected as manifestly unfounded.<sup>278</sup> However, no cases of this happening in practice have been documented.

The information about the Dublin procedure and legal representation during the procedure can also be provided by the PIC.<sup>279</sup>

### 2.2.1. Individualised guarantees

Individual guarantees are sought together with the “take charge” / “take back” request. In practice, individualised guarantees are sought upon the request of the national courts or the European Commission.<sup>280</sup>

### 2.2.2. Transfers

A pending Dublin procedure constitutes the main Grounds for Detention in Slovenia. The amendments to the IPA, which came into force on 9 November 2021, include new provisions on detention, and the definition of the risk of absconding, which was previously absent.<sup>281</sup> (see [Grounds for detention](#)). This enabled the Migration directorate to start detaining asylum applicants in the Dublin procedure again. In 2024 the Migration directorate detained 34 asylum applicants and the UOIM detained 24, however only one was detained due to a pending Dublin procedure.<sup>282</sup>

If applicants have their own financial resources, the transfer can be carried out on a voluntary basis. In most cases, however, the transfer is carried out through supervised departure or under escort. Due to the demands of airline companies and the necessity of transferring flights, applicants are escorted by two officials of the Migration directorate, responsible for Dublin procedures, until the handover to the authorities of the responsible Member State. Depending on the requirements of the case, the applicant may also be escorted by other staff – medical staff, in case of medical and other psycho-physical requirements, or the police, if risk of resistance or violent behaviour exists. Past behaviour of the applicants, such as absconding and other obstruction of prior transfer attempts, are considered.<sup>283</sup>

Applicants are issued a *laissez-passer* document for travel.<sup>284</sup>

In the majority of cases when Dublin decisions are issued and become final, outgoing transfers are nevertheless not carried out, mostly due to the absconding of the applicants. In 2024, all applicants were transferred through supervised departure. Out of 2,907 outgoing requests only 68 transfers were carried out.<sup>285</sup>

In 2023, several protests against Dublin transfers to Croatia were conducted by asylum applicants, NGOs and activists. The protesters noted that due to the lengthiness of the procedure, several asylum applicants in the Dublin procedure were employed and well-integrated by the time the transfer should take place.<sup>286</sup> Asylum

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<sup>277</sup> Article 51(2) IPA.

<sup>278</sup> Article 52, eighth indent IPA.

<sup>279</sup> PIC – Legal Center for the Protection of Human Rights and the Environment, available [here](#).

<sup>280</sup> Official statistics provided by the Migration directorate, March 2023.

<sup>281</sup> See also AIDA, *Country Report: Slovenia: 2021 Update*, May 2022, available [here](#).

<sup>282</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>283</sup> Information provided by the Migration directorate.

<sup>284</sup> Information provided by the Migration directorate.

<sup>285</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>286</sup> Delo: *Deportacija prosilcev za azil na Hrvaško začasno preprečena*, 19 May 2023, available in Slovenian, [here](#).

applicants also reiterated that Croatia is not safe for them as several of them were victims of police violence.<sup>287</sup> Protests were also organised in January<sup>288</sup> and February 2024.<sup>289</sup> In addition the applicants and the civil society opposed the new practice of the Ministry of the Interior that deemed that the 6 month period for the transfer was reinstated by lodging the judicial review and the requests for an interim measure even if the latter was not granted. The Administrative Court confirmed the interpretation of the Ministry,<sup>290</sup> while the Constitutional Court noted that the 6-month timeframe continues to pass if the interim measure was not granted by the court.<sup>291</sup> (see: [Appeal](#))

### 2.3. Personal interview

#### Indicators: Dublin: Personal Interview

☒ Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the Dublin procedure? ☒ Yes ☐ No
  - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No

Are interviews conducted through video conferencing? ☐ Frequently ☐ Rarely ☒ Never

According to Article 46(1) IPA, the Migration directorate conducts a Dublin interview before taking a decision on the Dublin procedure. During the interview, the Ministry informs the applicant of the sent request, the evidence used for the request, the legal basis for the request and the reply of the responsible Member state. The Ministry then proceeds to interview the applicant regarding their stay in the responsible Member state and reasons against the Dublin return.

The interview is conducted in the same way as the [Regular Procedure: Personal Interview](#).

The interview can be omitted if the applicant has already submitted the relevant information for determining the responsible country and has been given the opportunity by the authorities to submit all such information.<sup>292</sup> In an Administrative Court judgment from 2019, the Court ruled that the applicant has the right to a hearing even if Slovenia decides to annul the transfer decision to the responsible state and take responsibility for processing the asylum applicant's application.<sup>293</sup> In practice, the Ministry issues the annulling decision without the interview.<sup>294</sup>

### 2.4. Appeal

#### Indicators: Dublin: Appeal

☒ Same as regular procedure

1. Does the law provide for an appeal against the decision in the Dublin procedure?
  - ☒ Yes ☐ No
  - ❖ If yes, is it ☒ Judicial ☐ Administrative
  - ❖ If yes, is it suspensive ☐ Yes ☒ No

As in the regular procedure, the legal remedy against a Dublin decision is judicial review by the Administrative Court of the Republic of Slovenia.

<sup>287</sup> Dnevnik: *Nevladniki z vnovičnim apelom vladi za ustavitev vračanj prosilcev za azil*, 7 June 2023, available in Slovenian [here](#).

<sup>288</sup> Delo: *Zaposlene prosilce za azil izganjajo na Hrvaško*, 11 January 2024, available in Slovenian [here](#).

<sup>289</sup> Delo: *Lani obnavljali Slovenijo, letos jih deportirajo na Hrvaško*, 15 February 2024, available in Slovenian [here](#).

<sup>290</sup> Administrative Court Decision, I U 891/2023, 10 November 2023.

<sup>291</sup> Constitutional Court Decision, Up-689/2023, 14 July 2023, available in Slovenian [here](#).

<sup>292</sup> Article 38(1) IPA.

<sup>293</sup> Administrative Court Judgment, I U 1174/2019/11, 25 July 2019, available in Slovenian [here](#).

<sup>294</sup> Observation by the PIC.

In line with the amended IPA, the time limit for judicial review was shortened from 8 to 3 calendar days.<sup>295</sup> As per a 2015 Constitutional Court's decision,<sup>296</sup> preclusive time limits have to be reasonably long or they can disproportionately limit the right to judicial review. The time limit imposed by the amendments infringes the right to effective remedy and the right to judicial review. In practice, refugee counsellors have difficulties lodging the request for judicial review within the time limit, since they have to obtain a power of attorney and the case file beforehand. In addition, refugee counsellors rarely apply for the help of an interpreter while preparing the judicial review due to the time limit.

The application has no automatic suspensive effect.<sup>297</sup> However, at the applicant's request, the court can postpone the execution of the contested decision until a final decision has been issued, if its execution could cause the applicant to suffer damage which would be difficult to repair.<sup>298</sup> In practice, the determining authority does not enforce the decision before the Administrative Court decides on the request for suspensive effect.<sup>299</sup> As long as such practice remains, the situation is not much different from an automatic suspensive effect being prescribed by law. Since the entry into force of the amendments to the IPA, applicants can lodge an appeal against a decision of the Administrative Court to the Supreme Court.<sup>300</sup> However, if the applicant's request to postpone the execution of the Dublin decision is not granted by the Administrative Court, the applicant can be transferred before the Supreme Court issues a decision on a potential appeal. In practice the Migration directorate waits for the decision of the Supreme Court for a couple of months- usually two months, and then proceeds with the transfer. In the majority of cases, applicants abscond in order to not be transferred.

In 2023, the Slovenian Ombudsperson issued a position that in all cases the Ministry of the Interior should not transfer asylum applicants before the decision is made by the Administrative Court or, in case of appeal, by the Supreme Court. The Ombudsperson noted that the applicants could also lodge the request for the interim measure before the Supreme Court and that the Ministry should not transfer the person before the decision on the interim measure is made. As the decision on the interim measure is normally issued together with the appeal decision this means that the applicant should not be transferred until the appeal procedure is finished. The Ombudsperson reiterated that although Article 29(3) of the Dublin regulation states that the Member State should accept the applicant back in case the appeal is successful, transferring the applicant before the decision on the appeal renders the remedy as ineffective.<sup>301</sup> The practice of the Ministry of the Interior nonetheless stayed the same in 2024.

The IPA does not limit the grounds on which an applicant can challenge the Dublin decision and in principle they can challenge it on all grounds of incorrect determination of facts and application of law. This was in contention in case C-490/16 A.S., where the Slovenian Supreme Court made a preliminary reference to the Court of Justice of the European Union (CJEU), asking inter alia whether a judicial review also extends to the application of the irregular entry criterion under Article 13 of the Dublin Regulation. The CJEU judgment confirmed that it does.<sup>302</sup>

In 2023, the Ministry of the Interior took the position that the 6-month period for the transfer is reinstated by lodging the judicial review and the requests for an interim measure even if the latter was not granted. This meant that in practice, just by lodging the judicial review the Dublin procedure of the applicant was prolonged for additional 6 months, not only regarding the possible transfer but also the continuation of the asylum procedure. In cases when the 6-month timeframe would soon be expired applicants had to choose between lodging the judicial review and risking being transferred before the expiration.<sup>303</sup> The new position was challenged before the

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<sup>295</sup> Article 70(2) IPA.

<sup>296</sup> Constitutional Court decision, I U 203/14, 3 December 2015, available in Slovenian [here](#).

<sup>297</sup> Article 70(3) IPA.

<sup>298</sup> Article 32(2) Administrative Dispute Act.

<sup>299</sup> Observation by the PIC.

<sup>300</sup> Article 70(4) IPA.

<sup>301</sup> Slovenian Ombudsperson, *Ministrstvo naj s predajo prosilcev za mednarodno zaščito počaka do pravnomočne odločitve o začasni odredbi*, 18 5 2023, available [here](#).

<sup>302</sup> CJEU, Case C-490/16, *A.S. v Republic of Slovenia*, Judgment of 26 July 2017, available [here](#).

<sup>303</sup> Observation by the PIC.

courts. Administrative Court confirmed the interpretation of the Ministry while<sup>304</sup> the Constitutional Court noted that the 6-month timeframe continues to pass if the interim measure was not granted by the court.<sup>305</sup>

## 2.5. Legal assistance

### Indicators: Dublin: Legal assistance

☒ Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?  
☐ Yes ☒ With difficulty ☐ No  
❖ Does free legal assistance cover: ☒ Representation in interview ☒ Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against a Dublin decision in practice? ☐ Yes ☒ With difficulty ☐ No  
❖ Does free legal assistance cover ☒ Representation in courts ☒ Legal advice

The law does not contain any special provisions regarding legal representation of asylum applicants during the Dublin procedure. Legal assistance in the Dublin procedure is provided in the same way as in the Regular Procedure: [Legal Assistance](#). In the first instance, legal representation can be provided by the PIC. During the judicial review before the Administrative and Supreme Court, applicants have to be represented by a refugee counsellor. In practice, due to the 3 calendar-day time limit for judicial review, language barriers and other difficulties, applicants often cannot obtain the help of a refugee counsellor in time. Whether the applicant will obtain the help of a refugee counsellor depends heavily on the help of social workers, the PIC and other NGOs. Applicants therefore often abscond without lodging a judicial review request. In any case, the short deadlines prevent refugee counsellors from securing the help of translators, obtaining the relevant documentation, reviewing the case and preparing the judicial review in time.

## 2.6. Suspension of transfers

### Indicators: Dublin: Suspension of transfers

- ❖ Are Dublin transfers systematically suspended as a matter of policy or jurisprudence to one or more countries? ☐ Yes ☒ No
- ❖ If yes, to which country or countries?

Dublin transfers to **Greece** were systematically suspended and have not been implemented since the European Court of Human Rights (ECtHR) judgment in *M.S.S. v. Belgium and Greece*.<sup>306</sup> However, in 2018, the Dublin Unit started issuing requests to Greece, although no transfers were carried out. In 2024 the Dublin Unit issued 3 “take charge” requests and 147 “take back” requests, 147 were rejected by Greece and no transfers were carried out.<sup>307</sup>

The Constitutional Court has clarified that the authorities are obliged to examine all circumstances relevant from the perspective of the principle of *non-refoulement*. Due to the absolute nature of the protection afforded by the principle of *non-refoulement*, the assessment must consider all the circumstances of the particular case, including the applicant's personal situation in the transferring country. In this context, it should also be assessed whether the mere removal of an individual to another country in view of their health status is contrary to the principle of *non-refoulement*.<sup>308</sup>

In cases where transfers are suspended, Slovenia annuls the Dublin decision and assumes responsibility for the application.

<sup>304</sup> Administrative Court Decision, I U 891/2923, 10 November 2023.

<sup>305</sup> Constitutional Court Decision, Up-689/2023, 14 July 2023, available [here](#).

<sup>306</sup> ECtHR, *M.S.S. v. Belgium and Greece*, Application No 30696/09, Judgment of 21 January 2011, available [here](#).

<sup>307</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>308</sup> Constitutional Court, Decision Up-613/16, 28 September 2016, available [here](#).

## 2.7. The situation of Dublin returnees

There are no obstacles for asylum applicants transferred from another Member State with regard to access to the asylum procedure. As confirmed by the Constitutional Court, Dublin returnees are considered asylum applicants from the moment of their return to Slovenia.<sup>309</sup>

Applicants who abscond from Slovenia while their asylum procedure is still pending at first instance and are returned through a Dublin transfer are allowed to lodge a new asylum application that is not considered a subsequent application. On the other hand, if an applicant absconds upon receiving a rejection decision, it becomes final after the 15-day deadline for lodging a legal remedy, or 3-day deadline in the case of an accelerated procedure. In such cases, if the applicant is returned, the only option to access the asylum procedure is to lodge a subsequent application. The same goes if the rejection decision is issued in the applicant's absence upon absconding.<sup>310</sup> If the applicant absconds after filing for judicial review, the court stops the procedure due to lack of legal interest, the rejection decision becomes final and, if returned, the applicant is again only left with a subsequent application procedure.

Similarly, to other asylum applicants, Dublin returnees have to wait from 3-20 days to lodge the application due to the backlog of applications. Once their application is lodged, they have the same rights as other asylum applicants and are accommodated in the Asylum home or its branch.

## 3. Admissibility procedure

### 3.1. General (scope, criteria, time limits)

Under Article 51 IPA, an application can be rejected as inadmissible only if:

1. The applicant was granted international protection in another EU Member State, with the exception of persons accepted in the Republic of Slovenia based on quotas;
2. The applicant comes from a First Country of Asylum;
3. The applicant comes from a Safe Third Country;
4. Another country is responsible for examining the applicant claim under the Dublin Regulation.

The time limits for deciding on admissibility are the same as in the regular procedure. The authority responsible for the admissibility procedure is the Ministry of the Interior.

Apart from Dublin decisions, inadmissibility grounds are rarely applied in practice. In 2024 applications were dismissed in 20 cases on the ground of protection in another Member State and 2,387 applications on the ground that another country is responsible for examining the claim under the Dublin Regulation and 1 on the ground of first country of asylum.<sup>311</sup>

Inadmissibility decisions are normally issued faster than in-merit decisions. However, unwarranted delays due to no fault of the applicant may also occur in individual cases.

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<sup>309</sup> Constitutional Court, Decision Up-21/11, 10 October 2012, available in Slovenian [here](#).

<sup>310</sup> This is possible under Article 49(7) IPA if a personal interview has already been carried out and the asylum authority has sufficient information to issue a decision.

<sup>311</sup> Official statistics provided by the Migration directorate, April 2025.

### 3.2. Personal interview

#### Indicators: Admissibility Procedure: Personal Interview

☒ Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the admissibility procedure? ☒ Yes ☐ No
  - ❖ If so, are questions limited to nationality, identity, travel route? ☐ Yes ☒ No
  - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No
2. Are interviews conducted through video conferencing? ☐ Frequently ☐ Rarely ☒ Never

According to the IPA, the Migration directorate conducts the personal interview before reaching a decision in the admissibility procedure.<sup>312</sup> The interview is conducted in the same way as described under [Regular Procedure: Personal Interview](#).

### 3.3. Appeal

#### Indicators: Admissibility Procedure: Appeal

☒ Same as regular procedure

1. Does the law provide for an appeal against an inadmissibility decision? ☒ Yes ☐ No
  - ❖ If yes, is it ☒ Judicial ☐ Administrative
  - ❖ If yes, is it automatically suspensive ☐ Yes ☒ Some grounds ☐ No

In line with the amended IPA, the time limit for judicial review was shortened from 8 to 3 calendar days.<sup>313</sup> The time limit is not in line with the decision of the Constitutional Court,<sup>314</sup> stating that preclusive time limits have to be reasonably long or they can disproportionately limit the right to judicial review, consequently depriving the individual of their rights. The time limit imposed by the amendments therefore infringes the applicant's right to an effective remedy and the right to judicial review. This was also confirmed by CJEU preliminary ruling stating that the 3-calendar day time limit constitutes a restriction of the right to legal assistance.<sup>315</sup>

In practice, refugee counsellors have trouble in lodging the judicial review within the time limit, since they have to obtain the power of attorney, study the case file and then lodge the judicial review. Due to the short time limit refugee counsellors also do not obtain the help of translators while preparing the judicial review.

The judicial review does not have automatic suspensive effect, except where the application was rejected as inadmissible on "safe third country" grounds.<sup>316</sup> If the application is rejected as inadmissible for other reasons, applicants can suspend enforcement until a final decision has been reached by adding a request to this effect to their application for judicial review.<sup>317</sup>

In practice, the determining authority does not enforce the decision before the Administrative Court decides on the request for suspensive effect.<sup>318</sup> As long as this practice remains, the situation is not significantly different, in practical terms, from an automatic suspensive effect being prescribed by law.

The applicant can appeal against the decision of the Administrative Court to the Supreme Court in case the appeal was lodged after the amendments to the IPA came into force.

<sup>312</sup> Article 46(1) IPA.

<sup>313</sup> Article 70(2) IPA.

<sup>314</sup> Constitutional Court decision, I U 203/14, 3. December 2015, available in Slovenian [here](#).

<sup>315</sup> CJEU, *Y.N. v Republika Slovenija* (C-58/23), 27. September 2023, available [here](#).

<sup>316</sup> Article 70(3) IPA, citing Article 51, third indent IPA.

<sup>317</sup> Article 32(2) Administrative Dispute Act.

<sup>318</sup> Observation by the PIC.



### 3.4. Legal assistance

#### Indicators: Admissibility Procedure: Legal Assistance

☒ Same as regular procedure

1. Do asylum applicants have access to free legal assistance during admissibility procedures in practice?  
☐ Yes ☒ With difficulty ☐ No  
❖ Does free legal assistance cover: ☒ Representation in interview  
☒ Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against an inadmissibility decision in practice?  
☐ Yes ☒ With difficulty ☐ No  
❖ Does free legal assistance cover ☒ Representation in courts  
☒ Legal advice

The law does not contain any special provisions regarding legal representation of asylum applicants during the admissibility procedure. The same rules and practice as in the [Regular Procedure: Legal Assistance](#) apply. At first instance, legal representation can be provided by the PIC. Legal assistance and representation before the Administrative Court or Supreme Court can be provided to applicants by refugee counsellors. Together with the inadmissibility decision, applicants are provided with a list of refugee counsellors and instructions about how to obtain one. In case they are not able to do so on their own, they have to come to the offices of the Migration directorate where an official will appoint a refugee counsellor to their case. In practice, in case the Ministry does not appoint a refugee counsellor to the applicant (due to the short 3-day time limit for lodging the judicial review, language barriers and other obstacles (telephone access etc.)), applicants have difficulties obtaining the help of refugee counsellors in time and rely heavily on the help of social workers, the PIC and other NGOs in order to do so.<sup>319</sup> Due to the short time limits refugee counsellors cannot obtain the help of the translators when preparing the judicial review.

### 3.5. Suspension of returns for beneficiaries of protection in another Member State

In practice, cases of applicants being granted international protection in another Member State and therefore their applications being dismissed as inadmissible are rare. In 2024, 20 applications for international protection were dismissed as inadmissible because the applicants had international protection in another Member state.<sup>320</sup> They were not returned to the Member State. None of the applications were dismissed based on the first country of asylum concept.<sup>321</sup> Following the personal interview the Ministry of Interior makes the decision on inadmissibility on a case-by-case basis. In case the application is dismissed the applicant can lodge the judicial review before the Administrative Court. The judicial review does not have an automatic suspensive effect in case the application is dismissed as inadmissible because the applicant has international protection in another Member State.<sup>322</sup>

In line with the jurisprudence of the Administrative court the Ministry of Interior has to take the applicant's personal circumstances into account when deciding on the inadmissibility based on the fact that the applicant has international protection in another Member State. The Ministry of the Interior has to conduct the assessment if the applicants return would violate article 4 of the Charter.<sup>323</sup> The Ministry of the Interior cannot dismiss the application in case the applicant would be, due to foreseeable living conditions, exposed to a serious risk of inhuman or degrading treatment upon return.<sup>324</sup>

<sup>319</sup> Observation by the PIC.

<sup>320</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>321</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>322</sup> Article 70(3) IPA.

<sup>323</sup> Administrative Court Decision, I U 1121/2023, 4 August 2023, available in Slovenian [here](#).

<sup>324</sup> Administrative Court Decision, I Up 238/2023, 23 November 2023, available in Slovenian [here](#).



## 4. Border procedure (border and transit zones)

### 4.1. General (scope, time limits)

#### Indicators: Border Procedure: General

1. Do border authorities receive written instructions on the referral of asylum applicants to the competent authorities? ☐ Yes ☒ No
2. Where is the border procedure mostly carried out? ☐ Air border ☐ Land border ☐ Sea border
3. Can an application made at the border be examined in substance during a border procedure? ☒ Yes ☐ No
4. Is there a maximum time limit for a first instance decision laid down in the law? ☒ Yes ☐ No  
❖ If yes, what is the maximum time limit? 3 weeks
5. Is the asylum applicant considered to have entered the national territory during the border procedure? ☐ Yes ☒ No

The possibility of border procedures was added to the existing legal provisions on airport and port procedures in the IPA in 2016.<sup>325</sup>

Although regulated in law, the procedure at the border, airport or port is not used in practice. There are three border transit zones in Slovenia: one at the Jože Pučnik Airport in **Ljubljana** where up to 18 persons can be detained, one in **Maribor** which is not used and one in **Portorož**, where up to 15 persons can be detained. Persons can be detained in the transit zone for up to 48 hours in accordance with the State Border Control Act. In the case that a person is detained for more than 6 hours, a detention order has to be issued by the police. The person has the right to appeal against the detention order, and the right to free legal representation for that purpose.<sup>326</sup> In 2024, 34 foreigners were detained in the transit zone at the Jože Pučnik Airport and none in the other transit zones.<sup>327</sup>

Although detention occurs in the transit zones, it is not for the purposes of the border procedure (see [Detention conditions](#)). If a person expresses the intent to apply for international protection, detention is stopped, and the person is processed in the preliminary procedure. People who apply for international protection at the border, airport or port are, therefore, first processed by the Police in the preliminary procedure and then transferred to the Asylum Home in **Ljubljana** or its branch in Logatec as soon as possible as part of the [Regular Procedure](#). Difficulties in accessing the asylum procedure by individuals arriving at the border, airports and seaports have not been registered since the change of police practice regarding access to territory (see [Access to territory and pushbacks and the “preliminary procedure”](#)).

The reason the procedure is not used in practice is mainly practical. The Asylum Home and the Migration directorate branch offices near the **Asylum Home** serve as a reception centre, where most of the asylum procedure takes place. The majority of services intended for the applicants are therefore provided there (e.g., social services, legal representation, etc.). Such infrastructure is currently not in place at the border, airport or port. The provision was included in the IPA to enable the procedure at the border, airport or port in case of a large number of applicants, as explained in the preamble to the draft of the IPA.

According to the amendments to the IPA, the Migration directorate can only process applications at the border, airport or port:

- (a) in the admissibility procedure;
  - (b) in the accelerated procedure if there are grounds for rejecting the application as manifestly unfounded,
- or

<sup>325</sup> Article 43 IPA.

<sup>326</sup> Article 32 of the State Border Control Act, Official Gazette of RS, no. 35/10 and subsequent changes.

<sup>327</sup> Official statistics provided by the Police, March 2025.

(c) if the person lodged the request for a subsequent application and has not submitted any new evidence or listed any new circumstances that significantly increase their chance to be granted international protection.<sup>328</sup>

The decision in the border, airport or port procedure has to be taken within three weeks. If the decision is not taken within three weeks or if the application needs to be examined in a regular procedure, the applicant is allowed entry in Slovenia.<sup>329</sup> This is also a novelty introduced by the amendments to the IPA. It is not clear from the wording of the provisions which authority – the Migration directorate or the Police - would make the decision regarding entry onto the territory. In practice this is made by the Police, since the Police are normally the first to process the individual in the preliminary procedure. The general rule that an individual cannot be deported from the country from the moment they have expressed the intention to apply for international protection, still applies in the border procedure.<sup>330</sup>

In case of a large number of applicants who express the intention to apply for international protection at the border, airport or port, they can be accommodated near the border under the condition that material reception conditions are guaranteed.<sup>331</sup>

Another novel provision introduced by the amendments relates to the treatment of vulnerable persons with special needs. The provision states that if a vulnerable person with special needs lodges an application in the border procedure, the Migration directorate should give priority to the protection of the person's health, including their mental health, and has to ensure that they are regularly monitored and have adequate assistance, taking into account their special position.<sup>332</sup>

## 4.2. Personal interview

The border procedure is not applied in practice. According to the law, the rules for personal interviews are the same as in the [Regular Procedure: Personal Interview](#) and [Dublin: Personal Interview](#).

## 4.3. Appeal

In the border procedure, the same rules for appeals apply as in the relevant procedures conducted on the territory (see [Dublin: Appeal](#), [Admissibility Procedure: Appeal](#) and [Accelerated Procedure: Appeal](#)).

## 4.4. Legal assistance

The law does not contain any special provisions regarding legal representation of asylum applicants during the border procedure. Free legal representation during the first instance procedure is not guaranteed by the IPA, while support and legal assistance in the appeal procedure is provided to applicants by refugee counsellors.<sup>333</sup>

# 5. Accelerated procedure

## 5.1. General (scope, grounds for accelerated procedures, time limits)

The IPA provides in Article 49(1) that an application for international protection can be rejected as manifestly unfounded in an accelerated procedure if the applicant clearly does not qualify for international protection and the legally defined reasons for such a decision exist. Vulnerable groups are not exempt from the provision. However, the application of an unaccompanied minor can be rejected as manifestly unfounded only in case the

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<sup>328</sup> Article 43(1) IPA.

<sup>329</sup> Article 43(1) IPA.

<sup>330</sup> Article 36(1) IPA.

<sup>331</sup> Article 43(2) IPA.

<sup>332</sup> Article 43(4) IPA.

<sup>333</sup> Article 9(1) IPA.

safe country of origin concept is used or if the unaccompanied minor poses a threat to public order, public security, national security or has previously been removed from the territory for those reasons.<sup>334</sup>

In line with Article 52 IPA, such reasons exist where:

1. During the procedure the applicant only stated facts that are irrelevant for the examination of the claim;
2. The applicant comes from a Safe Country of Origin;
3. The applicant misled the authorities by presenting false information or documents or by withholding important information or documents about his identity or nationality, which could influence the decision;
4. It is likely that the applicant purposely destroyed or disposed of an identity or travel document which could help establish their identity or nationality, especially if the circumstances of the particular case indicate that the applicant could obtain identification documents in their country of origin.
5. The applicant's claims are clearly inconsistent, contradictory, false, implausible and contradict the sufficiently verified country of origin information making their claim that they qualify for international protection clearly unconvincing;
6. The applicant applied for international protection only in order to delay or prevent the enforcement of a removal decision;
7. The applicant entered the territory of the Republic of Slovenia illegally or unlawfully extended their stay and without good reason failed to come forward to the authorities, or did not apply for international protection as soon as possible given the circumstances of their entry;
8. The applicant refuses to comply with the obligation to submit their fingerprints in accordance with the Eurodac Regulation;
9. There are reasonable grounds to suspect that the applicant presents a danger to public order, public or national safety, or if they are removed in accordance with national law for valid reasons of public safety or public order.

A provision stating that it is likely the applicant purposely destroyed or disposed their identity documents (especially if the circumstances indicate that they could obtain identification documents in the country of origin) was added to the IPA with the amendments. This provision extends beyond the scope of the Asylum Procedures Directive and it is not clear how the assessment of this ground will be conducted in practice.

Pursuant to the case law of the Administrative Court, in order to reject an application as manifestly unfounded, it is not sufficient to establish the applicability of one of these grounds. The authorities must also cumulatively conclude that the applicant clearly does not fulfil the requirements for international protection.<sup>335</sup>

As in the regular procedure, the competent authority in the accelerated procedure is the Migration directorate of the Ministry of the Interior. Under Article 47(1) IPA, the decision in the accelerated procedure has to be taken within two months since the applicant lodged the application. There are no explicit consequences listed in the law if the time limit is not respected in practice.

The accelerated procedure can also be applied at the border, airport or port. In this case, the decision has to be taken as soon as possible, but no later than within 3 weeks. If the decision is not taken in this time limit, the applicant is allowed entry in Slovenia.<sup>336</sup>

In case the application is rejected as manifestly unfounded in the accelerated procedure the decision also contains a return order. Applicants are given 10 days for voluntary return by law,<sup>337</sup> counting from the moment the decision becomes enforceable,<sup>338</sup> and are subjected to a one-year entry ban,<sup>339</sup> that comes into force only if

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<sup>334</sup> Article 49(2) IPA.

<sup>335</sup> See: Administrative Court, Decision I U 1544/2017, 31 July 2017, available in Slovenian [here](#) and I U 859/2018, 25 April 2018, available in Slovenian [here](#).

<sup>336</sup> Article 43(1) IPA.

<sup>337</sup> Article 49(10) IPA.

<sup>338</sup> Article 49(11) IPA

<sup>339</sup> Article 49(13) IPA.

the person does not leave Slovenia within the timeframe for voluntary return.<sup>340</sup> The decision also mentions that, should the applicant not leave Slovenia voluntarily, they will be removed from the territory.

In 2024, 147 applications were processed in the accelerated procedure and rejected as manifestly unfounded. The majority of asylum applicants whose applications were rejected as manifestly unfounded in the accelerated procedure were from **Morocco** (108), **Algeria** (23) and **Kosovo** (3) and **Mongolia** (3). None of the applications processed in the accelerated procedure and rejected as manifestly unfounded were lodged by unaccompanied minors.<sup>341</sup>

## 5.2. Personal interview

### Indicators: Accelerated Procedure: Personal Interview

☒ Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the accelerated procedure?
 

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

  - ❖ If so, are questions limited to nationality, identity, travel route?
 

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--
  - ❖ If so, are interpreters available in practice, for interviews?
 

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------
2. Are interviews conducted through video conferencing?
 

<input type="checkbox"/> Frequently	<input type="checkbox"/> Rarely	<input checked="" type="checkbox"/> Never
-------------------------------------	---------------------------------	---

According to the IPA, the Migration directorate conducts a personal interview before making the decision in the accelerated procedure.<sup>342</sup> The law does not stipulate any circumstances in which the personal interview can be omitted. The personal interviews are conducted in the same way as described under [Regular Procedure: Personal Interview](#).

## 5.3. Appeal

### Indicators: Accelerated Procedure: Appeal

☒ Same as regular procedure

1. Does the law provide for an appeal against the decision in the accelerated procedure?
 

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

  - ❖ If yes, is it
 

<input checked="" type="checkbox"/> Judicial	<input type="checkbox"/> Administrative
--	---
  - ❖ If yes, is it suspensive
 

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Some grounds	<input type="checkbox"/> No
---	---------------------------------------	-----------------------------

The appeal against a decision taken in the accelerated procedure has to be lodged within 3 days of notification.<sup>343</sup> The time limit for judicial review was shortened by the amendments to the IPA from 8 days to 3 days. The suspensive effect of the appeal is automatic,<sup>344</sup> and the Administrative Court has to take a decision within 7 days,<sup>345</sup> although court procedures are usually longer than that in practice.<sup>346</sup>

Due to the short time limits, refugee counsellors have difficulties preparing the judicial review (see [Accelerated procedure: Legal assistance](#)). In line with the Constitutional Courts case law, the time limits for judicial review should not be excessively short, as otherwise they may equal to deprivation of rights.<sup>347</sup>

<sup>340</sup> Article 67(2) Foreigners Act.

<sup>341</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>342</sup> Article 46(1) IPA.

<sup>343</sup> Article 70(1) IPA.

<sup>344</sup> Article 70(3) IPA.

<sup>345</sup> Article 71(1) IPA.

<sup>346</sup> Observation made by the refugee counsellors.

<sup>347</sup> Constitutional Court decision, U I 203/14, 3 December 2015, available in Slovenian [here](#).

When lodging the judicial reviews, refugee counsellors argued that the time limits for judicial review hinder the right to an effective remedy. In 2022, the Administrative Court referred a preliminary question to the CJEU on whether a 3-day time limit is in line with the Procedures directive.<sup>348</sup> The CJEU found that the short time limit prevents the exercising of the right to free legal assistance, access to information and effective remedy and that such short time limits are not in line with EU law.<sup>349</sup> The time limits set in the IPA have not been changed since the ruling.

Because a negative decision issued in the accelerated procedure also includes a return order the applicant must present arguments regarding asylum and return when lodging the judicial review. As no other separate legal remedy is prescribed for the return decision the applicant does not have another legal remedy after the court decision becomes final.

## 5.4. Legal assistance

### Indicators: Accelerated Procedure: Legal Assistance

☒ Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?
 

☐ Yes
 ☒ With difficulty
 ☐ No

❖ Does free legal assistance cover:
 

☒ Representation in interview
 ☒ Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against a decision in practice?
 

☐ Yes
 ☒ With difficulty
 ☐ No

❖ Does free legal assistance cover:
 

☒ Representation in courts
 ☒ Legal advice

The law does not contain any special provisions regarding legal representation of asylum applicants during the accelerated procedure. The same rules and practice as in [the Regular Procedure: Legal Assistance](#) apply. Together with the decision, applicants are provided with a list of refugee counsellors and instructions about how to obtain one. In case they are not able to do so on their own, they have to come to the offices of the Migration directorate, where an official will appoint a refugee counsellor to their case. In practice, due to the short 3-day time limit for lodging the judicial review, language barriers and other obstacles (telephone access etc.), applicants have difficulties obtaining the help of refugee counsellors in time and rely heavily on the help of social workers, the PIC and other NGOs to do so.

Due to the short time limits refugee counsellors have difficulties in lodging the judicial review. In the 3-day time limit (weekends and holidays included) refugee counsellors must obtain a power of attorney from the applicant, obtain and review the documentation and prepare the judicial review. In practice refugee counsellors often do not have the time to obtain the help of the translators to prepare the judicial review although the law allows for this possibility. The short time limits are not in line with the Slovene Constitution and EU law (see: [Accelerated procedure: appeal](#)). This was also confirmed by CJEU preliminary ruling stating that the 3-calendar daytime limit constitutes a restriction of the right to legal assistance.<sup>350</sup>

## 6. National protection statuses and return procedure

### 6.1. National forms of protection

Outside of international and temporary protection (see [Annex on Temporary Protection – 2024 Update](#)) the Slovenian national system does not provide any other national forms of protection. Rejected asylum seekers

<sup>348</sup> Administrative Court, 31 January 2023, No I U 47/2023, available in Slovenian [here](#).

<sup>349</sup> CJEU, *Y.N. v Republika Slovenija* (C-58/23), 27 September 2023, available [here](#).

<sup>350</sup> *Ibid.*

therefore cannot apply for any other form of protection once the procedure is concluded.

One of the objectives of the new Immigration strategy<sup>351</sup> adopted in March 2024 was to put forward legislative changes that would, in exceptional cases, allow rejected asylum applicants to obtain a residence permit after their negative decision becomes final. This option was introduced in July 2024 with Article 27 of the Act Regulating Measures for Optimising Certain Procedures in Administrative Units. However, it was time-limited and the legal provisions ceased to apply by the end of the year. Applicants could therefore apply for this permit only from July to December 2024 as the measure was not extended by the Government.

According to the provisions of the Act asylum applicants could apply for a residence permit if:

- ❖ They were included in the social insurance system at the time of the rejection,
- ❖ They were included in the social insurance system based on employment at least 9 months prior to rejection of the application.
- ❖ Their application was not rejected due to exclusion.

In addition, asylum applicants had to meet other conditions for obtaining the residence permit on this ground,<sup>352</sup> meaning that they needed to provide a valid passport from their country of origin.

Since asylum applicants obtain free access to the labour market 3 months after lodging the application,<sup>353</sup> this meant that only asylum applicants that were staying in Slovenia for more than 1 year at the time of the rejection could be potentially eligible for the residence permit.

Applicants could apply for the permit after they received the first instance decision, even if it was not final. The application had to be submitted to the Administrative unit.

According to the official statistics, 12 rejected asylum applicants applied for the permit under these provisions. By the end of the year, none had obtained the permit.<sup>354</sup>

Rejected asylum applicants can also apply for temporary stay if:

- ❖ their return would violate the principle of *non refoulment*;
- ❖ it turns out that due to life-threatening health condition, the applicant could be exposed to a serious and irreversible deterioration of their health during the removal phase;
- ❖ they do not have and cannot obtain a valid travel document from their country, if the authority conducting the removal procedure cannot obtain a valid travel document for them, or if the conditions for issuing a European Travel Document for the illegally staying third-country nationals are not met;
- ❖ the country of their citizenship or the country in which the stateless person had their last residence is not willing to accept the applicant;
- ❖ their removal is not possible because it is not possible to ensure their transportation from the country by land, air or water.<sup>355</sup>

A permission to stay only gives the individual the possibility to stay in Slovenia for 6 months with the possibility to prolong the permission.<sup>356</sup> The obligation to leave the country does not cease with a permission to stay.<sup>357</sup> Individuals with a permission to stay do not have the right to work. The individual can apply for temporary residence after 2 years of stay only if the permission to stay was issued due to the prohibition of *non-refoulement*.<sup>358</sup> Rejected asylum seekers can apply for temporary stay after their decision has become final. The responsible authority is the Police. If they meet the conditions for temporary residence, they can apply for it after 2 years, at the Administrative Unit.

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<sup>351</sup> Immigration strategy of the Government of the Republic of Slovenia, March 2024, available in Slovenian [here](#).

<sup>352</sup> Article 33(3) Foreigners Act.

<sup>353</sup> Article 87(1) IPA.

<sup>354</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>355</sup> Article 73(2) Foreigners Act.

<sup>356</sup> Article 73(3) Foreigners Act.

<sup>357</sup> Article 73 (6) Foreigners Act.

<sup>358</sup> Article 51(2) Foreigners Act.

In 2024 temporary stay was issued to 7 foreigners.<sup>359</sup>

## 6.2. Return procedure

Since the amendment of the IPA in 2021 asylum applicants are issued a return decision together with the rejected asylum decision.<sup>360</sup> When lodging the judicial review applicants need to argue against both decisions (see [Regular procedure: Appeal](#)).

During 2024, 207 rejections that included the return decision were issued. In 2 cases rejected asylum seekers applied for the prolongation of the time-frame for voluntary return. Statistics on the number of rejected asylum seekers who voluntarily returned or were forcibly returned is not gathered.<sup>361</sup>

In 2024, 53 foreigners voluntarily returned according to the official police statistics. The Foreigners Centre also assisted 8 applicants that expressed the wish to voluntarily return during the asylum procedure. 3 were from Morocco, 2 from Mongolia, 2 from Algeria and 1 from Nigeria. In 2024, 868 return decisions were issued by the Police and 52 foreigners were forcibly returned. Only one Ukrainian citizen could not be returned, as otherwise the principle of *non-refoulement* would have been violated.<sup>362</sup>

## D. Guarantees for vulnerable groups

### 1. Identification

#### Indicators: Special Procedural Guarantees

1. Is there a specific identification mechanism in place to systematically identify vulnerable asylum applicants?  
☐ Yes    ☐ For certain categories    ☒ No  
❖ If for certain categories, specify which:
2. Does the law provide for an identification mechanism for unaccompanied children?  
☒ Yes    ☐ No

Categories of people considered to be vulnerable are similar to those listed in Article 21 of the recast Reception Conditions Directive, the only difference being that the IPA definition does not explicitly include persons with serious illness, although the definition is open to categories not listed.<sup>363</sup>

### 1.1. Screening of vulnerability

According to the law, vulnerability is assessed during a medical examination, which is conducted before the lodging of the asylum application.<sup>364</sup> Vulnerability can also be identified during the lodging of the application or at any later time during the asylum procedure.<sup>365</sup>

In practice, physical vulnerability is assessed during the medical examination.<sup>366</sup> In order to ensure that proper support is given to vulnerable asylum applicants, the Migration directorate and the UOIM have to share information regarding the existence and nature of identified special needs of asylum applicants.<sup>367</sup> During the lodging of the application, the Migration directorate states the detected vulnerability or identified special needs of the applicant on a form that is later sent to UOIM when the applicant is accommodated. The Migration directorate

<sup>359</sup> Official statistics provided by the Police, April 2024.

<sup>360</sup> Article 49 IPA.

<sup>361</sup> Official statistics provided by the Migration directorate and the Police, March and April 2025.

<sup>362</sup> Official statistics provided by the Police, March 2025.

<sup>363</sup> Article 2(22) IPA.

<sup>364</sup> Article 13(1) IPA.

<sup>365</sup> Article 13(2) IPA.

<sup>366</sup> Observation by the PIC.

<sup>367</sup> Article 13 (1) Rules on the procedure for aliens who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection.



mainly collects basic information on the form such as medical needs of the applicant. The form is normally filled out during the lodging of the application and the information included in the form depends on the official of the Migration directorate. The practice is not consistent and information on vulnerability that does not require medical needs is often not added. The form is then checked by the responsible social worker of the UOIM in order to ensure that proper support regarding accommodation is provided to the applicant.

Although the vulnerability of the applicant can also be identified by the Migration directorate, during the personal interview, the above-mentioned form is not filled in. This means that the UOIM may not be aware of the detected vulnerabilities.<sup>368</sup>

The identification of vulnerability is therefore largely based on the applicant's statements during the lodging of the application and the personal interview. Since no special procedure for assessing vulnerability is in place, the vulnerability assessment does not depend on the number of asylum applicants but on other factors like the person's willingness to share sensitive personal information and the capacity of officials to detect special needs. In theory, all caseworkers should be responsible for identifying vulnerable applicants and for examining their asylum claim, but as the procedure is not applied this does not happen in practice.

The Migration directorate does not collect statistics on vulnerable asylum applicants.<sup>369</sup> In practice, the vulnerability assessment is also not part of the final decision on asylum and vulnerability of the applicants is often not considered as a factor in the final decision. All officials receive training on conducting interviews with vulnerable applicants.<sup>370</sup>

If it is established that the asylum applicant is not able to participate in the asylum procedure, the Migration directorate is obliged to notify the social services.<sup>371</sup> Based on the recommendation of the Migration directorate and a medical examination, social services have to immediately appoint a legal guardian to the asylum applicant.<sup>372</sup> In practice, the Migration directorate will order an expert opinion before making the recommendation to the social services. In line with a decision of the Administrative Court, the Ministry of the Interior is obliged to make sure that the person acting as a party in the procedure has the legal capacity to understand the procedure. In case they do not, the applicant has to be represented by an appointed legal guardian. The procedure conducted with a person without the legal capacity to be a party in the procedure and without the representation of a legal guardian renders the decision made in the procedure unlawful.<sup>373</sup>

In 2024, 3 medical examinations were carried out and two asylum applicants were found to be unable to participate in the procedure independently and in need of a legal guardian.<sup>374</sup> Due to the position of the Migration directorate that a legal guardian can be paid only if they represent an unaccompanied minor and not if they represent an adult that is not able to independently participate in the procedure, legal guardians are not generally willing to represent such adults. In addition, legal guardians are only trained to represent unaccompanied minors, and not adults.<sup>375</sup>

Vulnerability can also be detected by the UOIM social workers where the applicant is accommodated. Information on detected vulnerability is not shared with the Migration directorate unless the Standard operative procedure for the prevention and action in cases of sexual and gender-based violence (SOPS)<sup>376</sup> is conducted and the

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<sup>368</sup> In the context of their right of reply, the Ministry of Interior mentioned that if any specific information regarding vulnerabilities is disclosed during the personal interview, UOIM is informed in case this vulnerabilities may request special reception conditions. Based on their observance of practice, the PIC argues that while the Ministry can informally inform the UOIM, in practice this is not often done through the above-mentioned form.

<sup>369</sup> Official statistics provided by Migration directorate, March 2024.

<sup>370</sup> Official statistics provided by the Migration directorate, March 2024.

<sup>371</sup> Article 13(2) Rules on the procedure for aliens who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection.

<sup>372</sup> Article 19(1)-(2) IPA.

<sup>373</sup> Administrative Court Decision, I U 194/2021, 6 September 2021, available in Slovenian [here](#).

<sup>374</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>375</sup> Observation by the PIC.

<sup>376</sup> The SOPS protocol is available in Slovenian [here](#).

Migration directorate attends the meeting. The information gathered in the SOPS is not automatically submitted in the asylum procedure.

In 2024, the majority of unaccompanied minors absconded before lodging the application.

According to the official statistics, 8,368 minors expressed their intention for international protection in 2024. However, only 239 minors lodged the application. Out of 239, 141 were lodged by unaccompanied minors.<sup>377</sup> Statistics on the number of unaccompanied children who expressed the intention for asylum and are processed in the preliminary procedure is not gathered. Statistics of the number of unaccompanied children accommodated in the Asylum home or its branch before they lodge the application is also not gathered.<sup>378</sup> According to the statistics, the social services received 3,890 requests to appoint a legal guardian to an unaccompanied minor in 2024.<sup>379</sup> However, as the request can be made days after the child's arrival in Slovenia -meaning that children can abscond before the request is made- and that some children can be misidentified as accompanied, this number does not reflect the number of unaccompanied children processed during 2024. Therefore, the lack of identification and protection of unaccompanied minors continued to be a serious systematic issue in 2024. Lack of statistics on the number of unaccompanied children who are processed by the police but abscond before lodging the application hinders the possibility to thoroughly assess the scope of the issue.

Identified unaccompanied children are accommodated in Postojna, the first and only centre for unaccompanied children, that was established in April 2024, or Logatec which is a little bit more suitable for children.<sup>380</sup>

The issue of unidentified unaccompanied minors was also addressed by the Ombudsperson. The Police Directorate Novo mesto operates with 6 police stations and one for Compensatory Measures.<sup>381</sup> The Police Directorate Novo mesto processed 83.8% irregular crossings of the border in 2024.<sup>382</sup> During the visit of the police station for Compensatory Measures in 2023 the Ombudsperson noted that the Police observed that unaccompanied children often claim to be of age in order to not be separated from the group they are traveling with.<sup>383</sup> Altogether 327 police officers in Slovenia are trained to identify unaccompanied minors and vulnerable individuals.<sup>384</sup>

In 2023, Slovenia was downgraded to Tier 2 by the U.S State Department as it did not meet the minimum standards for the elimination of trafficking.<sup>385</sup> The same year, the National Working Group for Combating Trafficking in Human beings prepared a two-year Action plan for combating trafficking in human beings,<sup>386</sup> which foresees preventative measures, detection, investigation and prosecution and a call for systemic solutions and legislative changes. In practice, applicants who are victims of trafficking in human beings are rarely identified or recognised as such. In practice, the Police does not identify asylum applicants as victims of trafficking as it is their position that the criminal act was committed before entering Slovenia therefore the victim ceased to be a victim as the criminal act has already been committed. Due to this position, traffickers are often processed for smuggling instead of trafficking while the risk of being a victim of trafficking in the future is not assessed.<sup>387</sup> Issues

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<sup>377</sup> Official statistics provided by the Police, March 2025 and Migration directorate, April 2025.

<sup>378</sup> Information provided by the Ministry of the Interior and the UOIM, March 2024.

<sup>379</sup> Official statistics provided by the Association of centres for social work, March 2024.

<sup>380</sup> Observation by the PIC.

<sup>381</sup> Police, *List of police stations and their contacts*, available [here](#).

<sup>382</sup> Official police statistics, available [here](#).

<sup>383</sup> National Preventive Mechanism, *Priporočila iz obiskov (preglednice)*, available [here](#).

<sup>384</sup> Official statistics provided by the Police, March 2025.

<sup>385</sup> U.S. Department of State: 2023 Trafficking in Persons Report: Slovenia, available [here](#).

<sup>386</sup> Government of Slovenia, *Action plan for combating trafficking in human beings for the period 2023 - 2024*, 18 December 2023, available [here](#).

<sup>387</sup> In the context of their right of reply (July 2025), the Ministry of Interior noted that the legal definitions and the elements of criminal offences differ between human smuggling and human trafficking. It further noted that, while the offences committed outside Slovenia are beyond Slovenia's responsibility, the Slovenian Police gather such information to provide it to the law enforcement authorities of respective countries (including to EUROPOL) and cooperate with them according to the legal provision of international cooperation in criminal matters. Finally, it noted that, based on the published manual on the identification, assistance and protection of victims of human trafficking, adopted by the

regarding the identification of victims of trafficking were also highlighted in the 2023 GRETA report.<sup>388</sup> The report highlighted the need for additional training of relevant stakeholders, engaging a sufficient number of trained interpreters, providing information to asylum applicants as well as adequate and safe living conditions. Lack of effective identification of victims of trafficking was also addressed by the Committee against Torture during the 2023 fourth periodic review. The Committee recommended that authorities should intensify its efforts to prevent and combat trafficking in persons, including by strengthening the procedure for early identification and referral of victims among persons in vulnerable circumstances, such as asylum-applicants and migrants, including unaccompanied minors, and by providing specialised assistance to children who are victims of trafficking, including adequate accommodation in facilities adapted to their specific needs. It should also enhance its efforts to investigate and prosecute all cases of trafficking and provide adequate redress to the victims.<sup>389</sup> As of January 2025, no changes were observed.<sup>390</sup> In the 2024 Trafficking in persons report Slovenia remained on Tier 2.<sup>391</sup>

In order to ensure that people are informed about the dangers of human trafficking, the UOIM started a project through which special information sessions (called PATS<sup>392</sup>) following the asylum application should be conducted with unaccompanied children and other potential victims of trafficking. Until 2022, the project was implemented both by the NGO Institute for African Studies and UOIM staff. In 2024, these information sessions were conducted by Društvo Ključ<sup>393</sup> an NGO specialised in human trafficking. The aim of the sessions was informing potential victims of the dangers of trafficking, and to identify potential victims. Continuing to support a comprehensive national referral system and tackle trafficking was one of the recommendations made by the EUAA after the conclusion of the operation in Slovenia.<sup>394</sup>

If someone is identified as a victim of trafficking, the SOPs are conducted, during which a plan for further action and support is made and the victim is offered additional support. In 2024, Društvo Ključ conducted 741 individual and 345 group information sessions.<sup>395</sup> In 2024 SOPs were conducted 13 times during which 16 cases were discussed.<sup>396</sup>

Lack of vulnerability screening is one of the biggest shortcomings of the asylum system. Since a vulnerability assessment is not conducted, vulnerability is also not taken into account in the decision.<sup>397</sup> In addition, there is no separate accommodation facilities for vulnerable groups (LGBTQI+, single women, single women with children) available in Slovenia. In April 2024 a separate accommodation centre for systemic accommodation of unaccompanied children was opened in Postojna. The centre has the capacity to accommodate up to 70 unaccompanied minors. During the year, 109 unaccompanied minor applicants were accommodated in the centre.<sup>398</sup> One of the systematic shortcomings of the asylum system is the lack of appropriate separate accommodation for unaccompanied children who are recognised as potential or identified victims of trafficking. In Slovenia accommodation for such children can be provided by so called “crisis centres” or NGOs. In practice, the national centres for “crisis accommodation” of children refuse to accommodate unaccompanied asylum-seeking children and the NGOs providing accommodation to victims of trafficking do not have appropriate accommodation for children. Therefore, unaccompanied asylum-seeking children who were identified as potential victims of trafficking were also accommodated in Postojna during 2024. As the accommodation centre in Postojna

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Interdepartmental Working Group for Combating Human Trafficking (Resolution of the Government of the Republic of Slovenia No. 02402-2/2016/5 of 5.5.2023), it is necessary to follow the guidelines and strengthen the identification of potential victims of criminal acts also in the field of irregular migration.

<sup>388</sup> GRETA, *Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings*, 15 June 2023, available [here](#).

<sup>389</sup> UN Committee against Torture: *Concluding observations on the fourt periodic report of Slovenia*; 7 December 2023, available [here](#).

<sup>390</sup> Practice-based observation by PIC, January 2025.

<sup>391</sup> U.S. Embassy in Slovenia, *Trafficking in Persons Report 2024*, available [here](#).

<sup>392</sup> PATS is short for Identification, Assistance and Protection of victims of trafficking and/or SGBV.

<sup>393</sup> Društvo Ključ, available [here](#).

<sup>394</sup> EUAA, *Slovenia operational plan 2022-2024: Ex post evaluation report*, October 2024, available [here](#).

<sup>395</sup> Information provided by Društvo Ključ, April 2024.

<sup>396</sup> Official statistics provided by Društvo Ključ, February 2025.

<sup>397</sup> Observation by the PIC.

<sup>398</sup> Official statistics provided by UOIM, April 2025.

is an open centre known to the general public it does not provide safe accommodation to children who are potential victims of trafficking.

## 1.2. Age assessment of unaccompanied children

If doubts about the age of an unaccompanied minor arise during the examination of the application for international protection, a medical examination of the applicant can be ordered by the competent authority.<sup>399</sup> In the course of preparation of the opinion, the medical expert can also consult with experts of other fields.<sup>400</sup>

The medical examination for the purpose of age assessment can only be conducted if both the unaccompanied minor and their legal representative give their written consent. If they refuse without stating a valid reason, the applicant is considered to be an adult. However, the decision to reject their application cannot be based solely on that refusal.<sup>401</sup>

If after obtaining the expert opinion, a doubt still exists as to the applicant's age, they are considered a minor.<sup>402</sup>

In 2018, the Ministry of the Interior concluded negotiations with medical institutions that are to perform age assessment examinations. Before the agreement, the age assessment procedure was not used in practice. Age assessment is conducted by the Institute for Forensic medicine that is part of the Medical Faculty of the University of Ljubljana. Age assessment includes a physical examination, an MRI of the applicant's wrists and collar bones, and a dental X-ray. Members of civil society are concerned that conducting such age assessment is unethical and unsafe. An opinion is then issued based on the results of the assessment.

In practice, due to the large cost of medical examinations and the logistical problems owing to the remote locations where MRI can be conducted, the Migration directorate only conducts age assessments in exceptional cases.<sup>403</sup> In 2024, identification of unaccompanied minors in mixed migration flows posed a serious systematic issue. In practice, young children would identify as adults and adults would identify as unaccompanied minors. In both cases, they would be processed by the Police based on their statements even in cases when it was evident that the statements were false.<sup>404</sup> Some were then identified as unaccompanied minors in the Asylum Home or its branch or during the asylum procedure (see Screening of vulnerability). In 2024, 2 age assessment procedures (MRI and dental X-ray) were conducted.<sup>405</sup>

In practice, doubts as to the child's age usually arise based on the person's appearance or when the child's statements do not match the submitted identity documents. In case the doubt arises based on the child statements, the Migration directorate sometimes conducts an interview in order to clear the inconsistencies before ordering the age assessment. The law stipulates that age assessment can only be conducted in case there are doubts as to whether the child is underage and not in cases when there is doubt about a child claiming to be of age.<sup>406</sup> Therefore, in practice, adults claiming to be minors can be accommodated together with unaccompanied children until the assessment is made. Due to the lengthiness of the procedure this could happen for up to a couple of months. In addition, children claiming to be of age can be accommodated with adults since age assessment cannot be made in their case.

The applicant cannot appeal against the results of the age assessment; however, the applicant can argue issues relating to age assessment procedure in the appeal procedure against the international protection decision.

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<sup>399</sup> Article 17(2) IPA.

<sup>400</sup> Article 17(3) IPA.

<sup>401</sup> Article 17(4), (5) and (7) IPA.

<sup>402</sup> Article 17(6) IPA.

<sup>403</sup> Observation by the PIC also evident from the official statistics.

<sup>404</sup> Observation by the PIC.

<sup>405</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>406</sup> Article 17(2) IPA.

## 2. Special procedural guarantees

### Indicators: Special Procedural Guarantees

1. Are there special procedural arrangements/guarantees for vulnerable people?

☒ Yes

☐ For certain categories

☐ No

### 2.1. Adequate support during the interview

The IPA is not very specific about the special procedural guarantees available to vulnerable groups. The law provides that special support is provided in the asylum procedure to persons with vulnerabilities,<sup>407</sup> and that the interviews have to be conducted accordingly, having regard to the personal and other circumstances of the individual, including their vulnerability.<sup>408</sup> If needed the personal interview can be conducted in shorter intervals spread over several days.<sup>409</sup> A child's asylum application can be postponed for up to 48 hours if there are justified reasons to do so.<sup>410</sup>

If a person is not able to understand the meaning of the international protection procedure due to a temporary or permanent mental disorder or illness or for other reasons, they must be assigned a legal guardian.<sup>411</sup> As mentioned above (see [Screening of vulnerability](#)), legal guardians are reluctant to represent adults who are unable to participate in the procedure independently, due to the position of the Migration directorate that a legal guardian can be paid only if they represent an unaccompanied minor. In addition, legal guardians are only trained to represent unaccompanied minors and not adults.<sup>412</sup>

Apart from these rules, no special measures exist in law for the support of persons with vulnerabilities in terms of their participation in asylum procedures. Moreover, these provisions are rarely used in practice. Whether an individual's vulnerabilities are taken into account during the interview depends on the person conducting the interview. Female asylum applicants often face difficulties when requesting female interpreters during their interviews. Interviews with children are not adjusted to children's needs, and often not conducted in a child-friendly manner. The psychological state of children is not taken into consideration during the interview and during the procedure.<sup>413</sup>

In addition, the IPA no longer allows applicants to be accompanied by a person of their own choosing for support during the personal interview.

The Migration directorate does not have a specific unit dealing with vulnerable groups. However, all officials conducted the EUAA training on interviewing vulnerable groups. All officials conducted the EUAA training on interviewing children.<sup>414</sup> However, only one official was trained on working with unaccompanied minors (see [Determining authority](#)).<sup>415</sup> The Ministry of the Interior does not have specific guidelines on interviewing vulnerable applicants instead officials should follow the EUAA guidelines.<sup>416</sup>

Although all officials receive training on conducting interviews with vulnerable applicants, in practice, the way vulnerability is taken into account during the interview differs based on the official conducting the interview.<sup>417</sup>

<sup>407</sup> Article 14(2) IPA.

<sup>408</sup> Article 37(1) IPA.

<sup>409</sup> Article 13(3) IPA Rules on the procedure for aliens who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection.

<sup>410</sup> Article 9(2) Rules on the procedure for aliens who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection.

<sup>411</sup> Article 19(1) IPA.

<sup>412</sup> Observance by the PIC.

<sup>413</sup> Observation by the PIC.

<sup>414</sup> Information provided by the Ministry of Interior in the context of their right of reply, July 2025.

<sup>415</sup> Information provided by the Migration directorate, April 2025.

<sup>416</sup> Official statistics provided by the Ministry of the Interior, March 2024.

<sup>417</sup> Observation by the PIC.

The lack of stricter protocols often results in asylum applicants not being identified early enough and not receiving proper arrangement despite their entitlement to special procedural guarantees.

## 2.2. Exemption from special procedures

The Accelerated Procedure and the Border procedure (border and transit zones) may also be used in the case of applicants belonging to vulnerable groups. Unaccompanied children's applications can only be rejected in the accelerated procedure as manifestly unfounded in two cases: on grounds of Safe Country of Origin; and where the child presents a threat to national security or public order.<sup>418</sup>

In 2024 no unaccompanied minors were processed in an accelerated procedure.<sup>419</sup>

## 3. Use of medical reports

### Indicators: Use of Medical Reports

1. Does the law provide for the possibility of a medical report in support of the applicant's statements regarding past persecution or serious harm?  
☒ Yes      ☐ In some cases      ☐ No
2. Are medical reports taken into account when assessing the credibility of the applicant's statements?  
☒ Yes      ☐ No

The law provides that the applicant has to submit all documentation and evidence at their disposal which support their statements made in the application.<sup>420</sup> In practice this can also include medical reports regarding their past persecution or serious harm.

The preparation of a medical opinion, or any other type of expert opinion, can also be ordered by the Migration directorate, in which case the costs are covered by the State.<sup>421</sup> There are no criteria set in the law or administrative practice to indicate when a medical examination for the purpose of drafting a medical report should be carried out. No guidelines are in place to guarantee the use of the methodology laid down in the Istanbul Protocol.

In practice, psychiatric and other medical evaluations have been successfully used to influence the decision on applicant's credibility in some cases.<sup>422</sup>

In 2024, the medical evaluation was made in three cases. In all three cases the medical examination was conducted in order to determine if the person is capable of participating in the procedure. In 2 cases, it was established that the applicant is not capable to independently participate in the procedure. Age assessment was conducted in 2 cases during 2024.<sup>423</sup>

## 4. Legal representation of unaccompanied children

### Indicators: Unaccompanied Children

1. Does the law provide for the appointment of a representative to all unaccompanied children?  
☒ Yes      ☐ No

Unaccompanied minors are subject to different kind of guardianship regimes based on their legal status in Slovenia. Upon arrival in Slovenia, they are appointed a legal guardian for a special case according to the

<sup>418</sup> Administrative Court, Decision I U 1544/2017, 31 July 2017, available [here](#).

<sup>419</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>420</sup> Article 21(2) IPA.

<sup>421</sup> Article 39 IPA.

<sup>422</sup> Observation by the PIC.

<sup>423</sup> Official statistics provided by the Migration directorate, April 2025.



provisions of the Family Code.<sup>424</sup> After the “preliminary procedure” is completed, the minor is accompanied to the accommodation centre for unaccompanied minors in Postojna or in rare cases in Logatec. This means that a new legal guardian for a special case is appointed based on the new geographical location. In both cases, the legal guardian for a special case is normally the Centre for social services. If the unaccompanied minor applies for international protection, then a new legal guardian (for asylum-seeking unaccompanied minor) is appointed in line with the provisions of the International Protection Act.<sup>425</sup> The responsibility of the legal guardian ends when the child becomes of age or when the international procedure is completed. After the international procedure is completed and the minor either obtained international protection or is in the return procedure, a legal guardian for a special case is again appointed in accordance with the Family Code.<sup>426</sup> This means that, in practice; unaccompanied children can be appointed at least three legal guardians throughout their stay in Slovenia.

A legal guardian is not appointed if the child is married and older than 15 years old.<sup>427</sup>

Under Article 16(1) IPA, each unaccompanied child is assigned a legal guardian before the procedure for international protection starts. This means that they have to have a first contact with the child right before they lodge their application for international protection. Therefore, legal guardians are not familiar with the child’s needs, prior procedures, vulnerability, reasons for seeking asylum or any other relevant information before lodging the application. In addition, they are only provided with the help of an interpreter if they can prove that they require it for reasons connected to one of their fields of work. In practice, guardians are often unable to obtain the services of interpreters when communicating with the child. Each legal guardian can be appointed to three children. In exceptional cases, when a legal guardian cannot be appointed to all children in need of it a legal guardian can be appointed to maximum five children.<sup>428</sup> In practice, due to lack of active legal guardians some legal guardians are appointed to more than five children at the same time.<sup>429</sup>

The legal guardian must accompany the unaccompanied child from the beginning of the application and throughout the entire procedure. They are responsible for representing the minor in relation to the asylum procedure, health care, education, protection of property rights and rights related to reception.<sup>430</sup> The legal guardian is present during the child’s asylum application and all subsequent personal interviews and can ask additional questions beside those asked by the official and legal representative.<sup>431</sup> The legal guardian also has to consent, together with the applicant, to the age assessment procedure.<sup>432</sup>

The child can also be assisted by a PIC lawyer, as is the case for any other asylum applicant (see: [Regular Procedure: Legal Assistance](#)). Because legal help and representation is not automatically provided to all asylum applicants, legal guardians may be the only representatives of the child, responsible for their international protection claim. This means that they have to ask relevant questions during the lodging of the application and subsequent personal interviews, prepare COI and perform other relevant acts during the procedure, although they have not been trained to do so. Legal guardians therefore rely heavily on the help of NGOs. In 2024, the PIC assisted 127 children in the procedure out of which 56 were unaccompanied minors.

Candidates for legal guardians of unaccompanied children are appointed to the list of legal guardians upon applying to a public tender. One cannot be appointed as legal guardian if they have been deprived of parental rights, if they do not have capacity to contract, if their interests are in conflict with the interests of the child or if, due to their personal characteristics or relationship with the child or their parents, it cannot be expected that they

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<sup>424</sup> Article 267 of the Family Code.

<sup>425</sup> Article 6(1) IPA.

<sup>426</sup> Article 261(1) Family Code.

<sup>427</sup> Article 16(9) IPA.

<sup>428</sup> Article 2(5) Decree on the implementation of the statutory representation of unaccompanied minors and the method of ensuring adequate accommodation, care and treatment of unaccompanied minors.

<sup>429</sup> Practice-based observation by PIC, January 2025.

<sup>430</sup> Article 16(1) and (3) IPA.

<sup>431</sup> Article 14 Rules on the procedure for aliens who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection.

<sup>432</sup> Article 17(4) IPA.



will correctly perform their duties as legal guardians.<sup>433</sup> Once the guardian has been appointed, the Ministry of Labour, Family, Social Affairs and Equal Opportunities has to check at least once a year if the legal guardian still fulfils the conditions for legal guardianship. Legal guardians can be removed from the list if they are negligent in performing their duties, abuse their rights or endanger the rights and interests of the minors or if they, despite repeated warnings from officials, violate the rules of the code of conduct.<sup>434</sup>

The IPA does not foresee a special complaint mechanism or procedure against legal guardians. In line with the Family Code, the individual under guardianship can lodge a complaint against the guardian's performance if they are able to understand the consequences of the complaint. The complaint can also be lodged by the individual's spouse, relative or other official institutions.<sup>435</sup> Information on the complaint mechanism is not provided to unaccompanied minors in a systematic way by legal guardians or officials of the MOI or UOIM.

In practice, the fitness of guardians to perform their duties with a view to a positive involvement in the child's procedure and care has raised questions in some cases. In one case, the social services removed a legal guardian from the list. In 2020, the UOIM sent negative reports about three legal guardians to social services, which prompted the social services to initiate the procedure of objection to the work of the three guardians. The procedures were completed in 2021 and no legal guardian was suspended from the list. No such procedures were initiated from 2022-2024.<sup>436</sup>

According to the 2021 amended IPA, legal guardians can be removed from the list in case they do not inform the Ministry of the Interior about the real identity of the child, do not submit the child's documents into the procedure, do not disclose the real age of the child that claims to be a minor or do not disclose any other information that can be relevant to the status determination procedure.<sup>437</sup> The relevant amendment was submitted to the Advocate for the Principle of Equality, who found that the provision was discriminatory and recommended that the provision be removed. The Advocate concluded that the provision is in contradiction with the main purpose of legal guardianship, which is the establishment of a confidential relationship between the child and the legal guardian.<sup>438</sup> No legislative changes were made by the end of the year. However, the provision was submitted to the Constitutional Court for review by parliamentarians.<sup>439</sup> The decision was not made by the end of the year.

Legal guardians are compensated for their work if it relates to the asylum procedure, health care, education, protection of property rights and rights related to reception.<sup>440</sup> They are not compensated for visiting the child or performing any other activity, irrespective of their necessity. Although legal guardians are compensated for their work, legal guardianship is not a regular form of employment, which means that legal guardians can only perform their duties outside of their regular employment, if they are self-employed or retired. In practice, most of the duties of legal guardians have to be performed during working hours. As a result, only a few legal guardians are actually able to perform their duties and are willing to represent children. Thus, the fluctuation in legal guardians is high and the authorities have trouble finding persons eligible and willing to become legal guardians.<sup>441</sup> In 2024, out of 14 legal guardians on the list, 8 were actively performing their functions.<sup>442</sup>

Before being appointed as legal guardians, candidates also have to attend a special training organised by the Faculty of Social Work of the University of Ljubljana, which includes family law, social work, psychology,

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<sup>433</sup> Article 18(2) IPA and article 181 Marriage and Family Relations Act, Official Gazette of RS, No. 69/04 and subsequent amendments.

<sup>434</sup> Article 18(9) IPA.

<sup>435</sup> Article 256 Family Code.

<sup>436</sup> Official statistics provided by the UOIM, March 2024 and the Association of centres for social work, March 2025.

<sup>437</sup> Article 18(8) IPA.

<sup>438</sup> Advocate for the Principle of Equality, *Mladoletni prosilci za mednarodno zaščito brez spremstva potencialno obravnavani diskriminatorno*, 6 July 2022, available [here](#).

<sup>439</sup> 24.ur, *Določbe zakona o tujcih in mednarodni zaščiti v ustavno presojo*, 10 February 2022, available [here](#).

<sup>440</sup> Article 2(2) Rules on the remuneration and reimbursement of the expenses of statutory representatives of unaccompanied minors.

<sup>441</sup> Observation by the PIC.

<sup>442</sup> Official statistics provided by the Association of centres for social work, March 2025.

protection of children’s rights, protection of human rights and asylum law.<sup>443</sup> They receive 40 hours of training (16 hours of theory and 24 hours of practice). The training does not include an in-depth training on international protection and the procedure in Slovenia. In practice, this means that they face difficulties when representing children in the international procedure. In addition, legal guardians have to attend training every 3 years.<sup>444</sup>

The absconding rate of unaccompanied children in Slovenia is very high, which seems to be mostly due to children having family in other Member States or, more generally, Slovenia not being their destination country. In 2024, the number of unaccompanied minors lodging the application was extremely low with only 141 unaccompanied minors lodging the application. The majority of unaccompanied minors were not identified as such or absconded before lodging the application. The statistics on the number of unaccompanied minors expressing the intent for international protection is not available. Lack of statistics on the number of unaccompanied children who are processed by the Police but abscond before lodging the application hinders the possibility to thoroughly assess the scope of the issue. (see Screening of vulnerability). Out of 141 unaccompanied minors that lodged the application, 108 absconded before the first instance decision. The absconding rate was therefore 76% in 2024. Unaccompanied minors represented 2.5% of total asylum applicants in 2024.<sup>445</sup>

E. Subsequent applications

**Indicators: Subsequent Applications**

1. Does the law provide for a specific procedure for subsequent applications? ☒ Yes ☐ No

2. Is a removal order suspended during the examination of a first subsequent application?

❖ At first instance

☒ Yes ☐ No

❖ At the appeal stage

☒ Yes ☐ No

3. Is a removal order suspended during the examination of a second, third, subsequent application?

❖ At first instance

☒ Yes ☐ No

❖ At the appeal stage

☒ Yes ☐ No

The IPA requires foreigners re-applying for international protection in the Republic of Slovenia to undergo a subsequent application procedure if:

- ❖ Their previous asylum application was finally rejected;
- ❖ Their previous asylum application was explicitly withdrawn; or
- ❖ Their previous asylum application was implicitly withdrawn and more than nine months have passed; or;
- ❖ Their procedure for extending the subsidiary protection was stopped;
- ❖ Their request for extending subsidiary protection status has been finally rejected;
- ❖ The beneficiary has not applied for extension of subsidiary protection in time.<sup>446</sup>

A person returned to Slovenia under the Dublin Regulation whose procedure was stopped due to implicit withdrawal of their asylum application, *i.e.*, because they absconded, has the right to lodge a new asylum application which is not examined as a request for subsequent application.<sup>447</sup> However, if the procedure was finally concluded in their absence, they have to undergo the subsequent application procedure (see [Dublin: Situation of Dublin Returnees](#)).

New evidence or facts have to arise either after the issuance of the prior decision or existing at the time of the first procedure but not presented by the applicant for justified reasons in order for the new asylum application to

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Article 18(3) IPA.

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Article 6(2) Decree on the implementation of the statutory representation of unaccompanied minors and the method of ensuring adequate accommodation, care and treatment of unaccompanied minors.

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Official statistics provided by the Migration directorate, April 2025.

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Article 64(1) IPA.

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Article 65(6) IPA.

be allowed.<sup>448</sup> The lodging of a new application is also allowed if it is proven that explicit withdrawal of the previous application was made under threat or compulsion.<sup>449</sup>

An applicant cannot be removed from the country until the decision regarding the request for the subsequent application is final.<sup>450</sup> Individuals lodging the second or subsequent application do not have asylum applicants' rights (e.g. accommodation etc.) and fall under the scope of the Foreigners Act,<sup>451</sup> meaning that they can be detained in the Foreigners centre.

The responsible authority in the subsequent application procedure is the Migration directorate of the Ministry of the Interior. If it establishes that the aforementioned conditions are met, it allows the person to lodge a new asylum application. If not, it dismisses the request for the subsequent application as inadmissible.<sup>452</sup>

The procedure for lodging a subsequent application is not defined in law. However, in practice, this is done orally through an interview which is conducted in the same way as in the regular procedure. This includes assistance by legal guardians in case of unaccompanied children and possible representation by the PIC.<sup>453</sup>

The dismissal of a first request for a subsequent application can be challenged by way of judicial review before the Administrative Court, which is the same legal remedy as in the regular procedure. The time limit for lodging the application for judicial review was shortened from 8 to 3 calendar days. An application for judicial review has suspensive effect.<sup>454</sup> The procedure is the same as that described under [Admissibility Procedure: Appeal](#). Free legal assistance by refugee counsellors can be provided by law, as in all other cases of judicial review under the IPA. In practice free legal assistance of refugee counsellors is difficult to access (see: [Regular Procedure: Legal Assistance](#)). In case a judicial review is requested against the decision to dismiss the second or third subsequent application, the application for judicial review does not have automatic suspensive effect.<sup>455</sup> In practice, this is problematic as the person can be removed from the territory before lodging the judicial review as the decision becomes enforceable when it is served to the applicant.

In 2024, 67 requests for a subsequent application were lodged. 48 individuals lodged a first request for a subsequent application and 19 persons lodged their second or third request for a subsequent application. By the end of the year, 6 requests for a subsequent application and the subsequent application remained pending. During 2024, 3 subsequent applications were lodged and only one was pending by the end of it.<sup>456</sup>

F. The safe country concepts

Indicators: Safe Country Concepts

1. Does national legislation allow for the use of “safe country of origin” concept?

❖ Is there a national list of safe countries of origin?

❖ Is the safe country of origin concept used in practice?

☒ Yes ☐ No

☒ Yes ☐ No

☒ Yes ☐ No

2. Does national legislation allow for the use of “safe third country” concept?

❖ Is the safe third country concept used in practice?

☒ Yes ☐ No

☐ Yes ☒ No

3. Does national legislation allow for the use of “first country of asylum” concept?

☒ Yes ☐ No

1. Safe country of origin

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Article 64(3) IPA.

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Article 64(2) IPA.

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Article 70(3) IPA.

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Article 34(3) IPA.

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Article 65(4) IPA.

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Observation by the PIC.

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Article 70(2)-(3) IPA.

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Article 70(3) and 65(5) IPA.

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Official statistics provided by the Migration directorate, April 2025.

The concept of the safe country of origin is defined in Article 61 IPA. A third country is designated as safe in case it can be concluded, based on the legal situation, the application of the law within the democratic system and the general political circumstances, that there is no general and consistent persecution, torture, inhuman or degrading treatment or punishment in the country and no threat of indiscriminate violence in situations of international or internal armed conflict.<sup>457</sup>

According to the law, a country is declared a safe country of origin by the Government of the Republic of Slovenia based on a proposal of the Ministry of the Interior, which regularly monitors the situation in relevant countries of origin through the information gathered by other EU Member States, EU institutions and other relevant international organisations.<sup>458</sup>

If the Ministry deems that conditions regarding the human rights situation have deteriorated considerably, or if it doubts that the country is still fulfilling the abovementioned conditions relating to safety, it can re-examine whether the country can still be considered safe. If it is concluded that the country can no longer be considered a safe country of origin, the Ministry of the Interior can make a proposal to the Government to remove it from the list of safe countries of origin.<sup>459</sup>

The Government notifies the European Commission about the declaration of a country as a safe country of origin and about potential subsequent changes in that regards.<sup>460</sup>

A third country can be considered a safe country of origin in an individual case if the applicant has citizenship or, in case the applicant is a stateless person, they had habitual residence in the country and failed to prove that it cannot be considered a safe country of origin due to their own specific circumstances. In this case, the competent authority can reject the applicant's claim for international protection as manifestly unfounded under an Accelerated Procedure.<sup>461</sup>

The Government issued its first List of Safe Countries of Origin in February 2016.<sup>462</sup> In April 2022, the Government amended the Ordinance and again added **Türkiye** to the safe country of origin list together with **Ghana** and **Gambia**. Therefore **Albania, Algeria, Bangladesh, Bosnia and Herzegovina, Montenegro, Egypt, Gambia, Georgia, Ghana, Kosovo, Morocco, Nepal, Senegal, North Macedonia, Serbia, Tunisia** and **Türkiye** were determined as safe countries of origin by the Government.<sup>463</sup>

In 2024 a total 4,478 nationals of countries designated as safe countries of origin applied for asylum in Slovenia:

Asylum applicants from “safe countries of origin”: 2024	
Country of origin	Number of applicants
Albania	3
Algeria	452
Bangladesh	55
Bosnia and Herzegovina	3

<sup>457</sup> Article 61(1) IPA.  
<sup>458</sup> Article 61(3) IPA.  
<sup>459</sup> *Ibid.*  
<sup>460</sup> Article 61(4) IPA.  
<sup>461</sup> Article 62(1)-(2) IPA.  
<sup>462</sup> Article 1 of the Ordinance determining the list of safe countries of origin, Official Gazette of RS, No. 13/16.  
<sup>463</sup> Ordinance determining the list of safe countries of origin, Official Gazette of RS, No. 47/22.

Egypt	172
Gambia	12
Georgia	2
Ghana	12
Kosovo	3
Morocco	3,548
Nepal	70
Senegal	10
North Macedonia	1
Serbia	7
Tunisia	97
Türkiye	31
<b>Total</b>	<b>4,478</b>

Source: Official statistics of the Migration directorate available [here](#).

In comparison to 2023, when 6,433 applications from applicants from a ‘safe country of origin’ were lodged, the number of these applications decreased in 2023. This is mostly due to the general decrease of applicants in 2023.

In 2024, the concept of ‘safe country of origin’ was used in practice.<sup>464</sup> However, since there are no considerable differences between a regular and an accelerated procedure, and since an applicant who is considered to come from a safe country of origin can still provide evidence that the country in question is not safe for them, the safe country of origin principle does not have strong practical implications.

If the concept is used, the application can only be rejected in the accelerated procedure as manifestly unfounded.<sup>465</sup> In practice, applications are not rejected solely based on a ‘safe country of origin’ concept but together with other reasons for rejecting the application as manifestly unfounded.<sup>466</sup>

## 2. Safe third country

According to Article 53 IPA, a safe third country is a country in which the applicant was present before arriving to the Republic of Slovenia and in which they had a real opportunity to apply for international protection but failed to do so without a justified reason. Based on the safe third country concept, the competent authority can dismiss the application for international protection as inadmissible.<sup>467</sup>

<sup>464</sup> Observation by the PIC.

<sup>465</sup> Article 63(4) IPA.

<sup>466</sup> Observation by the PIC.

<sup>467</sup> Article 51 IPA.

According to the law, a country is declared a safe third country by the government based on a proposal of the Ministry of the Interior, which regularly monitors the situation in relevant countries through information gathered by other EU Member States, EU institutions and other relevant international organisations.<sup>468</sup>

In case the Ministry of the Interior deems that the conditions regarding the human rights situation in a given country have deteriorated considerably or if it doubts that the latter still fulfils the conditions for being considered as a safe third country, it can re-examine the safety of the country. In case the country can no longer be considered a safe third country, the Ministry of the Interior can make a proposal to the Government to remove it from the list of safe third countries.<sup>469</sup>

The Government notifies the European Commission of the declaration of a country as a safe third country and of changes relating thereto.<sup>470</sup>

On 15 May 2008, the government adopted an Ordinance to declare **Croatia** a safe third country.<sup>471</sup> This is the only country to have been declared as such by Slovenian authorities and the safe third country principle has not been used since the accession of Croatia to the EU in July 2013.

In 2024 the Migration directorate did not apply the safe third country concept.<sup>472</sup>

## 2.1 Safety criteria

A country must meet the following requirements in order to be considered a safe third country:<sup>473</sup>

1. Life and freedom in the country are not threatened on account of race, religion, citizenship, membership of a particular social group or political opinion;
2. There is no risk of serious harm;
3. The principle of *non-refoulement* in accordance with the Refugee Convention is observed;
4. The prohibition of removal which would result in the violation of the prohibition of torture and cruel, inhuman and degrading treatment as defined in international law is observed;
5. The applicant has the possibility to apply for refugee status and, if it is established that the person is in fact a refugee, to obtain protection in accordance with the Refugee Convention.

When faced with a safe third country argument, asylum applicants can provide facts and evidence showing that the country in question is not a safe third country for them personally and that justified reasons exist preventing them from applying for international protection there.<sup>474</sup> In a 2013 case concerning the safe third country provisions in force prior to the adoption of IPA, the Supreme Court had stressed that the burden of proving that a country does not meet the safe third country criteria is on the applicant.<sup>475</sup>

## 2.2 Connection criteria

The law does not specify when the criteria of – “a real opportunity to apply for international protection”<sup>476</sup> and when it is established.

It should be noted that, in 2013, when reviewing the legal provision in force prior to the adoption of the IPA, the Constitutional Court had found that the ambiguity with respect to the requisite degree of connection between an applicant and a third country did not allow a clear conclusion as to whether mere transit through a country is

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<sup>468</sup> Article 54(2) IPA.

<sup>469</sup> *Ibid.*

<sup>470</sup> Article 54(3) IPA.

<sup>471</sup> Ordinance on the proclamation of the Republic of Croatia as safe third country, Official Gazette of RS, No. 50/2008.

<sup>472</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>473</sup> Article 54(1) IPA.

<sup>474</sup> Article 55(1) IPA.

<sup>475</sup> Supreme Court, Decision I Up 39/2013, 14 February 2013, available [here](#).

<sup>476</sup> Article 53 IPA.

sufficient or whether the applicant needs to benefit from legal residence there. On that basis, the Constitutional Court had declared that provision unconstitutional.<sup>477</sup>

In an earlier case, the Supreme Court had found that it is not necessary for direct or indirect contact to have taken place between the applicant and the authorities or institutions within the concerned third country; it is enough that the circumstances of the individual case reveal that the applicant had objective and subjective possibilities to establish contact with the authorities of the safe third country.<sup>478</sup>

According to the law, applicants whose claims are rejected as inadmissible on the ground of a safe third country concept are to be given a document in the language of the safe third country stating that their claim was not examined on the merits.<sup>479</sup>

If a safe third country refuses the entry of the applicant to its territory, the Migration directorate revokes the inadmissibility decision and proceeds to the examination of the asylum application.<sup>480</sup>

3. First country of asylum

The concept of the first country of asylum is a ground for inadmissibility of the application for international protection.<sup>481</sup> According to Article 63 IPA, a first country of asylum is either the country in which the applicant was granted a refugee status which is still valid, or a country in which the applicant enjoys sufficient protection, including from *refoulement*.

When applying the first country of asylum concept, the criteria for its application are not the same as those of the Safe Third Country concept. The criteria listed in Article 38(1) of the recast Asylum Procedures Directive do not explicitly apply as the Ministry only has to establish that the applicant is granted refugee status in the first country of asylum or enjoys sufficient protection there.

The concept is used in practice, but so far only in a few cases per year. It was used not used in 2024.<sup>482</sup>

Applicants can challenge the application of the first country of asylum concept by referring to the specific circumstances of their case.<sup>483</sup> If a first country of asylum refuses the entry of the applicant to its territory, the Migration directorate revokes the inadmissibility decision and proceeds to the examination of the asylum application.<sup>484</sup>

G. Information for asylum seekers and access to NGOs and UNHCR

1. Provision of information on the procedure

Indicators: Information on the Procedure

1. Is sufficient information provided to asylum applicants on the procedures, their rights and obligations in practice?

☐ Yes☒ With difficulty☐ No
- ❖ Is tailored information provided to unaccompanied children?

☐ Yes☒ No

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Constitutional Court, Decision U-I-155/11, 18 December 2013, available [here](#).

Supreme Court, Decision I Up 39/2013, 14 February 2013, available [here](#).

Article 59 IPA.

Article 60 IPA.

Article 51(1) IPA.

Official statistics provided by the Migration directorate, April 2025.

Article 63(3) IPA.

Article 63(4) IPA.



The IPA provides that, before applying for international protection, applicants must be provided with information, in a language they understand, about the procedure, their rights and obligations, possible consequences of failure to comply with the obligations and failure to cooperate with the competent authorities, the timeframes for legal remedies and information about refugee counsellors and NGOs working in the field of international protection.<sup>485</sup> At the request of the applicant, all information relating to their individual asylum procedure also needs to be provided free of charge throughout the procedure.<sup>486</sup>

The law does not specify in what form the information is to be provided. After the applicants have undergone their medical examination and before they lodge their asylum application, information is provided through a video. The duration of the information video is approximately ten minutes. The video contains information about the procedure, the rights and obligations of asylum applicants, and the right to appeal. In 2024 it was amended and information on reasons/grounds for asylum were included in the new version. While the video includes a reference to the existence of NGOs, it still does not contain further practical information about the NGOs working in the field of international protection (e.g., which NGOs or the way of contacting them).

While the video was amended to include grounds for asylum in 2024, it is not adapted to minors in any other way (e.g., the content is not presented in a child-friendly manner). Legal guardians of unaccompanied minors are usually present during the video presentation and can participate to the provision of information; this is usually the first opportunity for them to meet with the child and introduce themselves after being appointed. The information is also not tailored for the specific needs of certain categories asylum applicants, such as potential victims of trafficking.

All asylum applicants are entitled to the information session, regardless of the type of procedure that may ensue.<sup>487</sup> Applicants who lodge a request for a subsequent application are not entitled to the information session, however they often receive it in practice, especially if they have lodged their first request for a subsequent application. As the information is provided through the video, not all of the aspects of the asylum system in Slovenia are addressed and adequately presented. For example, applicants are informed about their rights and obligations during the Dublin procedure – consequences of travelling on to another EU Member State, absconding from a transfer – but it remains difficult to guarantee a full understanding of the functioning of the Dublin system and its consequences for their individual case in practice.<sup>488</sup>

Throughout the asylum procedure, PIC lawyers are available to asylum applicants for any questions regarding procedures as well as their rights and obligations. In 2024 PIC lawyers assisted 669 asylum applicants during the asylum procedure and 70 beneficiaries of international protection during the family reunification procedure.

Upon request of the applicant or their legal representative, information may also be provided by Migration directorate officials in individual cases during the official interviews or separately.<sup>489</sup>

In the past, during the asylum application process, people were also given a brochure in their language, prepared by the Migration directorate, which described the asylum system in Slovenia. The brochure was updated in 2020. However, asylum applicants do not automatically receive it upon lodging the application. In practice, asylum applicants can read the brochure in the lobby while waiting to lodge the application, but they cannot keep it for future reference unless they explicitly express their wish to do so.<sup>490</sup> The brochures are also available online.<sup>491</sup> Information about the brochures and a QR code to access them is available on posters on the premises of the Ministry where the procedures take place. The brochures on the Dublin procedure are also not available or given to the applicants during the Dublin procedure.<sup>492</sup>

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<sup>485</sup> Article 5(1)-(2) IPA.

<sup>486</sup> Article 5(3) IPA.

<sup>487</sup> Article 5(1) IPA.

<sup>488</sup> Observation by the PIC.

<sup>489</sup> Article 5(3) IPA.

<sup>490</sup> Observation by the PIC.

<sup>491</sup> Brochures are available [here](#).

<sup>492</sup> Observation by the PIC.

In the police procedure, the information on the right to asylum is in practice provided through brochures, posters and the police officers conducting the procedure. Access to the brochures and posters with information on the right to asylum is also monitored by the Ombudsperson during the National Preventive Visits to the police stations.<sup>493</sup>

## 2. Access to NGOs and UNHCR

**Indicators: Access to NGOs and UNHCR**

- Do asylum applicants located at the border have effective access to NGOs and UNHCR if they wish so in practice?

☐ Yes
☐ With difficulty
☒ No<sup>494</sup>
- Do asylum applicants in detention centres have effective access to NGOs and UNHCR if they wish so in practice?

☒ Yes
☐ With difficulty
☐ No
- Do asylum applicants accommodated in remote locations on the territory (excluding borders) have effective access to NGOs and UNHCR if they wish so in practice?

☒ Yes
☐ With difficulty
☐ No

Border procedures have so far not been used in Slovenia. Irregular migrants are only present at the border police stations for a short time before they are either referred to the asylum procedure or returned to the country of arrival. During that time, they very rarely contact NGOs and the UNHCR. In PIC’s experience, asylum applicants face difficulties in accessing NGOs or UNHCR during the police procedure for practical reasons – their phones are often taken during the procedure, they do not have the contact information, language barrier etc.

Detained asylum applicants are located in the Foreigner Centre in **Postojna**. Detainees are allowed to use their mobile phones for at least a few hours per day and free internet connection is available to them. They can also use the regular landline phones upon permission from the centre’s staff if they need to make important calls, especially regarding their asylum and detention cases. Detainees are also allowed to meet with visitors during appointed hours in accordance with the daily schedule. As with other asylum applicants, detained asylum applicants can be represented in the first-instance procedure by the PIC, whose lawyers are available to them over phone and can visit them in person, if required. Refugee counsellors and PIC lawyers can visit their clients freely without prior authorisation or limitation regarding the daily schedule.

Upon obtaining a permission from the UOIM, NGOs can be present in the Asylum Home or its branch in order to carry out their activities.

UNHCR does not have an office in Slovenia however it carries out numerous activities and supports several NGOs programmes.<sup>495</sup>

In 2024 UNHCR supported the following organisations:

- ❖ PIC in providing information, counselling and representation to asylum applicants during the asylum procedure, beneficiaries of international protection during the family reunification procedure and a mobile blue dot providing information and counselling to people fleeing Ukraine;
- ❖ Slovene Philanthropy in community outreach and integration related activities to asylum-seekers, refugees and temporary protection holders;
- ❖ Institute EMMA was providing psycho-social counselling and support to asylum applicants, refugees and people fleeing Ukraine, focusing on victims of gender-based violence;

<sup>493</sup> National Preventive Mechanism, *Priporočila iz obiskov (preglednice)*, available [here](#).

<sup>494</sup> Border procedures are not implemented in practice in Slovenia, however applicants do not have access to NGOs if they are apprehended.

<sup>495</sup> For more information, see UNHCR, Slovenija, available [here](#) and [here](#).

- ❖ NGO Razom, NGO Ljubljana – Kyiv and the Association of Friends of Youth for Goriška region in their community outreach programme targeting forcibly displaced from Ukraine.

## H. Differential treatment of specific nationalities in the procedure

### Indicators: Treatment of Specific Nationalities

1. Are applications from specific nationalities considered manifestly well-founded? ☐ Yes ☒ No  
❖ If yes, specify which:
2. Are applications from specific nationalities considered manifestly unfounded?<sup>496</sup> ☐ Yes ☒ No  
❖ If yes, specify which:

Differential treatment of specific nationalities is not based on official policies or guidelines. Nevertheless, some patterns and trends are observed in practice.

Applications from **Syrian** asylum applicants are generally considered to be well-founded, and Syrian applicants are granted international protection (in most cases, refugee status).<sup>497</sup>

Applications from **Palestinian** asylum applicants are also generally considered to be well-founded, and in most cases, they are granted refugee status.<sup>498</sup>

Applications from **Burundian** asylum applicants are generally considered to be well-founded and they are granted refugee status.

Applications from **Ukrainians** are considered to be well-founded since the start of the full-scale invasion in 2022. Ukrainian asylum applicants are granted subsidiary protection for one year. In addition, applications of Ukrainian asylum applicants are prioritised, and they receive a decision within 6 months.<sup>499</sup>

<sup>496</sup> Whether under the “safe country of origin” concept or otherwise.

<sup>497</sup> Observation by the PIC.

<sup>498</sup> *Ibid.*

<sup>499</sup> *Ibid.*

## Reception Conditions

### Short overview of the reception system

The Government Office for the Support and Integration of Migrants (UOIM) is responsible for the reception and accommodation of asylum applicants in Slovenia. After the preliminary procedure, applicants are brought to the Asylum Home or its branch in Logatec where they must wait to lodge their application for international protection. In the meantime, individuals are accommodated in the Asylum Home or its branch in Logatec. Although, since 2022, they are no longer locked in the Asylum Home or the houses in Logatec and nothing prevents them from absconding, applicants are not allowed to leave premises of the Asylum Home or Logatec and are therefore *de facto* detained. In case they leave the premises of the Asylum Home or its branch before lodging their application, they can be processed as foreigners under the Foreigners Act, which means that they can be returned or readmitted to another country. Considering that individuals are not considered asylum applicants until their application is formally lodged, there is a lapse of time in which they do not have access to all of the services.

A new reception and accommodation centre for the systemic accommodation of unaccompanied minors was opened in April 2024. In 2024 unaccompanied children were therefore accommodated in the new centre in Postojna or in Logatec. The new centre can accommodate up to 70 unaccompanied children. During 2024, 109 unaccompanied children were accommodated in the centre.<sup>500</sup>

Individuals can move freely on the premises of the Asylum Home or its branch. Food is provided to them in the dining area.

In 2024, the number of arrivals decreased, however due to lack of accommodation centres, the reception conditions in **the Asylum Home** did not improve significantly in comparison to previous years (see [Reception conditions](#)).

During the first half of 2024, the EUAA was deployed in Slovenia in order to provide support in improvement of Reception conditions.<sup>501</sup>

In 2022, the centre in **Logatec** was reorganised in order to accommodate applicants for temporary protection and temporary protection holders. In the beginning of 2024, the decision was made to move temporary protection holders from Logatec to other UOIM capacities for temporary protection holders around the country in order to free up capacity for asylum applicants. Asylum applicants and individuals waiting to lodge the application for international protection were accommodated in Logatec during the year, including unaccompanied minors, single women and families. Due to lack of capacity in the main buildings of the Logatec accommodation centre individuals were also accommodated in containers.

After individuals lodge their application, they are accommodated in the Asylum Home or its branch in Logatec. The decision is made by social workers of the Asylum Home based on the individual circumstances of the applicant (e.g., family, unaccompanied minor, single woman, other detected vulnerabilities, etc.) as well as availability. In practice, single men are accommodated in the **Asylum Home** or its branch in **Kotnikova**. Women and families are accommodated in **Logatec**. Unaccompanied minors can be accommodated in the newly established accommodation centre for unaccompanied minors in **Postojna** or in some cases in **Logatec**. After lodging the application, the UOIM must obtain the opinion of the social services regarding the suitability of the centre, before the unaccompanied minor is accommodated in one of the centres.<sup>502</sup>

Large-scale centres are used for the accommodation of asylum applicants in Slovenia.

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<sup>500</sup> Official statistics provided by UOIM, March 2025.

<sup>501</sup> EUAA: *Operational plan 2022 agreed by the European Union Agency for Asylum and the Republic of Slovenia*, December 2022, available [here](#).

<sup>502</sup> Article 16(7) IPA.

After an individual is granted international protection, they need to leave the accommodation centre within 15 days of receiving the decision. If they are able to obtain private accommodation within this timeframe, they can move outside the reception centre. If they are not able to secure private housing, they are accommodated in the integration house in **Maribor** or **Ljubljana**. If the applicant receives a negative decision, they can continue to reside in the Asylum Home or one of its branches until the decision of the court becomes final.

## A. Access and forms of reception conditions

### 1. Criteria and restrictions to access reception conditions

#### Indicators: Criteria and Restrictions to Reception Conditions

1. Does the law allow access to material reception conditions to asylum applicants in the following stages of the asylum procedure?

❖ Regular procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Dublin procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Admissibility procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Border procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Accelerated procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ First appeal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Onward appeal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Subsequent application	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No

2. Is there a requirement in the law that only asylum applicants who lack resources are entitled to material reception conditions?

☐ Yes

☒ No

The authority responsible for accommodation and reception of asylum applicants is the Government Office for Support and Integration of Migrants (*Urad vlade za oskrbo in integracijo migrantov*, UOIM). The office is an independent authority operating directly under the Slovenian Government and is also responsible for assistance to and integration of beneficiaries of international protection as well as temporary protection holders.

In accordance with the IPA, applicants for international protection are entitled to material reception conditions at the **Asylum Home** or its branch facilities upon lodging of their application for international protection, irrespective and throughout the procedure they are in,<sup>503</sup> until a final decision on their application becomes enforceable.<sup>504</sup> Applicants who lodge their first request for subsequent application also have the right to material reception conditions until a final decision in the procedure becomes enforceable.<sup>505</sup> Applicants who lodge a second request for a subsequent application do not have the right to material conditions.<sup>506</sup>

Since a Supreme Court decision in 2018,<sup>507</sup> the IPA was amended to confirm that applicants in the Dublin procedure have the same rights as asylum applicants until their actual transfer to another Member State.<sup>508</sup>

Applicants are entitled to material reception conditions by lodging their asylum application; the law makes no distinction between “making” and “lodging” an application in this regard.<sup>509</sup> In practice, from the moment they express the intention to apply and until they have formally lodged their application, asylum applicants are held in the Asylum Home or its branch Logatec (see: [Detention of Asylum Seekers](#)).

<sup>503</sup> Article 78(1) IPA.

<sup>504</sup> Article 78(2) IPA.

<sup>505</sup> Article 78(3) IPA.

<sup>506</sup> Article 34(3) IPA.

<sup>507</sup> Supreme Court, Decision I Up 10/2018, 4 April 2018, available in Slovenian [here](#).

<sup>508</sup> Article 78(2) IPA.

<sup>509</sup> Article 78(2) IPA.

Applicants also receive an identification card which certifies their status as applicants for international protection in the Republic of Slovenia.<sup>510</sup> Applicants are not allowed to move freely on the territory. Their freedom of movement is limited to the municipality in which they are accommodated.<sup>511</sup> They are informed about this limitation of movement by the Migration directorate upon lodging their application. The limitation does not apply for unaccompanied minors.<sup>512</sup> In case they want to leave the municipality applicants have to apply for a permit at the UOIM.<sup>513</sup> According to Article 32 of the Slovenian Constitution everyone has the right to freedom of movement. The provisions were submitted to the Constitutional Court for review by parliamentarians in 2022.<sup>514</sup> The decision was not made by the end of 2024.

The law provides that applicants who have their own means of subsistence (amounting to the basic minimum monthly income of 484.88€ per person) have to bear all or a proportional share of the cost for their material care,<sup>515</sup> which includes reception or accommodation. They are also not entitled to food, clothes, shoes<sup>516</sup> or a monthly allowance.<sup>517</sup> Asylum applicants must declare their financial resources before they are accommodated in the Asylum Home or its branch. The form of their financial resources is part of their accommodation documentation and is filled by the officials of the Migration directorate with the help of an interpreter. The content and the purpose of the form are explained to the asylum applicant and both the official of the Migration directorate and the interpreter have to sign the form together with the asylum applicant.<sup>518</sup> In practice, individuals do not have to bear all, or a proportional share, of the costs.<sup>519</sup>

Accommodated persons are obliged to move out of the reception centre when the decision on their application becomes enforceable.<sup>520</sup> Applicants who are granted international protection are given 15 days from the receipt of the decision (see [Content of International Protection: Housing](#)), whereas applicants whose application is rejected nevertheless retain all of their reception rights, including the right to live in the reception facility during the appeal (judicial review) procedure. If the negative decision is confirmed by a court, the rejected applicant must move out of the facility as the decision became final. In practice, individuals can stay for a couple days if they wait for the police to come and initiate the return procedure. The return procedure is started if they do not have the right to stay in Slovenia.

As most individuals do not have the right to stay after the asylum procedure is completed and the options to obtain any other residence permit in Slovenia are extremely limited, the majority of people abscond when they receive the negative court decision. If the person stays and waits for the police, the return procedure is started in the vast majority of cases. However, since only a small number of individuals is successfully returned each year and the majority of individuals in the return procedure have no other legal options, most rejected asylum applicants abscond after receiving the final decision. One of the objectives of the new Immigration strategy<sup>521</sup> adopted in March 2024 was to put forward legislative changes that would, in exceptional cases, allow rejected asylum applicants to obtain a residence permit after their negative decision becomes final. The option was introduced in July 2024 with the new Act Regulating Measures for Optimising Certain Procedures in Administrative Units, however due to strict conditions it is only available to a limited amount of rejected asylum applicants. The validity of the provisions was not prolonged and the option to apply for a residence permit in line with the Act was available to applicants only until the end of the year (see National forms of protection).

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<sup>510</sup> Article 107 IPA.

<sup>511</sup> Article 78(1), first indent IPA.

<sup>512</sup> Article 78(7) IPA.

<sup>513</sup> Article 82(6) IPA.

<sup>514</sup> 24.ur, *Določbe zakona o tujcih in mednarodni zaščiti v ustavno presojo*, 10 February 2022, available in Slovenian [here](#).

<sup>515</sup> Article 82(3) IPA.

<sup>516</sup> *Ibid.*

<sup>517</sup> Article 85(1) IPA.

<sup>518</sup> Observation by the PIC.

<sup>519</sup> Information provided by the UOIM, April 2025.

<sup>520</sup> Article 78(2) IPA.

<sup>521</sup> Immigration strategy of the Government of the Republic of Slovenia, March 2024, available in Slovenian [here](#).

## 2. Forms and levels of material reception conditions

### Indicators: Forms and Levels of Material Reception Conditions

1. Amount of the monthly financial allowance/vouchers granted to asylum applicants as of 31 December 2024 (in original currency and in €): 18 EUR

Asylum Applicants have the right to the following material reception conditions: accommodation in the **Asylum Home** or its branch facilities; food; clothing, footwear and hygiene supplies; emergency medical care (and full medical care in case of children); access to education; access to the labour market; humanitarian aid and an allowance of 18€ per month.<sup>522</sup> Applicants who lodged a request for a subsequent application do not have the right to a monthly allowance.<sup>523</sup>

If the applicant's identity is not disputed and they have already undergone a personal interview, they may request to reside in private accommodation instead of the Asylum Home or one of the branch facilities, in which case they are not entitled to material reception conditions. The living conditions in private accommodation have to be suitable.<sup>524</sup> Therefore, before granting the request to reside in private accommodation, the UOIM will conduct an inspection of the living conditions. In case of exceptional personal circumstances, the UOIM can accommodate an applicant in another suitable institution (e.g. home for elderly) even if their identity is not confirmed and a personal interview has not yet been conducted, if they cannot provide a suitable accommodation in the Asylum Home or its branch.<sup>525</sup> The question of whether there are exceptional circumstances is considered by a special committee.<sup>526</sup> If the applicant does not have his or her own means of subsistence, or is unable to cover all or a proportional share of the accommodation cost of another suitable institution, the accommodation costs are covered by the UOIM.<sup>527</sup> In 2024 no applicant was accommodated in another suitable institution.<sup>528</sup>

In line with the amendments to the IPA, asylum applicants can no longer apply for financial assistance for the purpose of residing at a private address.

## 3. Reduction or withdrawal of reception conditions

### Indicators: Reduction or Withdrawal of Reception Conditions

1. Does the law provide for the possibility to reduce material reception conditions?  
☒ Yes ☐ No
2. Does the law provide for the possibility to withdraw material reception conditions?  
☒ Yes ☐ No

The only form of reception conditions that can be withdrawn is the monthly allowance of 18€. This can occur if the applicant:

- ❖ leaves the municipality in which they are accommodated without informing the authorities;
- ❖ fails to fulfil the obligation to provide information to the authorities;
- ❖ does not attend their personal interview; or
- ❖ commits a serious violation of the house rules.<sup>529</sup>

In 2019, the withdrawal or reduction of the monthly allowance to asylum applicants became a regular practice. In 2024, 270 decisions on withdrawal of the monthly allowance were issued because the person did not return to the premises of the Asylum Home. In addition, UOIM issued 59 decisions to applicants who lodged a request for a subsequent application and do not have the right to monthly allowance.<sup>530</sup>

<sup>522</sup> Article 78(1) and 79 IPA.

<sup>523</sup> Article 85(1) IPA.

<sup>524</sup> Article 83(1) and (3) IPA.

<sup>525</sup> Article 83(2) IPA.

<sup>526</sup> Article 83(3) IPA.

<sup>527</sup> Article 83(4) IPA.

<sup>528</sup> Official statistics provided by UOIM, April 2025.

<sup>529</sup> Article 85(2) IPA.

<sup>530</sup> Official statistics provided by UOIM, April 2025.



The decision to reduce or withdraw the monthly allowance is made by the authorised person of UOIM. When making the decision, the latter must take into account the special individual circumstances of the asylum applicant and the principle of proportionality.<sup>531</sup> The IPA does not regulate the assessment of the asylum applicants' risk of destitution or ability to provide for their own basic needs, nor does it define "destitution" or "basic needs". Similarly, and in practice, the decision to reduce or withdraw the monthly allowance does not contain the assessment of the asylum applicants' risk of destitution or ability to provide for their basic needs but only the legal grounds and the reason for the decision.<sup>532</sup>

The applicant can submit an appeal against the decision on withdrawal of monthly allowance within three days to the head of UOIM; in such case free legal assistance by the PIC is available to asylum applicants in practice, though not guaranteed by law. In 2024, UOIM made a decision on 7 appeals against the decision to withdraw the monthly allowance.<sup>533</sup>

In addition, the new amendments to the IPA allow the UOIM to resettle an asylum applicant to another accommodation centre, if the latter committed certain serious violations of the house rules.<sup>534</sup> In 2024, no one was resettled to another accommodation centre due to serious violations of house rules.<sup>535</sup>

The new amendments also introduced a drastic *de facto* reduction of reception conditions in case the applicant commits the following severe violations of the house rules:

- ❖ brings or consumes alcohol or other intoxicants;
- ❖ enables the accommodation of another person in the room;
- ❖ violates the public order and peace.

The amendments allow the UOIM to 'accommodate' the asylum applicant in another, special, separate room in the pre-reception area of the Asylum Home for up to 3 days or less, if the measure has reached its purpose.<sup>536</sup> It should be noted that the measure itself amounts to solitary confinement and *de facto* detention, although it is not defined as such in the IPA, and the procedural provisions for detention do not apply. Applicants who are 'accommodated' in the separate room are notified about the detention orally and given a written decision within 24 hours. The applicant can lodge an objection to the UOIM against the decision within 3 days of receiving the written decision.<sup>537</sup> As the measure imposed is no longer in place by the time the applicant is in a position to lodge the objection, the legal remedy is not effective. Applicants also do not have free legal help or representation provided by law in the first instance or before the court. This measure was not used in 2024 according to the UOIM.<sup>538</sup>

4. Freedom of movement

**Indicators: Freedom of Movement**

1. Is there a mechanism for the dispersal of applicants across the territory of the country? ☐ Yes ☒ No

2. Does the law provide for restrictions on freedom of movement? ☒ Yes ☐ No

Since the amendments to the IPA came into force on 09 November 2021, asylum applicants are no longer allowed to move freely on the territory. Their freedom of movement is limited to the municipality in which they are accommodated<sup>539</sup> They are informed about this limitation of movement by the Migration directorate upon lodging

<sup>531</sup> Article 85(3) IPA.  
<sup>532</sup> Observation by the PIC.  
<sup>533</sup> Official statistics provided by UOIM, April 2025.  
<sup>534</sup> Article 82.b IPA.  
<sup>535</sup> Official statistics provided by UOIM, April 2025.  
<sup>536</sup> Article 82.b(2) IPA.  
<sup>537</sup> Article 82.b (4) IPA.  
<sup>538</sup> Official statistics provided by UOIM, April 2025.  
<sup>539</sup> Article 78(1), first intendant IPA.

their application. Applicants can only leave the municipality if it is necessary for them to exercise their rights relating to health, work and education, if they have to participate in a procedural act, or for other substantiated reasons. In order to be able to live in the municipality, they have to lodge a request with the UOIM. They can lodge an objection against a negative decision with the head of the UOIM within 3 days of receiving it.<sup>540</sup> In practice this poses a challenge. The majority of municipalities in Slovenia are small. Asylum applicants accommodated in Logatec cannot access all of the services, shops, sport activities, etc., in the municipality. In addition, some asylum applicants live in private accommodation in smaller municipalities. Asylum applicants often work outside of Ljubljana. In addition, since the asylum procedure can last for years, asylum applicants form ties outside of Ljubljana and regularly visit other parts of Slovenia with NGOs, friends, etc. The provisions therefore pose a logistical obstacle. In case applicants leave the municipality without the authorisation of the UOIM and are apprehended by the police, they are ordered to return and their monthly allowance can be withdrawn.<sup>541</sup> The limitation does not apply to unaccompanied minors.<sup>542</sup>

According to Article 32 of the Slovenian Constitution everyone has the right to freedom of movement. The provisions were submitted to the Constitutional Court for review by parliamentarians in 2022.<sup>543</sup> The decision was not made by the end of the year.<sup>544</sup>

In 2024, 299 requests to leave the municipality were submitted.<sup>545</sup>

All persons wishing to apply for asylum are first accommodated in the reception area of the **Asylum Home** in Ljubljana or its branch Logatec, where they wait for their medical examination as well as Eurodac fingerprinting and photographing, followed by the information session and the lodging of the asylum application (see [Detention of Asylum Seekers](#)).

After lodging their asylum application, they are accommodated in the Asylum Home or one of its branch facilities, depending on their personal circumstances. Single men are normally accommodated in the **Asylum Home** or its branch facility **Kotnikova** in Ljubljana, families in **Logatec**, and unaccompanied children in the newly established accommodation centre in **Postojna** or **Logatec**. The practice changes frequently depending on the number of arrivals. The Asylum Home is divided into separate units for single men, families and children. In practice mostly, single men were accommodated in the Asylum home, however due to overcrowding separation between the groups is not possible. Individuals are free to move in different parts of the Asylum Home and its premises. In addition, due to a large increase of arrivals, the Asylum Home was mostly used for reception of individuals waiting to lodge the application throughout 2024<sup>546</sup> (see: [Reception conditions](#)).

During the day, applicants can leave their place of accommodation as they wish. However, at night they have to respect the Asylum Home house rules, which state that absence from the facility is allowed during the following hours:<sup>547</sup>

- ❖ For adults: Monday- Thursday: 06:00 – 23:00, Friday- Sunday/holidays: 6.00 – 1.00
- ❖ For unaccompanied children: Weekdays 06:00 – 21:00; Weekends / holidays: 06:00 – 22:00

If they wish to leave the accommodation facility outside the prescribed hours, applicants have to obtain permission in advance. Permission cannot be issued for more than 7 days and the total amount of permissions issued cannot exceed 60 days in one year.<sup>548</sup> In 2024, the UOIM issued 262 permissions.<sup>549</sup>

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<sup>540</sup> Article 78(5)-(6) IPA.

<sup>541</sup> Article 85(2) IPA.

<sup>542</sup> Article 78(7) IPA.

<sup>543</sup> 24.ur, *Določbe zakona o tujcih in mednarodni zaščiti v ustavno presojo*, 10 February 2022, available in Slovenian [here](#).

<sup>544</sup> 24.ur, *Določbe zakona o tujcih in mednarodni zaščiti v ustavno presojo*, 10 February 2022, available in Slovenian [here](#).

<sup>545</sup> Official statistics provided by the UOIM, April 2025.

<sup>546</sup> Observation by the PIC.

<sup>547</sup> Article 6(1) Decree on Asylum Centre House Rules.

<sup>548</sup> Article 82(6) IPA.

<sup>549</sup> Official statistics provided by UOIM, April 2025.

Arbitrary departure from the appointed premises of accommodation can also have consequences on the asylum procedure itself. If the applicant leaves the premises of the Asylum Home or its branch facility and does not return after 3 days, their application is considered to be implicitly withdrawn. The asylum application can also be considered to be implicitly withdrawn if the applicant sleeps outside the accommodation centre without permission and does not provide substantiated reasons for doing so.<sup>550</sup> If more than nine months have passed since this implicit withdrawal, the applicant can only reapply for asylum if they meet the admissibility conditions for a Subsequent Application.<sup>551</sup>

B. Housing

1. Types of accommodation

Indicators: Types of Accommodation

1. Number of reception centres:

4

2. Total number of places in the reception system:

1,320

3. Total persons living in private accommodation:

180

4. Type of accommodation most frequently used in a regular procedure:

☒ Reception centre

☐ Hotel or hostel

☐ Emergency shelter

☐ Private housing

☐ Other

5. Type of accommodation most frequently used in an urgent procedure:

☒ Reception centre

☐ Hotel or hostel

☐ Emergency shelter

☐ Private housing

☐ Other

Asylum applicants are accommodated in the Asylum Home in Ljubljana and its three branch facilities. All reception facilities are managed by UOIM.

Capacity and occupancy of the Asylum Home and branch facilities		
Centre	Capacity	Occupancy as of 31 December 2024
Asylum Home	710	427
Branch Facility Kotnikova	90	77
Branch Facility Logatec	450	87
Branch Facility Postojna	70	34
Total	1,320	625

Source: Official statistics provided by UOIM, April 2025.

The main reception facility is the Asylum Home in **Ljubljana**, which accommodates up to 710 persons. Until 2015, this was the only reception centre in Slovenia. In 2024, **the Asylum Home** accommodated mostly single men, the **Kotnikova** Branch Facility in Ljubljana exclusively hosted single men and the **Logatec** Branch Facility served as a reception/accommodation centre for asylum applicants, applicants for temporary protection and temporary protection holders, especially women, families and children. In the beginning of 2024, the decision was made to move temporary protection holders in other UOIM facilities in order to get additional capacity for

<sup>550</sup> Article 50(2) IPA.

<sup>551</sup> Article 50(3) IPA.

asylum applicants.<sup>552</sup> The new accommodation centre for unaccompanied minors in **Postojna** was established in April 2024, and so the student dormitory is no longer used.

Applicants can also request to reside in private accommodation (see [Forms and Levels of Material Reception Conditions](#)). 180 asylum applicants were living in private accommodation at the end of 2024.<sup>553</sup>

In the case of the Border Procedure, yet to be applied, persons expressing the intention to seek asylum can also be accommodated “close to the border”, if the requisite material reception conditions are guaranteed.<sup>554</sup> Other types of accommodation are not used in practice.

## 2. Conditions in reception facilities

### Indicators: Conditions in Reception Facilities

1. Are there instances of asylum applicants not having access to reception accommodation because of a shortage of places? ☐ Yes ☒ No
2. What is the average length of stay of asylum applicants in the reception centres? 37 days
3. Are unaccompanied children ever accommodated with adults in practice? ☒ Yes ☐ No
4. Are single women and men accommodated separately? ☐ Yes ☒ No

### 2.1. Overall conditions

The **Asylum Home** is located in a rather isolated area, approximately 20 minutes by bus from the **Ljubljana** city centre, whereas the **Kotnikova** Branch Facility is in the city centre. The towns of **Logatec** and **Postojna**, where the other two branch facilities are established, are located 30 km and 50 km from Ljubljana respectively.

Applicants are provided three meals per day. Children up to the age of 15 are entitled to two additional intermediate meals.<sup>555</sup> The menu is adapted to special medical or other needs on the basis of a doctor’s certificate or other proof. Religious and other dietary customs are taken into consideration, whenever possible.<sup>556</sup> Asylum applicants in the **Asylum Home** as well as in all branch facilities also have common kitchens at their disposal in which they can cook for themselves.

The **Asylum Home** employs social workers, one nurse, 8 medical technicians and 4 contractual doctors who are present in the facility on a daily basis. A psychiatrist visits the Asylum Home on a weekly schedule and is also available to applicants from branch facilities upon appointment. Social workers are available in the branch facilities as well. Medical assistance is mostly organised through appointments at regular clinics and hospitals. Security is provided by personnel of a security company.<sup>557</sup> Legal counselling is provided by the PIC and various other assistance and activities by other NGOs.

The facilities could benefit from more regular employment of cultural mediators and interpreters to help with reception issues and activities, so far only available inconsistently through projects. The number of staff in the facilities is otherwise generally considered sufficient, although it may be lacking during certain periods of time (e.g., due to gaps in implementation of projects, higher number of arrivals). During the first half of 2024, some of the needed support was provided by EUAA which was deployed in Slovenia in order to support the improvement of Reception conditions. As part of the operational support, the EUAA provided interpretation services.<sup>558</sup>

<sup>552</sup> Observation by the PIC.

<sup>553</sup> Official statistics provided by UOIM, April 2025.

<sup>554</sup> Article 43(2) IPA.

<sup>555</sup> Article 14 Decree on the methods and conditions for ensuring the rights of applicants for international protection.

<sup>556</sup> *Ibid.*

<sup>557</sup> Information provided by the UOIM.

<sup>558</sup> EUAA: *Operational plan 2022 agreed by the European Union Agency for Asylum and the Republic of Slovenia*, December 2022, available [here](#).

Operational support was provided by 24 EUAA staff members – 2 coordinators, 7 experts and 15 translators. The staff was supporting UOIM by providing information, accommodating asylum applicants, conducting vulnerability assessments and providing assistance to unaccompanied minors.<sup>559</sup>

The average room surface in the **Asylum Home** is around 3.75 – 7.50 m<sup>2</sup> per applicant<sup>560</sup> and of similar size to the rooms in the branch facilities. Applicants are normally accommodated in rooms for two to six persons. Bathrooms in all facilities are shared. Hygiene and other conditions in the Asylum Home and its branch facilities depend on the number of accommodated persons.

Although the number of arrivals decreased in 2024 the reception conditions in the Asylum home did not improve significantly. The official capacity of the Asylum Home is around 350. Due to lack of capacities, containers are placed on the premises raising the official capacity to 710. The number of individuals accommodated on a daily basis was often higher throughout the year. While the numbers varied through the year, the highest number of accommodated applicants was recorded in January when 911 people were accommodated at the same time. Due to lack of capacity, applicants were often accommodated in containers placed on the premises of the Asylum Home. However, statistics on the number of people accommodated in the containers are not gathered.<sup>561</sup> Since 2022 the Ombudsperson has been raising concerns that the conditions in the Asylum home are not in line with EUAA standards for reception and that they violate the right to personal dignity, privacy, and in some cases personal security as well as raise public health concerns.

The Ombudsperson also noted that the conditions can discourage people from waiting for a decision on their application meaning that they infringe on the right to asylum under Art. 18 of the EU Charter. In 2023 the Ombudsperson urged the Government and the Prime Minister to do everything necessary to ensure additional capacities for accommodation of asylum applicants.<sup>562</sup> In the beginning of 2024 the Government announced that two new accommodation centres will be established in Brežice and Središče ob Dravi. The announcement was met with strong opposition from the local communities, who opposed the creation of new accommodation centres in their municipalities and also warned that the selected locations lacked the proper infrastructure and conditions for constructing new centres. Both municipalities lodged an administrative dispute against the Governments' decision. It was however dismissed by the Administrative Court.<sup>563</sup> By the end of 2024 the construction of the new facilities had not begun.

The majority of the Asylum Home was used as a reception centre for individuals waiting to lodge the application and only a small part was used for accommodation of asylum applicants. As both groups could move freely on the premises, asylum applicants were not separated from individuals waiting to lodge the application. Since individuals could wait several days to lodge the application and the medical examination is normally performed right before the lodging of the application, this also raised public health concerns. After they lodged their applications, asylum applicants were accommodated in the Asylum Home or one of its branches. After lodging the application vulnerable groups can be accommodated in separate rooms, however not in separate parts of the Asylum home as parts of the Asylum home designated for families and unaccompanied children are used for accommodation of all asylum applicants.<sup>564</sup>

In 2024, the centre in **Logatec** was reorganised and temporary protection holders were moved to other facilities accommodation in order to make space for asylum applicants. Asylum applicants and individuals waiting to lodge the application for international protection were accommodated there during the year, mainly unaccompanied

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<sup>559</sup> Information provided by the UOIM, March 2024.

<sup>560</sup> European Migration Network (EMN), *Focused Study: The Organisation of Reception Facilities for Asylum Seekers in different Member states*, Slovene national contribution, 2013.

<sup>561</sup> Information provided by the UOIM, April 2025.

<sup>562</sup> The Ombudsperson, *Sporočilo javnosti o ugotovitvah Varuha glede razmer v azilnem domu v Ljubljani*, 13 September 2023, available [here](#).

<sup>563</sup> MMC, *V Brežicah spoštujejo odločitev upravnega sodišča. Pritožbe ne bo.*, 17 mai 2024, available in Slovenian [here](#).

<sup>564</sup> Observation by the PIC.

minors, single women and families. In **Logatec**, some people were first accommodated in containers before being moved to one of the rooms in the separate buildings when they became available.

In 2022, the Ombudsperson visited the **Logatec** branch facility, where temporary protection beneficiaries and people waiting to lodge their application were accommodated in rooms and containers. Regarding the rooms, the Ombudsperson noted that they were in line with the accommodation standards set out in EASO/EUAA guidelines. People had a lot of outdoor activities; the rooms could be locked and the whole centre was properly cleaned. However, the Ombudsperson concluded that accommodation conditions in Logatec did not reach the minimal standards set out by the EASO/EUAA guidelines when overcrowded. The situation was especially concerning regarding the right to personal dignity, the right to privacy and the right to personal security. Again, in the opinion of the Ombudsperson, to a certain extent, the conditions contributed to asylum applicants' high absconding rate. Therefore, the conditions also violated the right to asylum enshrined in Article 18 of the Charter. The Ombudsperson concluded that the conditions were the consequence of lack of capacity. He recommended that additional capacity be guaranteed together with additional staff. The Ombudsperson also recommended that the containers should not be used.<sup>565</sup> The problem of overcrowding and insufficient reception capacities in Logatec continued during 2024. In the beginning of 2024, the decision was made to move temporary protection holders from Logatec to other UOIM capacities for temporary protection holders around the country in order to free up capacity for asylum applicants.<sup>566</sup>

In Logatec, single women and unaccompanied minors can be accommodated in separate rooms after lodging the application however as asylum applicants can move freely on the premises the separation is not strict. Single women and unaccompanied minors are sometimes accommodated in the same room as other families.

Lack of adequate reception conditions was also addressed during the 2023 Committee against Torture periodic review. The Committee recommended that the authorities intensify the efforts to reduce overcrowding and improve material conditions in the Asylum Home and Logatec, including by guaranteeing access to adequate social, educational, mental and physical health services. In addition, the Committee noted that the authorities should refrain from applying illegal restrictions on movement (see [Legal framework of detention](#)).<sup>567</sup>

The pilot project in the **Student Dormitory Postojna** was concluded in March 2024 as the first accommodation centre for unaccompanied minors was established in Postojna in April 2024. The new facility serves both as a reception and accommodation centre<sup>568</sup> (see [Reception of unaccompanied children](#)).

## 2.2. Activities in the centres

Many NGOs and humanitarian organisations provide support in the **Asylum Home and its branches** on a regular basis. In the Asylum Home **PIC** lawyers are available to asylum applicants for legal aid and assistance. **ADRA coordinated voluntary activities**, carried out workshops and provided transportation to applicants. **Slovene Philanthropy** conducted different workshops on integration-related topics, provided support to vulnerable groups and conducted individual psycho-social support. **Zavod Emma** provided psycho-social counselling as well as workshops on sexual and gender-based violence (SGBV). **Društvo Ključ** carried out informational sessions (PATS), workshops and individual counselling on trafficking of human beings. **Slovenian Red Cross** carried out different activities including activities related to tracking family members. Slovenian language courses were carried out by the company Limes.<sup>569</sup>

Asylum applicants also have a room in the Asylum Home dedicated for prayer and practicing their religion.

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<sup>565</sup> Obmudsman, *Poročilo z obiska nastanitvenega centra v Logatcu*, 7.0-4/2022-4-NAB.

<sup>566</sup> Observation by the PIC.

<sup>567</sup> U.N. Committee against Torture: *Concluding observations on the fourth periodic report of Slovenia*, 7 December 2023, available [here](#).

<sup>568</sup> N1, *V Postojni prvi nastanitveni center za mladoletne begunce brez spremstva*, 26 March 2024, available [here](#).

<sup>569</sup> Information provided by the UOIM, April 2025.



In the branch **Logatec** the same activities as in the Asylum home were carried out.<sup>570</sup>

One shortcoming observed in the Slovenian system is that pre-school children do not have access to regular kindergartens and families can, in this regard, only rely on NGO activities, which may not always be available or sufficient. In 2021, the child day-care activities were suspended due to the COVID-19 pandemic and were not implemented again although other activities resumed.<sup>571</sup>

In the accommodation centre for unaccompanied minors in **Postojna**, activities are carried out by **Slovene Philanthropy**; various educational, cultural and sports activities were organised by them in the dormitory and outside. Children also attended Slovenian and literacy classes organised by **Zavod Znanje Postojna**. Various other smaller activities and assistance were implemented by other organisations. **PIC** lawyers visited the facility to provide legal counselling upon prior appointment. **Društvo Ključ** carried out informational sessions (PATS), workshops and individual counselling on trafficking of human beings.

### 2.3. Average duration of stay

Considering that most persons applying for asylum in Slovenia abscond – 5,207 individuals absconded in 2024 out of a total of 5,634 applicants (*i.e.*, approximately 92%) – usually within a short time after lodging their application, the turnover in the reception facilities is high. Applicants in the regular procedure often wait for a decision for over six months, sometime over one year or longer. The duration of Dublin procedures varies considerably and may be quick or take several months or longer. The average duration of accommodation in 2024 per person was 37 days. The average duration of stay in the **Asylum Home** was 20 days, in **Kotnikova** 188 days, in **Logatec** 64 days, and 35 days in **Postojna**.<sup>572</sup>

## C. Employment and education

### 1. Access to the labour market

#### Indicators: Access to the Labour Market

- |  |   |
|--|---|
| 1. Does the law allow for access to the labour market for asylum applicants?<br>❖ If yes, when do asylum applicants have access the labour market? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>3 months |
| 2. Does the law allow access to employment only following a labour market test?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No             |
| 3. Does the law only allow asylum applicants to work in specific sectors?<br>❖ If yes, specify which sectors:                                      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No             |
| 4. Does the law limit asylum applicants' employment to a maximum working time?<br>❖ If yes, specify the number of days per year                    | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No             |
| 5. Are there restrictions to accessing employment in practice?   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No             |

In 2023, the IPA was amended and the time frame for access to the labour market was shortened. Asylum applicants now acquire the right to free access to the labour market three months after they have lodged their application if the decision in their procedure has not yet been taken by the Migration directorate and the delay cannot be attributed to the asylum applicant.<sup>573</sup>

Once asylum applicants have the right to free access to the labour market, they can access self-employment, employment and work without meeting other requirements such as consent of the Employment Service to the

<sup>570</sup> *Ibid.*

<sup>571</sup> *Ibid.*

<sup>572</sup> Information provided by UOIM, April 2025.

<sup>573</sup> Article 87(1) IPA.



single residence permit and work permit or EU Blue Card or seasonal work permit. The Ministry of the Interior only issues them a notice stating that they meet the above-mentioned conditions.<sup>574</sup>

In practice, due to lack of work force, asylum applicants are able to obtain work in Slovenia especially in fields where physical work is required. However, they often face difficulties and are not able to obtain higher skilled employment for which they were trained, educated or have performed in their country of origin. In practice, asylum applicants face systematic and practical obstacles when searching for work and employment such as the language barrier, cultural differences, lack of certificates bringing evidence of education, lack of work experience, medical problems, discrimination, structural imbalances in the labour market and lack of employers' trust.<sup>575</sup> In addition, asylum applicants are often unable to open the bank accounts that will be necessary if they obtain employment, as Slovenian banks are reluctant to accept asylum applicants as clients. The statistics on the number of employed asylum applicants are not available. According to the official statistics, 41 asylum seekers were registered as unemployed by the end of the year. However, registering as unemployed is not necessary for all asylum seekers with access to the labour market or looking for employment.<sup>576</sup>

When the UOIM was established in 2017, one of its responsibilities was integration of asylum applicants into the labour market. In practice, NGOs also help asylum applicants find employment. In order to improve their employment prospects, the Employment Services in **Ljubljana** and **Maribor** employ special staff who are responsible for assisting asylum applicants and other migrants. The Employment services provide assistance with entering the work force, finding employment, recognition of education, additional trainings and obtaining qualifications as well as accessing the rights arising from labour (e.g., unemployment benefits, etc.)

After three months, applicants are also allowed access to vocational trainings.<sup>577</sup> In practice asylum applicants prefer to find employment and enter vocational trainings after obtaining international protection.

## 2. Access to education

Indicators: Access to Education	
1. Does the law provide for access to education for asylum-seeking children?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Are children able to access education in practice?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Asylum applicants do not have access to free kindergarten until they obtain international protection.<sup>578</sup> As kindergarten is quite expensive asylum applicants do not attend it in practice.

The law provides that the right to elementary education has to be ensured to asylum applicants no more than three months after they lodge their application.<sup>579</sup> There is no age limit attached to this provision.

Asylum-seeking children and adults are ensured access to education in vocational and secondary schools under the same conditions as Slovenian citizens. Asylum applicants are also allowed access to post-secondary and higher education programmes and to programmes designed for adults' education. The law expressly provides that, if necessary, preparatory educational assistance has to be provided to children in order to facilitate their access to the education system.<sup>580</sup>

In practice, all asylum-seeking children accommodated in **Logatec** enrol in elementary school within around one week's time from arrival. Problems with children accessing the elementary school are not reported. Most of them

<sup>574</sup> Article 6 Employment, Self-Employment and Work of Foreigners Act, Official Gazette of RS, No. 47/15 and 10/17.  
<sup>575</sup> EMN, *Focused Study: Integration of beneficiaries of international/humanitarian protection into the labour market*, 2015, available [here](#).  
<sup>576</sup> Official statistics provided by the Employment Service of Slovenia, March 2025.  
<sup>577</sup> Article 87(2) IPA.  
<sup>578</sup> 101(1) IPA.  
<sup>579</sup> Article 88(1) IPA.  
<sup>580</sup> Article 88(1)-(2) and (4) IPA.

attend the two elementary schools in Logatec as the majority of families are accommodated in **Logatec** after the lodging of the application. Slovenian language classes are carried out by **Javni zavod Cene Štupar** in the Asylum home and its branches. In accommodation centre for unaccompanied minors **Postojna** Zavod Znanje Postojna carried out literacy and language classes for children.

Elementary school children that are accommodated together with their families in private apartments outside the Asylum Home go to various other elementary schools, where special educational assistance is also carried out.

Elementary school for adults is organised by Javni zavod Cene Štupar, where students are placed in a suitable class, based on initial testing of their knowledge level. They can then complete two regular school years per year.

Children do not face specific considerable obstacles accessing the education system. The same is true for adults accessing elementary school for adults. Adults wishing to enrol in high school have to pay a tuition fee, same as Slovenian citizens. Cases of asylum applicants accessing high school are rare, since asylum procedures are usually concluded before their command of Slovenian is sufficient. Universities are mostly free, same as for Slovenian citizens, but programmes carried out in English are rare. Asylum applicants have to carry the cost of proving their previously attained education. The cost can be covered by the state if they are registered as unemployed.<sup>581</sup>

Special needs of asylum-seeking children are taken into consideration the same way as those of Slovenian students.

D. Health care

**Indicators: Health Care**

1. Is access to emergency healthcare for asylum applicants guaranteed in national legislation?  
☒ Yes ☐ No

2. Do asylum applicants have adequate access to health care in practice?  
☐ Yes ☒ Limited ☐ No

3. Is specialised treatment for victims of torture or traumatised asylum applicants available in practice?  
☐ Yes ☒ Limited ☐ No

4. If material conditions are reduced or withdrawn, are asylum applicants still given access to health care?  
☒ Yes ☐ Limited ☐ No

Asylum applicants have the right to urgent medical care which includes emergency medical assistance and emergency rescue services based on the decision of a doctor, the right to emergency dental assistance, emergency treatment based on the decision of the treating physician and health care for women, which includes: contraception, abortion, health care during pregnancy and during labour.<sup>582</sup> Asylum-seeking children and students up to the age of 26 are entitled to health care to the same extent as other children in Slovenia who are insured as family members,<sup>583</sup> which means they enjoy full medical coverage.

Vulnerable persons with special needs are also entitled to additional health services, including psychotherapeutic assistance, following approval from a special committee comprised of a representative of the UOIM, a nurse or medical technician employed in the Asylum Home, a representative of NGOs working in the field of asylum and a representative of the Ministry of Health (see **Special Reception Needs**).<sup>584</sup> Other asylum applicants can also be granted such additional health services by the committee in exceptional cases.<sup>585</sup>

581

Article 88(7) IPA.

582

Article 86(1) IPA.

583

Article 86(3) IPA.

584

This is the same body which decides on requests to reside outside the Asylum Home, extended by an additional member – representative of the Ministry of Health (see **Forms and Levels of Material Reception Conditions**).

585

Article 86(2) IPA.

The **Asylum Home** employs one nurse and ensures daily presence of a doctor through contracts with 4 different doctors. A psychiatrist visits the Asylum Home on a weekly basis. Asylum applicants accommodated in branch facilities can also make an appointment and visit the psychiatrist in the Asylum Home.

Applicants access health care through the regular Slovenian health care system (clinics and hospitals) under the conditions described above. Applicants who need assistance to access health care can be helped by the social workers. Unaccompanied children are escorted to the doctor by their legal guardians. The UOIM provides interpretation for health care-related services both in reception centres and in other medical facilities. Asylum applicants can access the services that are part of the urgent medical care under the same conditions as Slovenian citizens. Specific services for vulnerable groups such as victims of SGBV, trafficking, domestic violence, etc. are also provided by NGOs.

Asylum applicants obtain mandatory health insurance after they have been granted international protection or with employment (see [Content of Protection: Health Care](#)).<sup>586</sup>

**E. Special reception needs of vulnerable groups**

**Indicators: Special Reception Needs**

1. Is there an assessment of special reception needs of vulnerable persons in practice?

☐ Yes ☒ No

Categories of people considered to be vulnerable are similar to those listed in Article 21 of the recast Reception Conditions Directive, the only difference being that the definition in Article 2(22) IPA does not explicitly include persons with serious illness, although the definition is not exhaustive.

According to Article 14(1) IPA, material reception conditions, health services, psychological counselling and overall treatment need to be adapted for applicants with special needs.

There is no special mechanism laid down in the law or in practice to identify vulnerable persons for the purpose of addressing their specific reception needs. (see also Screening of vulnerability). Their vulnerability can be partially examined during the medical examination – visible physical characteristics due to which the individual is considered to be vulnerable – during which the vulnerability assessment is performed in accordance with Article 13(1) IPA. The individual's vulnerability can also be assessed during the lodging of their application. The Migration directorate fills out a form for every asylum applicant upon lodging their application and lists the identified vulnerabilities of the asylum applicant. The form is then given to the UOIM when the applicant is accommodated. The vulnerability of an applicant can also be assessed during the personal interview.

Special needs regarding reception conditions can also be identified at a later stage according to Article 13(2) IPA. Unfortunately, there is no monitoring mechanism in place regarding the measures for addressing one's special needs in reception.

After their asylum application is lodged, special information sessions are conducted with unaccompanied children and other potential victims of trafficking. The sessions were carried out by the NGO Društvo Ključ. In 2024, Društvo Ključ conducted 741 individual and 345 group sessions.<sup>587</sup>

When victims or potential SGBV victims are identified, they are processed in the system of Standard Operating Procedures. The system is based on a protocol that establishes a mechanism for prevention, and action in cases where asylum applicants or beneficiaries of international protection are identified as victims or potential victims of sexual or gender-based violence. The mechanism complements the existing national mechanism, and it aims to establish a fast and coordinated approach for offering support to victims. When a potential victim is identified, the authority, or the NGO that identified them, is obliged to report it and call for an immediate activation of the

<sup>586</sup> Article 98(2) IPA.  
<sup>587</sup> Information provided by Društvo Ključ, February 2025.

Standard Operating Procedures. A meeting of relevant actors is organised and a plan of support is drafted based on the individual needs of the victim. Additional support can be offered to the victim regarding reception, health care, mental health care, international protection procedure or any other identified needs.<sup>588</sup>

In 2024 the expert group met 13 times and discussed 16 cases<sup>589</sup> in line with the protocol on sexual and gender-based violence established in 2020.

As mentioned in [Health Care](#), individuals who are identified as vulnerable by a special multidisciplinary committee can receive additional health services.<sup>590</sup> They can also be accommodated in special facilities such as medical facilities or nursing homes if appropriate accommodation for them cannot be provided in the Asylum Home.<sup>591</sup> In practice, this is arranged on a case by case basis and depends on the availability of such facilities.

Statistics on vulnerable asylum applicants is not gathered systematically by the Police, Migration directorate or the UOIM. In 2024, 252 asylum applicants were recognised as vulnerable, out of which 111 were minors and 141 were unaccompanied minors.<sup>592</sup> Information on other vulnerable groups is not available.

Lack of separate accommodation centres for members of particularly vulnerable groups (LGBTQI+, single women, single women with children, victims of SGBV, victims of trafficking, victims of domestic violence) is another shortcoming of the asylum system. Due to limited accommodation capacities, vulnerable individuals are often not accommodated in a manner that would provide them with sufficient privacy and safety. During 2024 the reception conditions in the Asylum home still did not meet the EUAA minimal standards. (see [Conditions in reception facilities](#)).

The new reception and accommodation facility for unaccompanied minors was opened in April 2024 (see [Conditions in reception facilities](#)).

## 1. Reception of families

Families are mostly accommodated in **Logatec**. Nuclear families are accommodated together during the asylum procedure while extended family members, mainly single men, can be accommodated in a separate unit of the Asylum Home or in a different accommodation centre. In practice, most families are accommodated in Logatec after lodging the application. While waiting to lodge the application they are accommodated in Logatec.

In 2024 the reception conditions did not meet the EUAA minimal standards (see [Conditions in reception facilities](#)).

Since the amendments of the IPA asylum applicants can no longer obtain financial assistance for private accommodation, meaning that families can only move to private accommodation if they have their own means of subsistence. Due to high costs connected with private accommodation families often stay in the Asylum home during the procedure.<sup>593</sup>

## 2. Reception of unaccompanied children

According to the provisions of the IPA, unaccompanied minors have to be accommodated in institutions that are intended for minors and provided with adequate support and care. The decision as to where the unaccompanied minor will be accommodated is made by the UOIM, in cooperation with the legal guardian, after obtaining the opinion of the social services.<sup>594</sup>

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<sup>588</sup> UOIM: *Deležniki podpisali nov protokol o preprečevanju in ukrepanju v primerih spolnega nasilja ter nasilja na podalgi spola*, 25 February 2020, available in Slovenian [here](#).

<sup>589</sup> Information provided by Društvo Ključ, January 2025.

<sup>590</sup> Article 86(2) IPA.

<sup>591</sup> Article 83(2) IPA.

<sup>592</sup> Official statistics provided by UOIM, April 2025.

<sup>593</sup> *Ibid.*

<sup>594</sup> Article 16(7) IPA.

During 2022, the interdepartmental working group for the establishment of a systematic form of accommodation for the treatment of unaccompanied minors was activated again. In 2023, the new Decree on providing appropriate accommodation, care and treatment of unaccompanied minors<sup>595</sup> was adopted. The Decree forms the legal ground for establishing a systematic form of accommodation for unaccompanied minors. According to the Decree, three types of accommodation for unaccompanied minors are to be established: a reception centre for unaccompanied minors, accommodation units for unaccompanied minors and youth apartments.<sup>596</sup> Before accommodation in the reception centre, the child has to go through a medical examination. According to the Decree the child can be accommodated in the reception centre for up to 3 months.

According to the Decree the accommodation units are foreseen for longer accommodation of children. The maximum capacity of the accommodation unit can be up to 10 children. Children are to be accommodated based on their age, gender, and vulnerability.<sup>597</sup>

The new centre for systematic accommodation of unaccompanied children in Slovenia was established in April 2024. The pilot project in **Student Dormitory Postojna** was therefore concluded in March 2024. The new centre serves both as a reception and accommodation centre for unaccompanied minors. Nonetheless, some unaccompanied minors were also accommodated in **Logatec**, during the year. The new centre is divided in the reception and accommodation part. The parts are not strictly divided and in practice children can move freely on all floors of the centre. Children stay in the reception part until they lodge the application and are then accommodated on different floors based on their age, gender and other needs. 24-hour care is provided in line with the Decree.<sup>598</sup>

Upon accommodation, each child is assigned their own counsellor, responsible for monitoring the child's development. Each counsellor can be responsible for up to 5 children.<sup>599</sup> Each child has their personal file with all documentation relating to their accommodation and care.<sup>600</sup> In 5 days after arrival, the individual plan for care and treatment of the child should be prepared. The plan should also include the assessment of the best interest of the child, identified vulnerabilities, special needs or risks that can affect the accommodation process or security and benefits of the child. The plan can be amended during the accommodation of the child and has to be adapted to the child's age, gender, needs, other circumstances and experiences of the child, the child's wishes and interest. It also has to include all the relevant information regarding the provision of professional support, care planning, medical care, education, career path and his hobbies and interests. The individual plan also includes a plan for further accommodation and the definition of short-term, medium-term and long-term goals.<sup>601</sup> Cooperation of different stakeholders and individuals working with the child is foreseen. The cooperation will be coordinated by the UOIM that can also organise a multidisciplinary team for consultation on the future treatment of the child.<sup>602</sup> In practice, cooperation between UOIM and legal guardians as well as other stakeholders is maintained on a case-by-case basis and depends on the needs of the child.

According to the Decree children older than 16 can be accommodated in the youth apartments if the multidisciplinary team, after assessment, considers they are ready for independent living. In each youth apartment, up to 6 children can be accommodated. They are to be guided and monitored by UOIM counsellors who will visit them on a daily basis. If, after a certain period, it is determined that this form of accommodation is not suitable for the minor, they can be returned to the accommodation units.<sup>603</sup> Facilities for such accommodation were not established in 2024.

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<sup>595</sup> Decree on providing appropriate accommodation, care and treatment of unaccompanied minors, October 2023, available in Slovenian [here](#).

<sup>596</sup> Article 3 Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

<sup>597</sup> Article 5 Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

<sup>598</sup> Article 4 Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

<sup>599</sup> Article 10(1) Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

<sup>600</sup> Article 8 Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

<sup>601</sup> Article 10 Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

<sup>602</sup> Article 13 Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

<sup>603</sup> Article 6 Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

During the year some unaccompanied minors were also accommodated in Logatec. The applicants who were accommodated in Logatec were mostly those suspected of being over 18 years old. Due to shortcomings in protection and care, **Logatec** does not provide suitable accommodation for unaccompanied children (see [Conditions in Reception Facilities](#)). At the end of the year, 37 were accommodated in Postojna and 2 in Logatec.<sup>604</sup>

The absconding rate of unaccompanied minors continues to be one of the biggest shortcomings of the system. The majority of unaccompanied children absconds before lodging the application (see [Identification](#)),

In addition, while an age assessment procedure is set out in law (see [Identification](#)), it is not carried out in practice, thereby raising the risk of adults falsely claiming to be children being accommodated together with actual children. (see [Age assessment of unaccompanied children](#)).<sup>605</sup>

As described in [Legal Representation of Unaccompanied Children](#), appointed legal guardians assist unaccompanied children with access to health care, education and reception, among other tasks.

## F. Information for asylum seekers and access to reception centres

### 1. Provision of information on reception

According to Article 5 IPA, asylum applicants need to be informed about their rights and obligations in the procedure in a language they understand. This includes information about the material reception conditions, rights and obligations in reception accommodation, legal status and access to the labour market. General information on the house rules of the accommodation facility is provided by social workers as part of the accommodation process. Social workers also give asylum applicants a short version of the house rules in writing in the language they understand and open a personal file for them in which all documentation on their reception is gathered. Additional information is provided to them by the EUAA, other officials or the NGOs.

### 2. Access to reception centres by third parties

#### Indicators: Access to Reception Centres

1. Do family members, legal advisers, UNHCR and/or NGOs have access to reception centres?
- ☐ Yes      ☒ With limitations      ☐ No

According to Article 4 IPA, all applicants have to be granted access to UNHCR and organisations providing legal counselling.

Visits to reception centres are possible during official hours, after having obtained a visitor's permit, that can only be issued by social workers employed in the centres.<sup>606</sup> Visitors have to submit their identification document at the reception.<sup>607</sup> NGOs and their staff working in the **Asylum Home** and the branch facilities have to be approved by the Ministry of the Interior. Asylum applicants have access to NGOs working in the reception centres according to their schedule without any time limitations. Refugee counsellors can enter the premises without any limitations.

## G. Differential treatment of specific nationalities in reception

There are no indications of differential treatment of specific nationalities in the area of reception.

<sup>604</sup> Official statistics provided by UOIM, March 2024.

<sup>605</sup> Observation by the PIC.

<sup>606</sup> Article 10 Decree on Asylum Centre House Rules.

<sup>607</sup> Article 11 Decree on Asylum Centre House Rules.



## Detention of Asylum Seekers

### A. General

#### Indicators: General Information on Detention

1. Total number of asylum seekers detained in 2024: 58
2. Number of asylum seekers in detention at the end of 2024: 4
3. Number of detention centres: 1
4. Total capacity of detention centres: 180

The decision on detention of asylum applicants is taken by the Migration directorate or the UOIM. Asylum seekers can be detained in the **Foreigners Centre** or in the **Asylum Home**.<sup>608</sup> Most asylum seekers are generally not formally detained.

Detention of asylum seekers 2018-2024							
	2018	2019	2020	2021	2022	2023	2024
Foreigners Centre	123	22	217	69	105	22	58
Asylum Home	0	1	0	20	0	0	0

Source: Official statistics provided by the Police, Migration directorate and the UOIM.

In March 2019, in accordance with the CJEU judgment in case C-538/15 *Al Chodor*, the Slovenian Supreme Court ruled that the provisions of the IPA on detention are not in accordance with the Dublin Regulation, because the IPA does not contain the definition of the “risk of absconding” and the objective criteria needed to establish the risk of absconding in an individual case.<sup>609</sup> The Supreme Court therefore considered that detention in the Dublin procedure is not lawful as long as the IPA does not set the proper legal grounds for detention. Thus, asylum applicants in Slovenia could not be detained in the Dublin procedure or on any other ground that required the risk of absconding to be established. The only possible ground for detention, until the amendments to the IPA, were the prevention of security threats to the country or to the constitutional order of the Republic of Slovenia or protecting personal safety, property and other grounds related to public safety.<sup>610</sup>

In 2021, the IPA was amended and the definition of the risk of absconding was added. This enabled the authorities to detain asylum applicants again. In addition, the IPA now allows the UOIM to detain asylum applicants in order to prevent security threats to the country or to the constitutional order of the Republic of Slovenia or if it is necessary to protect personal safety, property and other grounds related to public safety. The UOIM did not have this authority based on the previous provisions of the IPA as only the Ministry of the Interior could detain asylum applicants.

The changes include a provision that allows the Migration directorate to detain asylum applicants and individuals who have expressed the intention to apply for international protection but have not yet lodged the application. According to the new amendments, asylum applicants detained in the Foreigners Centre can be subject to the same measures as foreigners if they violate the rules of the Foreigners Centre.<sup>611</sup> This means that they can be subject to solitary confinement,<sup>612</sup> prohibited to attend the activities in the centre, or have their rights limited (for

<sup>608</sup> Article 84 IPA.

<sup>609</sup> Supreme Court Decision, X Ips 1/2019 from 13 March 2019, available in Slovenian [here](#).

<sup>610</sup> Article 84(1) IPA.

<sup>611</sup> Article 84(10)-(12) IPA.

<sup>612</sup> Article 77 Foreigners Act.



example: they can lose their privileges regarding TV and radio, exists from the Foreigners centre etc).<sup>613</sup> In 2024, the measures were not used. The Police issued 16 warnings due to violations.<sup>614</sup>

In the past detained asylum applicants struggled to obtain legal help and representation from refugee counsellors.<sup>615</sup> In 2024, 24 asylum applicants were detained by the UOIM and 34 by the Migration directorate.<sup>616</sup> In practice, detained asylum applicants can have trouble accessing the help of refugee counsellors to lodge the judicial review. (see: [Legal assistance for judicial review of detention](#)).<sup>617</sup>

Apart from asylum applicants, the Foreigners Centre also detains aliens in return procedures, which is the main purpose of the institution. In 2024, 182 aliens were detained throughout the year. During the year 14 children and 2 unaccompanied children were detained. The highest number of detainees were nationals of **Morocco**, **Türkiye**, and **Algeria**. At the end of the year, 11 individuals were detained in the Foreigners Centre.<sup>617</sup>

A regime of *de facto* detention is applied to all newly arrived asylum applicants. Upon arrival in the **Asylum Home**, applicants are informed they are not allowed to leave the premises until they lodge their application. In general, individuals had to wait from 3 to up to 20 days to lodge the application in 2024. If they leave the premises of the Asylum Home before lodging their application, they are considered as foreigners under the Foreigners act, which means that they can be channelled through the return procedure or readmitted to another country. They have to sign a statement according to which they were informed about the consequences of leaving the asylum home.

In 2023, the decision was made in a case of an applicant that was *de facto* detained in the reception area of the Asylum Home in February 2023. After the police procedure, the applicant was *de facto* detained for 7 days in the Asylum Home until lodging the application. Upon lodging the application, the applicant was detained in line with the provisions of the IPA. The applicant was detained in the reception area of the Asylum Home which was locked so the applicant could not go to the courtyard without the approval of the security. The Administrative Court found that based on the intensity, the measure amounted to deprivation of personal liberty not freedom of movement. The Court also noted that there was no legal ground for the deprivation of liberty.<sup>618</sup>

Although *de facto* detained a large number of applicants absconded before lodging their application. In 2024, 46,192 individuals expressed the intention to lodge an application for international protection, but only 5,634 applications were lodged.<sup>619</sup>

Detention itself does not have an impact on the overall quality of the asylum procedure. According to Article 48 IPA, detained asylum applicants' applications should be prioritised, yet it is not clear to what degree this provision is respected in practice as statistics on the prioritised procedures are not collected by the Migration directorate.

In 2024, 38 individuals expressed their intention to apply for asylum in the Foreigners Centre.<sup>620</sup>

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<sup>613</sup> Article 76.c(2) Foreigners Act.

<sup>614</sup> Official statistics provided by the Police, March 2025.

<sup>615</sup> For further information on this practice, see AIDA, *Country Report Slovenia – 2021 Update*, May 2022.

<sup>616</sup> Official statistics provided by UOIM and the Migration directorate, April 2025.

<sup>617</sup> Official statistics provided by the Police, March 2024.

<sup>618</sup> Administrative Court decision, III U 62/2022.

<sup>619</sup> Official statistics provided by the Police and the Migration directorate, 2025.

<sup>620</sup> Official statistics provided by the Police, March 2025.

## B. Legal framework of detention

### 1. Grounds for detention

#### Indicators: Grounds for Detention

- |   |   |  |
|---|---|--|
| 1. In practice, are most asylum seekers detained                          |   |  |
| ❖ on the territory:   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No                |
| ❖ at the border:  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No     |
| 2. Are asylum applicants detained during a regular procedure in practice? | <input type="checkbox"/> Frequently     | <input checked="" type="checkbox"/> Rarely |
|   |   | <input type="checkbox"/> Never             |
| 3. Are asylum applicants detained during a Dublin procedure in practice?  | <input type="checkbox"/> Frequently     | <input checked="" type="checkbox"/> Rarely |
|   |   | <input type="checkbox"/> Never             |

According to the law, asylum applicants can be detained:<sup>621</sup>

1. In order to verify and establish their identity or nationality in case of a clear doubt, especially if the circumstances of the case suggest that the applicant could have obtained identification documents in the country of origin, but left the country of origin without a document; or provided false information, forged documents or withheld important information or documents about their identity or nationality; or if they are likely to have maliciously destroyed or disposed of an identity document or a travel document or other document which could be used to establish their identity or nationality.
2. To establish certain facts on which the application for international protection is based that cannot be obtained without the measure, and there is reasonable possibility that the applicant will abscond;
3. Where they are detained in order to facilitate return or removal and it can be reasonably assumed that they applied for international protection in order to postpone or obstruct the procedure wherein they had the opportunity to apply for international protection;
4. In order to prevent security threats to the country or to the constitutional order of the Republic of Slovenia or if it is necessary to protect personal safety, property and other grounds related to public safety;
5. In accordance with Article 28 of the Dublin Regulation.

The amendments to the IPA, which came into force in November 2021, also added several provisions relating to the detention of asylum applicants. Regarding the grounds for detention, the Migration directorate is now able to determine whether an applicant could have obtained identification documents in the country of origin. In addition, the definition of the risk of absconding was included in the IPA, which means that the Migration directorate no longer uses the definition from the Foreigners Act (See: [Detention of asylum applicants: General](#)).

Asylum applicants can be detained in the regular, accelerated or Dublin procedure. They can only be detained in the **Foreigners Centre** or the **Asylum Home**.<sup>622</sup> In practice, most asylum applicants are detained in the Foreigners Centre.

The grounds for detention are normally listed in the detention decision. However, they are often not sufficiently justified, which is one of the main reasons why they are often successfully challenged before the court.

Following a judgment of the Supreme Court,<sup>623</sup> asylum applicants could not be detained on any ground that required to establish the risk of absconding, including in Dublin procedures, because such risk was not defined in the IPA. One could only be detained to prevent security threats to the country or to the constitutional order of the Republic of Slovenia, or if it was necessary to protect personal safety, property and other grounds related to public safety. The definition of risk of absconding was included in the 2021 amendments to the IPA and hence the Migration directorate can again detain on this basis since November 2021.

<sup>621</sup> Article 84(1) IPA.

<sup>622</sup> Article 84 IPA.

<sup>623</sup> Supreme Court Decision, X Ips 1/2019 from 13 March 2019, available in Slovenian [here](#).

As defined by the amended provisions of the IPA,<sup>624</sup> the risk of absconding is established if the applicant:

- ❖ lodged the application or the subsequent application while in the extradition procedure or the return procedure;
- ❖ previously tried to leave the Republic of Slovenia or has left it;
- ❖ previously lodged the application in Slovenia or any other EU Member State and subsequently left the country;
- ❖ despite the previously issued decision that the application is inadmissible or the previously issued Dublin decision the applicant did not wait for the execution of the decision;
- ❖ provided false information in the procedure or did not participate in the procedure and refused to give the biometric data;
- ❖ used false or forged identity documents;
- ❖ entered the Republic of Slovenia during the entry ban;
- ❖ was sanctioned for the offence of illegal residence in the past 3 years;
- ❖ did not comply with the return decision issued by another Member State;
- ❖ was, in the past 2 years, convicted in the Republic of Slovenia for a criminal offence for which the perpetrator is being prosecuted *ex officio*;
- ❖ was sanctioned at least three times for public order offences or offences relating to border crossings, weapons or drugs in the past 2 years.

In 2024, out of 58 detained asylum applicants 51 were detained because of public order offences.<sup>625</sup> All asylum applicants detained by the UOIM are detained due to public order offences.<sup>626</sup>

Individuals in return procedures are also detained in the Foreigners Centre, primarily designed for that purpose. If they express the intention to apply for asylum, they can be transferred to the Asylum Home or continue to be detained in the Foreigners Centre on the grounds of a new detention decision, if it is determined that they have expressed an intention to seek asylum only in order to frustrate the procedure of return.<sup>627</sup> 38 asylum applicants expressed their intention to apply for international protection in the Foreigners Centre.<sup>628</sup>

## 2. Alternatives to detention

### Indicators: Alternatives to Detention

1. Which alternatives to detention have been laid down in the law?
  - ☐ Reporting duties
  - ☐ Surrendering documents
  - ☐ Financial guarantee
  - ☐ Residence restrictions
  - ☐ Other
2. Are alternatives to detention used in practice?
  - ☐ Yes ☒ No

The law does not foresee alternatives to detention. Asylum applicants can either be detained in the **Foreigners Centre**, which they are in the vast majority of cases, or in the **Asylum Home**, in rare cases. The IPA provides that asylum applicants can be detained in the Foreigners Centre only if the measure cannot be effectively applied in the Asylum Home or if the applicant has left the premises of the Asylum Home, despite the measure being applied.<sup>629</sup> While the Foreigners Centre is a closed facility under the jurisdiction of the Police, the Asylum Home is an open centre guarded by security staff of a private company. Thus, applicants cannot be physically prevented from leaving the Asylum Home even if detention is imposed on them.<sup>630</sup>

<sup>624</sup> Article 84.a IPA.

<sup>625</sup> Official statistics provided by the Migration directorate, March 2024.

<sup>626</sup> According to Article 84(10) IPA the UOIM can only detain asylum applicants due to offences connected to public safety.

<sup>627</sup> Article 84(1) IPA.

<sup>628</sup> Official statistics provided by the Police, April 2025.

<sup>629</sup> Article 84(2) IPA.

<sup>630</sup> Observation by the PIC.

The competent authorities usually consider detention in the Asylum Home as an alternative to detention. However, according to the case law of Administrative Court,<sup>631</sup> the measure amounts to a deprivation of liberty, not a limitation on freedom of movement, and therefore represents detention, not an alternative.<sup>632</sup>

The law does not require proof that the alternatives cannot be effectively applied nor that detention can be applied only as a measure of last resort.

In practice, individual circumstances are often not properly justified in the detention decision and the necessity and proportionality test is not implemented sufficiently.<sup>633</sup>

In 2024, asylum applicants were not detained on the premises of the Asylum Home.<sup>634</sup>

### 3. Detention of vulnerable applicants

#### Indicators: Detention of Vulnerable Applicants

1. Are unaccompanied asylum-seeking children detained in practice?  
☐ Frequently ☐ Rarely ☒ Never  
  
❖ If frequently or rarely, are they only detained in border/transit zones? ☐ Yes ☒ No
2. Are asylum seeking children in families detained in practice?  
☐ Frequently ☒ Rarely ☐ Never

According to Article 84(2) IPA, children and unaccompanied children asylum applicants cannot be detained in the **Foreigners Centre**. They can, however, be detained in the **Asylum Home**. In practice, unaccompanied children have also been *de facto* detained in the reception area in **Postojna** and **Logatec** until the lodging of their asylum application<sup>635</sup> (see: [The “preliminary procedure”](#)).

Victims of torture and other vulnerable people can be detained in the Foreigners Centre, but according to the law, special attention has to be paid to their health, including their mental health, and regular monitoring and appropriate assistance guaranteed taking into account their specific circumstances.<sup>636</sup>

As mentioned above, unaccompanied minors who express their intention for international protection cannot be detained in the Foreigners centre<sup>637</sup>. However, unaccompanied children who are foreigners, not asylum applicants, can be detained in line with the Foreigners Act,<sup>638</sup> meaning that unaccompanied children can be detained until they express the intention for international protection. In 2022, the Ombudsperson urged the Ministry of the Interior to find a systemic solution for accommodation of unaccompanied children, as detention should be used as a last resort.<sup>639</sup> Detention of children, accompanied or unaccompanied was also highlighted by the Committee against Torture. In its concluding observations, the Committee noted that Slovenia should review its national legislation in order to ensure that children and families with children are not detained solely because of their immigration status and seek alternative accommodation for such individuals.<sup>640</sup> In April 2024 a new facility for systemic accommodation of unaccompanied minors was established. According to the Decree<sup>641</sup>

<sup>631</sup> Administrative court judgments: I U 62/2022, 19. January 2022, I U 59/2022, 19. January 2022, available at: I U 59/2022 and I U 1887/2021, 30. December 2021, available at I U 1887/2021.

<sup>632</sup> Constitutional Court, Decision Up-1116/09, 3 March 2011, available in Slovenian [here](#).

<sup>633</sup> Observation by the PIC.

<sup>634</sup> Official statistics provided by the Migration directorate and the UOIM, April 2025.

<sup>635</sup> Observation by the PIC.

<sup>636</sup> Article 84(9) IPA.

<sup>637</sup> Article 84(2) IPA.

<sup>638</sup> Article 76(4) Foreigners Act.

<sup>639</sup> Varuh človekovih pravic, *Državni preventivni mehanizem, Priporočila iz obiskov (preglednice)*, available in Slovenian [here](#).

<sup>640</sup> U.N. Committee against Torture: *Concluding observation on the fourth periodic report for Slovenia*, 7 December 2023, available [here](#).

<sup>641</sup> Article 1 Decree on providing appropriate accommodation, care and treatment of unaccompanied minors.

foreign unaccompanied minors will also be accommodated there together with asylum applicants and unaccompanied minors waiting to lodge the application instead of the Foreigners centre (see [Special reception needs of vulnerable groups](#)).

In 2024, 14 accompanied children and 2 unaccompanied children were detained in the Foreigners Centre.<sup>642</sup> Statistics on vulnerability is not systematically gathered and therefore not available for 2024 (see [Screening of vulnerability](#)).

4. Duration of detention

Indicators: Duration of Detention

- |  |          |
|--|----------|
| 1. What is the maximum detention period set in the law (incl. extensions): | 4 months |
| 2. In practice, how long in average are asylum applicants detained?        | 37 days. |

Asylum applicants may be detained for a maximum of three months, with the possibility of extension for one additional month.<sup>643</sup>

According to the law, asylum applicants are to be released when the reasons for their detention cease to exist, after the maximum period for detention has been reached<sup>644</sup> or after the detention decision has been annulled upon judicial review. The law also states that the president of the Administrative Court can decree a special supervision of the implementation of detention, which can result in termination of detention.<sup>645</sup> In 2024, one such supervision was conducted while in 9 additional cases the Administrative Court issued a report regarding the implementation of detention.<sup>646</sup>

The PIC has not detected cases where the maximum detention duration for asylum applicants – four months – was exceeded.

In 2024 the average duration of detention of all foreigners in the Foreigners Centre was 16 days. The average duration of detention of unaccompanied minors not registered as asylum applicants was 21 days. The average duration of detention for minors not registered as asylum applicants was 8 days.<sup>647</sup> The average duration of detention of asylum applicants was 37 days.<sup>648</sup>

C. Detention conditions

1. Place of detention

Indicators: Place of Detention

- |   |                              |  |
|---|------------------------------|--|
| 1. Does the law allow for asylum applicants to be detained in prisons for the purpose of the asylum procedure (i.e. not as a result of criminal charges)? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. If so, are asylum applicants ever detained in practice in prisons for the purpose of the asylum procedure?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Asylum applicants are mostly detained in the **Foreigners Centre**, located in Postojna, and more rarely, in the **Asylum Home**, located in Ljubljana.

<sup>642</sup> Information provided by the Police, March 2025.  
<sup>643</sup> Article 84(6) IPA.  
<sup>644</sup> *Ibid.*  
<sup>645</sup> *Ibid.*  
<sup>646</sup> Official statistics provided by the Administrative Court, March 2025.  
<sup>647</sup> As explained above, unaccompanied minors who lodge the application for international protection cannot be detained in the Foreigners Centre. Official statistics provided by the Police, March 2025.  
<sup>648</sup> Official statistics provided by the Police, March 2025.

The Foreigners Centre is a specialised facility under the jurisdiction of the Police. It is a closed centre in which detention of third-country nationals for the purpose of return procedures is carried out. When the asylum applicants are detained in the Foreigners Centre, they are not separated from other third country nationals.

Currently, the Foreigners Centre has a maximum capacity of 180 places. By the end of 2024, only 11 foreigners were detained in the Foreigners Centre in the return procedure. In 2024, 216 individuals were detained in the Foreigners Centre.<sup>649</sup>

In practice, asylum applicants are not detained in police stations, except for a short time during the initial police procedure, which rarely exceeds 12 hours. Asylum applicants are not detained in prisons or in other regular detention facilities. Asylum applicants are also not detained in border or airport transit zones.<sup>650</sup>

In 2023, as in 2022, only one border transit zone was in use. The **Jože Pučnik Airport** in Ljubljana has the capacity to hold 18 people while in the transit zone. In 2024, 34 foreigners were detained in the transit zone in Ljubljana.<sup>651</sup> Only foreigners can be detained in the transit zone, although not on the basis of the IPA. Once an individual expresses their intent for international protection, they are no longer detained in the transit zone, but brought to the Asylum home or its branch facilities. Asylum applicants are not detained in the transit zone and, if they do apply for asylum from a transit zone, their application is not processed there<sup>652</sup> (see [Access to the territory and push backs](#)).

2. Conditions in detention facilities

Indicators: Conditions in Detention Facilities

1. Do detainees have access to health care in practice?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
❖ If yes, is it limited to emergency health care?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

The **Foreigners Centre** is under the authority of the Police whereas the **Asylum Home** is under that of the UOIM. Asylum applicants who are detained in the Asylum Home can move freely on the premises of the Asylum Home and have the same rights as other asylum applicants, except for leaving the premises.

2.1. Overall conditions

Both facilities are subject to unannounced visits by the National Preventive Mechanism instituted under the Optional Protocol to the United Nations Convention against Torture and implemented by the Office of the Ombudsperson in cooperation with representatives of the civil society.<sup>653</sup>

The **Foreigners Centre** is visited by the Ombudsperson approximately once per year. The centre is also occasionally visited by international monitoring bodies, including the Council of Europe Committee for the Prevention of Torture (CPT), which last visited it between 28 March and 4 April 2017.<sup>654</sup> The CPT did not detect any ill-treatment by the police in the Foreigners Centre. They criticised the fact that unaccompanied minors and families with children in the return procedure are regularly detained and recommended that unaccompanied minors are accommodated in an open or semi-open specialised establishment for minors. They also noted that

649

Official statistics provided by the Police, April 2025.

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Observation by the PIC.

651

Official statistics provided by the Police, March 2025.

652

Observation by the PIC.

653

For reports of monitoring visits, see Ombudsman, *Varuh kot Državni preventivni mehanizem*, available in Slovenian [here](#).

654

Council of Europe, *Council of Europe anti-torture Committee visits Slovenia*, 6 April 2017, available [here](#).



detention of children with their parents should be a last resort.<sup>655</sup> CPT visited Slovenia in 2024 however it did not visit the Asylum home, its branches or the Foreigners centre.<sup>656</sup>

In 2024, asylum applicants were not detained in large numbers. During the year, issues with detention conditions were not reported or detected by NGOs as in previous years<sup>657</sup>. The Ombudsperson did not visit the Foreigners centre in 2024.<sup>658</sup>

## 2.2. Activities

Asylum applicants detained in the **Asylum Home** have the same rights as other accommodated asylum applicants and can therefore take part in all activities organised in the Asylum Home. In practice, they can also attend activities outside the Asylum Home provided that an official escorts them.

In the **Foreigners Centre**, detainees can access the recreational facilities for 2 hours per day. The recreational facilities are considered inadequate and one of the main shortcomings in terms of conditions in the centre is that outdoor exercise is only available in a small closed-off courtyard of the centre. The centre also holds a bigger and better-equipped playground with a view over the surrounding nature, yet detainees are usually not allowed access as constant supervision would be required to prevent escapes. Apart from table tennis in the main accommodation area, other options for indoor exercise are not provided.<sup>659</sup> In this context, the Ombudsperson noted in his report following his 2022 visit that the Foreigners Centre should allow residents to engage in more outdoor activities as this would improve their overall well-being.<sup>660</sup>

The centre has a small library, several television sets, a prayer room<sup>661</sup> and an internet room which is available in accordance with a weekly schedule.<sup>662</sup>

The Foreigners Centre employs five social workers who are available to detainees every day from morning to evening and also organise various activities such as language courses, trainings on hygiene and disease prevention, and sport activities.<sup>663</sup>

During 2024, different activities were conducted by social workers including: sport activities, language classes, workshops, different courses, cultural events, etc. The Jesuit Refugee Service (JRS) visited the centre once every week and carried out different activities.<sup>664</sup> The Islamic community also visited the centre during religious holidays.<sup>665</sup>

## 2.3. Health care and special needs in detention

The health care provided to detainees is of the same level as for other asylum applicants. They have access to health care services provided in the **Asylum Home** or the **Foreigners Centre** and are entitled to urgent medical services. Psychological counselling is also provided to them under the same conditions as other asylum applicants. A psychiatrist, the same person working in the Asylum Home, visits the Foreigners Centre when required.

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<sup>655</sup> Report to the Slovenian Government on the visit to Slovenia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 28. March to 4. April 2017, available [here](#).

<sup>656</sup> Council of Europe, *Council of Europe anti-torture Committee (CPT) carries out a visit to Slovenia*, 21 October 2024, available [here](#).

<sup>657</sup> See AIDA, *Country Report: Slovenia, 2022 Update, Conditions in the detention facilities*.

<sup>658</sup> Information provided by the Ombudsperson, March 2025.

<sup>659</sup> Observation by the PIC.

<sup>660</sup> Varuh človekovih pravic, *Državni preventivni mehanizem, Priporočila iz obiskov (preglednice)*, available [here](#).

<sup>661</sup> As noted by the Ministry of Interior in the context of their right of reply, July 2025.

<sup>662</sup> Observation by the PIC.

<sup>663</sup> Information provided by the Police, March 2024.

<sup>664</sup> Information provided by the Police, March 2024.

<sup>665</sup> Information provided by the Police, March 2025.



Vulnerable persons can be detained both in the Foreigners Centre and in the Asylum Home. Asylum applicants are detained in separate units of the Foreigners Centre according to their personal circumstances (*i.e.*, families, unaccompanied children and other vulnerable persons). Vulnerability is identified by the centre staff upon arrival.

Statistical information on vulnerability of detained foreigners is not gathered systematically.

### 3. Access to detention facilities

#### Indicators: Access to Detention Facilities

##### 1. Is access to detention centres allowed to

- |                   |   |                                  |                             |
|-------------------|---|----------------------------------|-----------------------------|
| ❖ Lawyers:        | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ NGOs:           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ UNHCR:          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ Family members: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |

Article 4 IPA expressly provides that each asylum applicant must be allowed access to UNHCR and organisations providing legal counselling.

In the **Asylum Home** NGO's are present on a daily basis and available to the detained asylum applicants, who have the same rights as other accommodated individuals. They provide many services including legal assistance and representation, daily activities, Slovenian language lessons, leisure activities and activities for children (see [Activities in the centres](#)).

In the **Foreigners Centre**, NGOs are not present on a daily basis. JRS visits the centre to carry out different activities, and PIC staff visits the centre to provide legal assistance.

Visits to the Foreigners Centre are allowed in accordance with the daily visitation schedule. There are no restrictions on who can visit a detainee. The same rules also apply to the media and politicians. Visits take place in a room for visitations, which is monitored by a surveillance camera. Legal representatives are allowed to meet with their detained clients regardless of the official visitation hours.

Detainees are allowed to keep mobile phones and free internet is provided to them. (see [Access to NGOs and UNHCR](#)).

## D. Procedural safeguards

### 1. Judicial review of the detention order

#### Indicators: Judicial Review of Detention

- |   |                              |  |
|---|------------------------------|--|
| 1. Is there an automatic review of the lawfulness of detention? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ❖ If yes, at what interval is the detention order reviewed?     |                              |  |

Asylum applicants are informed orally about the reasons for their detention in a language they understand by the officials of the Migration directorate and by their legal representatives, if they are represented. They are given legal instruction on reasons for detention, the procedure, the right to judicial review and information on the help of refugee counsellors. Then, the Migration directorate has to issue a written decision within 48 hours and serve it to the applicant within the next three working days. The decision states the reasons for detention, together with information about judicial review.<sup>666</sup> The *dictum*, the essential reasons for the decision and the legal instruction are translated in a language the applicant understands.<sup>667</sup> In addition, a list of refugee counsellors, together with the instruction on how to contact them, is given to the applicant in a language he understands.

<sup>666</sup> Article 84(5) IPA.

<sup>667</sup> Article 6(5) IPA.

Applicants have the right to challenge the detention order before the court. They can file for judicial review before the Administrative Court within three days of notification of the decision. The Court has to conduct an oral hearing and take a decision within three days.<sup>668</sup> In 2024, 58 detention orders were issued by the UOIM and the Ministry. According to the provided information all detention orders issued by the Ministry were challenged before the court, and 22 out of 24 issued by the UOIM were challenged before the court.<sup>669</sup> However, according to the statistics of the Administrative Court only 34 judicial reviews against a detention order were lodged. In 14 cases, the appeal was granted and the detention order was lifted.<sup>670</sup>

There is no automatic review of the lawfulness of detention. However, the President of the Administrative Court can decide that a supervision of the application of the measure in practice needs to be performed. The President of the Administrative Court then appoints one or more judges with instructions on the timeframes, places or specific asylum applicants placed under their supervision. If it is concluded that the reasons for detention of a certain asylum applicant no longer exist, the President of the Administrative Court can order the termination of the detention measure.<sup>671</sup> In 2024, the Administrative Court carried out one such supervision of detention and in 9 cases they issued a report on the implementation of the measure.<sup>672</sup>

While the duration of court procedures is a problem in other types of procedures, such as judicial review of rejection and Dublin decisions, the time limits set in law are generally respected in detention cases. Judicial review is considered effective considering that many detention orders are annulled by the court. However, the outcome of cases has been very unpredictable and often depends on the individual judge deciding on the case.<sup>673</sup>

In addition, the applicant has the possibility to appeal against the decision of the Administrative Court to the Supreme Court. According to the IPA, the Supreme Court has 30 days to decide on the appeal.<sup>674</sup> In practice, however, it takes longer, and asylum applicants are often released before a decision on their appeal is issued.

2. Legal assistance for review of detention

**Indicators: Legal Assistance for Review of Detention**

1. Does the law provide for access to free legal assistance for the review of detention?  
☒ Yes ☐ No

2. Do asylum applicants have effective access to free legal assistance in practice?  
☒ Yes ☐ No

Free legal assistance and representation is provided by refugee counsellors under the same conditions as in other cases of judicial review (see [Regular Procedure: Legal Assistance](#)). No additional condition to access free legal assistance is imposed in detention cases.

In practice, asylum applicants without legal representation at first instance often have difficulties to later obtain the assistance of refugee legal counsellors. Together with the detention order, asylum applicants are given a list of refugee legal counsellors, and instructed to secure their assistance by themselves. If they do not manage to do so, they can call the Migration directorate and an official will provide one for them.<sup>675</sup> Due to language barriers, illiteracy, lack of access to a telephone and a short deadline to lodge the appeal, some asylum applicants cannot appeal their detention order. In some cases, asylum applicants obtain more than one refugee counsellor, and more than one appeal is lodged at the Administrative Court. The Migration directorate does not know whether an individual has managed to ensure the representation of a refugee counsellor and therefore often does not provide

<sup>668</sup> Article 84(7) IPA.  
<sup>669</sup> Official statistics provided by the Migration directorate and UOIM, April 2025.  
<sup>670</sup> Official statistics provided by the Administrative Court, March 2025.  
<sup>671</sup> Article 84(6) IPA.  
<sup>672</sup> Official statistics provided by the Administrative Court, March 2025.  
<sup>673</sup> Observation by the PIC.  
<sup>674</sup> Article 70(3) IPA.  
<sup>675</sup> Observation by the PIC.

individuals with one in practice. In some cases, refugee counsellors are appointed to asylum applicants by the official of the Migration directorate.<sup>676</sup>

In accordance with established practice, lawyers can meet with their clients in detention even outside the daily visitation hours. The meetings are private. The same as in other instances, refugee counsellors can obtain the help of the interpreter for talking to their client. However, in practice, due to short time limits for judicial review, refugee counsellors are often unable to obtain the help of interpreters in time. (see: [Judicial review](#)) PIC lawyers are available to detained applicants by telephone and usually meet with them in person.<sup>677</sup>

### E. Differential treatment of specific nationalities in detention

The breakdown of asylum applicants detained by the Ministry of the Interior by nationality in 2024 is as follows: Afghanistan (1), Algeria (7), Egypt (1), Gambia (1), Morocco (21), Nigeria (1) Pakistan (1), Türkiye (1).<sup>678</sup> The UOIM detained asylum seekers from Afghanistan, Algeria, Egypt, Morocco, Türkiye and Nigeria.<sup>679</sup>

The average duration of detention of asylum applicants in 2024 is 36 days.<sup>680</sup> No differential treatment is observed in this respect between nationalities.

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<sup>676</sup> *Ibid.*

<sup>677</sup> *Ibid.*

<sup>678</sup> Official statistics provided by the Migration directorate, March 2023.

<sup>679</sup> Information provided by the UOIM, May 2025.

<sup>680</sup> Official statistics provided by the Police, March 2024.

## Content of International Protection

### A. Status and residence

#### 1. Residence permit

##### Indicators: Residence Permit

1. What is the duration of residence permits granted to beneficiaries of protection?

❖ Refugee status	10 years
❖ Subsidiary protection	1-5 years

Refugee status is recognised with no set time limit for the protection it affords. Subsidiary protection is recognised for a limited time period with the possibility of extension. Usually, the time period ranges from one to five years, based on the individual circumstances of the beneficiary. In 2024, 150 persons were granted refugee status and 34 were granted subsidiary protection. Therefore, 150 permanent residence permits and 34 temporary residence permits were issued to beneficiaries of international protection in 2024. Out of 34 persons who were granted subsidiary protection, 33 were Ukrainian.<sup>681</sup>

An individual's right to residence is expressly stated in the operative part of the decision granting them international protection.<sup>682</sup> With the help of integration staff of the UOIM, beneficiaries are then issued a residence card<sup>683</sup>, which certifies their residency right and is required to access most rights. The procedure is free of charge for beneficiaries. The issued card is valid for 10 years. In practice, it can easily be renewed before expiry.

Beneficiaries of subsidiary protection are issued a temporary residence permit that indicates the duration of the granted status, which ranges between one and five years.<sup>684</sup> The card can also be renewed in case their subsidiary protection is extended. Pending the extension procedure, a card with a duration of one year is issued to them. In accordance with the IPA, when subsidiary protection is extended, it is so for an automatic duration of two years.<sup>685</sup> Individuals whose subsidiary protection is extended are issued a new residence permit with the same validity as the subsidiary protection.

#### 2. Civil registration

The birth of a child is registered automatically and free of charge for a beneficiary of international protection, same as for all children born in Slovenia. A state registrar visits the hospital and carries out the procedure. The parents are given a copy of the birth certificate. Since 2022, if the parents are unmarried or cannot provide a marriage certificate the father may be listed on a child's birth certificate solely based on the statement of the parents.<sup>686</sup>

One identified problem in relation to marriage registration is that partners cannot be registered as married in official records if they do not present the requisite documentary evidence from their country of origin. If they get married in Slovenia, they are registered as married based on the marriage certificate issued in Slovenia.

Access to social welfare and integration rights for beneficiaries of international protection, as well as their reunited family members, do not depend on civil registration.

<sup>681</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>682</sup> Article 92(1)(2) IPA.

<sup>683</sup> Article 92(3) IPA.

<sup>684</sup> Article 92(1)-(2) IPA.

<sup>685</sup> Article 66(6) IPA.

<sup>686</sup> For the issues posed by this situation before 2022, see former updates to this AIDA reports, available [here](#).

3. Long-term residence

Indicators: Long-Term Residence

1. Number of long-term residence permits issued to beneficiaries in 2024: 4

Persons granted international protection in Slovenia can obtain long-term resident status in accordance with the Long-Term Residents Directive subject to the following conditions:

- ❖ Five years of uninterrupted legal stay in Slovenia.<sup>687</sup> The law provides that half of the time spent in asylum procedure can be counted towards the required five-year period; if the asylum procedure was longer than 18 months, the entire period is counted towards it.<sup>688</sup> The law does not discriminate between refugee and subsidiary protection status;
- ❖ General criteria for obtaining a residence permit: valid passport, health insurance and sufficient financial means,<sup>689</sup> and
- ❖ Circumstances free of general reasons preventing the issuance of a residence permit, *i.e.*, security concerns or fraud.<sup>690</sup>

Beneficiaries of international protection must lodge the request for a long-term resident status with the Administrative Unit, *i.e.*, the general government office for administrative procedures.

In 2024, 4 persons with international protection obtained the long-term resident status.

4. Naturalisation

Indicators: Naturalisation

1. What is the minimum residence period for obtaining citizenship?

- ❖ Refugee status5 years
- ❖ Subsidiary protection5 years

2. Number of citizenship grants to beneficiaries in 2024:10

In order for beneficiaries of international protection to obtain citizenship by naturalisation they need to meet the following criteria:

- ❖ Be 18 years old;
- ❖ Have the means of subsistence that guarantees them (and those who they are obliged to provide for) material and social security;
- ❖ Have passed the Slovenian language test;
- ❖ No prison sentence longer than three months or probation longer than one year;
- ❖ Residence in the Republic of Slovenia must not have been annulled;
- ❖ Do not pose a threat to public order, safety or security of the state;
- ❖ Have settled all of their tax obligations; and
- ❖ Have pledged to respect the free democratic constitutional order founded by the Constitution of the Republic of Slovenia.<sup>691</sup>

Beneficiaries of international protection can apply for citizenship by naturalisation after five years of continued residence in the Republic of Slovenia, which is shorter than the general period of 10 years, and they do not have to meet the additional criterion of obtaining renunciation of their previous citizenship.<sup>692</sup> The request for naturalisation must be lodged with the Administrative Unit of the place of residence.

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Article 53.a(1) Foreigners Act.

688

*Ibid.*

689

As listed in Article 33 Foreigners Act.

690

As listed in Article 55(1) Foreigners Act.

691

Article 10(1) Citizenship of the Republic of Slovenia Act, Official Gazette of RS, 1/1991 and subsequent amendments.

692

Article 12(7) Citizenship of the Republic of Slovenia Act.

Between 1995 – when the first international protection statuses were granted – and 31 December 2024, a total of 180 beneficiaries of international protection have obtained Slovenian citizenship. In 2024, 9 persons with refugee status and 1 person with subsidiary protection was granted citizenship. In 2024, 209 travel documents were issued to beneficiaries of international protection.<sup>693</sup>

Under the Citizenship Act, children can obtain Slovenian citizenship if they are born or found in Slovenia and their parents are unknown or their citizenship is unknown or if they are stateless.<sup>694</sup> There is therefore no legal ground for children born in Slovenia to beneficiaries of international protection to obtain Slovenian citizenship even if they are stateless. In June 2022, the PIC filled several citizenship applications for stateless children born in Slovenia to beneficiaries of international protection based directly on the Convention on the Rights of the Child and the 1954 Convention on Statelessness rather than national legislation. Until the end of January 2023, 24 children were granted Slovenian citizenship on this ground by the Administrative Unit.<sup>695</sup>

### 5. Cessation and review of protection status

#### Indicators: Cessation

1. Is a personal interview of the beneficiary in most cases conducted in practice in the cessation procedure? ☒ Yes ☐ No
2. Does the law provide for an appeal against the first instance decision in the cessation procedure? ☒ Yes ☐ No
3. Do beneficiaries have access to free legal assistance at first instance in practice? ☐ Yes ☒ With difficulty ☐ No

The grounds for cessation of refugee status and subsidiary protection status are those listed in Articles 11 and 16 of the recast Qualification Directive.<sup>696</sup>

The Migration directorate can start the cessation procedure if it becomes aware that grounds for cessation exist. The Migration directorate notifies the beneficiary of international protection in writing about the start of the procedure and grounds for it.<sup>697</sup>

Before making the decision, the Migration directorate has to enable the beneficiary to present reasons against the cessation of the international protection in a personal interview.<sup>698</sup> The beneficiary can also file an application for judicial review against the decision before the Administrative Court within 15 days. The application has suspensive effect.<sup>699</sup>

There is no systematic review of protection status in Slovenia. Apart from cessation due to acquisition of Slovenian citizenship, cessation is rarely applied in practice.

In 2024 cessation decisions were issued in 10 cases following acquisition of Slovenian citizenship. All applications to prolong subsidiary protection were granted. 3 beneficiaries decided to give up their status.<sup>700</sup>

<sup>693</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>694</sup> Article 9 Citizenship of the Republic of Slovenia Act.

<sup>695</sup> Information provided by the PIC, April 2024.

<sup>696</sup> Article 67 IPA.

<sup>697</sup> Articles 69(1)–(2) IPA.

<sup>698</sup> Article 69(3) IPA.

<sup>699</sup> Article 70(1) and (3) IPA.

<sup>700</sup> Official statistics provided by Migration directorate, April 2025.

## 6. Withdrawal of protection status

### Indicators: Withdrawal

1. Is a personal interview of the beneficiary in most cases conducted in practice in the withdrawal procedure? ☒ Yes ☐ No
2. Does the law provide for an appeal against the withdrawal decision? ☒ Yes ☐ No
3. Do beneficiaries have access to free legal assistance at first instance in practice? ☐ Yes ☒ With difficulty ☐ No

The grounds for withdrawal of refugee status and subsidiary protection status are similar to those listed in Articles 14 and 19 of the recast Qualification Directive.<sup>701</sup>

The withdrawal procedure is the same as the Cessation procedure. The Migration directorate notifies the beneficiary of international protection in writing about the start of the procedure and the grounds for it. The beneficiary can present their reasons against withdrawal during a personal interview.<sup>702</sup> The beneficiary can also file an application for judicial review against the decision before the Administrative Court within 15 days. The application has suspensive effect.<sup>703</sup>

Two withdrawn decisions were issued in 2021 – out of which one person gave up their status.<sup>704</sup> None were issued in 2022<sup>705</sup>, 2023<sup>706</sup> or 2024,<sup>707</sup>

## B. Family reunification

### 1. Criteria and conditions

#### Indicators: Family Reunification

1. Is there a waiting period before a beneficiary can apply for family reunification? ☒ Yes ☐ No  
For beneficiaries of subsidiary protection status granted for 1 year  
❖ If yes, what is the waiting period? 1 year
2. Does the law set a maximum time limit for submitting a family reunification application?  
To be exempt from material conditions ☒ Yes ☐ No  
❖ If yes, what is the time limit? 90 days
3. Does the law set a minimum income requirement? ☐ Yes ☒ No

#### 1.1. Eligible family members

Family members with whom the beneficiary of refugee status or subsidiary protection can be reunited are:<sup>708</sup>

- ❖ The spouse, registered partner or partner with whom the applicant for family reunification has been living in a long-term relationship;
- ❖ Minor unmarried children of the beneficiary;
- ❖ minor unmarried children of the spouse, registered partner or partner with whom the applicant has been living in a long-term relationship;

<sup>701</sup> Article 68 IPA.

<sup>702</sup> Article 69(2)-(3) IPA.

<sup>703</sup> Article 70(1) and (3) IPA.

<sup>704</sup> Official statistics provided by the Migration directorate, March 2022.

<sup>705</sup> Official statistics provided by Migration directorate, March 2023.

<sup>706</sup> Official statistics provided by Migration directorate, March 2024.

<sup>707</sup> Official statistics provided by Migration directorate, April 2025.

<sup>708</sup> Articles 47.a(2) and 47.b(2) Foreigners Act.



- ❖ Adult children and parents of the applicant or the spouse, registered partner or partner with whom the applicant has been living in a long-term relationship, if the applicant or the spouse, registered partner or partner with whom the applicant has been living in a long-term relationship is obliged to support them under the law of their country; and
- ❖ Parents of an unaccompanied child.<sup>709</sup>

In exceptional cases, the Migration directorate can also consider other relatives if special circumstances speak in favour of family reunification in the Republic of Slovenia. Such circumstances exist when there is a family community established between other relatives, which is essentially similar to and has the same function as a primary family, especially in terms of genuine family ties, physical care, security, protection, emotional support and financial dependence.<sup>710</sup> This provision was included in the law on the following a Constitutional Court decision from January 2015.<sup>711</sup> The provision is applied in practice and applicants are able to reunite with their parents, siblings and other family members if their claim is eligible. In one case, the applicant was able to reunite with their spouse, children and the applicant's mother. In another case, a child was able to reunite with underage siblings.<sup>712</sup>

## 1.2. Conditions and procedure

Generally, there is no waiting period for a beneficiary of international protection to apply for family reunification after being granted international protection status. The only exception is made in the law for beneficiaries who have been granted subsidiary protection for one year – they obtain the right to family reunification after their status is extended. Beneficiaries of international protection can start the family reunification process after the decision on their status becomes final.<sup>713</sup> In practice, this means that if an individual appeals the decision granting them subsidiary protection, they cannot start the family reunification procedure until the appeal procedure is finished and the decision on their own status has become final.

Individuals who are granted refugee status and subsidiary protection for a period longer than one year can apply for family reunification immediately after the decision granting them status becomes final.

There are no other differences regarding the criteria and conditions for family reunification between persons with refugee status and subsidiary protection.

Those enjoying either refugee status or subsidiary protection have to apply for family reunification within 90 days from the moment the decision on their status becomes final (or on the extension of subsidiary protection if it was granted for one year) in order to enjoy the more favourable conditions available to beneficiaries of international protection. In case the beneficiary does not apply within 90 days, the family member must meet the general conditions for family reunification that apply to all foreigners in Slovenia: possession of a valid passport or any other official document with an identification photo, health insurance and sufficient financial means.<sup>714</sup>

In 2024, 178 applications for family reunification were submitted. 173 were submitted by persons with refugee status and 5 were submitted by a person with subsidiary protection. Beneficiaries with refugee status submitted 115 applications for nationals of Burundi, 16 for nationals of Syria, 15 for nationals of Afghanistan, 6 for nationals of Palestine, 4 for nationals of Cameroon, 4 for nationals of Russia, 4 for nationals of South Africa, 2 for nationals of Iraq, 2 for nationals of Eritrea, 2 for nationals of Nigeria, 1 for a national of Gambia and 1 for a national of Iran. Beneficiaries with subsidiary protection submitted 5 applications (4 for nationals of Afghanistan and 1 for a national of Russia).<sup>715</sup>

<sup>709</sup> There has not been any change in practice witnessed since the CJEU ruling in Case C-550/16 A.S., Judgment of 12 April 2018, EDAL, available [here](#).

<sup>710</sup> Articles 47.a(4) and 47.b(4) Foreigners Act.

<sup>711</sup> Constitutional Court, Decision U-I-309/13, 14 January 2015, available [here](#).

<sup>712</sup> Observation by the PIC.

<sup>713</sup> Article 47a(3) and 47b(3) Foreigners Act.

<sup>714</sup> Articles 47.a(7) and 47.b(6) Foreigners Act.

<sup>715</sup> Official statistics provided by the Migration directorate, April 2025.

The Migration directorate made decisions on 117 applications for family reunification. 82 applications were granted, 13 applications were rejected and 22 procedures were stopped.<sup>716</sup>

The authorities impose strict criteria regarding the required documents to establish identity and links with family members, which can be problematic for citizens of countries where the acquisition of such official documents is difficult or impossible. Applicants for family reunification notably have had difficulties obtaining original or notarised documents of family members in order to prove family ties. They also have had problems obtaining identification documents for family members, especially where the family members reside outside their country of origin.

Only official documents with a picture issued by the country of origin are accepted as proof of identity and family links. In case the applicant cannot submit an original identification document from the family member's country of origin or original proof of links, the Migration directorate also accepts documents issued by international organisations (UNHCR, IOM, Red Cross) under the condition that the document has a picture. To prove family links, original birth certificates, marriage certificates issued by the state or, in some cases, the church, will suffice. If identity or family links cannot be established through original documents, the Migration directorate can ask an international organisation working in the field of migration (UNHCR, IOM, Red Cross) to establish the family members' identity or family links.<sup>717</sup>

Before issuing the decision the Migration directorate can also conduct a personal interview with the beneficiary in order to gather additional information on family members, the submitted documents, reasons for the inability to provide original documents, family links, etc. Submitted documents regarding identity and family links are sent to the National Forensic Laboratory for verification of their authenticity. Before issuing the positive decision, a security check of family members is also performed by the Police.<sup>718</sup>

After a family reunification is approved, the Migration directorate issues a residence permit. If the family member is located in a country in which a Slovenian embassy is present they have to give fingerprints or other biometrical data in order to receive the residence permit. If there is no Slovenian embassy in the country the family member does not have to give fingerprints or other biometrical data in order for the residence permit to be issued. When the family members arrive in Slovenia, they have to give their biometrical data within 30 days, following which the Migration directorate issues new residence permits with the same validity as the permit of the beneficiary.<sup>719</sup> With the residence permit and a valid passport the family members can travel to and enter Slovenia.

In case the family member who has been granted family reunification with a beneficiary of international protection does not possess a valid passport, the Ministry of the Interior issues them a passport with a validity of 90 days, for the purpose of entry into the Republic of Slovenia. Again, if the family member is located in a country without a Slovenian embassy the passport can be issued without prior obtaining of biometrical data.<sup>720</sup> If family members are unable to travel to Slovenia within 90 days, the Migration directorate can issue new documents. The beneficiary has to pay for passports issued by the Migration directorate. Therefore, applicants normally request the documents and start organising the travel when it is evident the family will be able to arrive within the 90-day time frame. Documents can only be given to family members by a Slovenian embassy or consulate. If there is no Slovenian embassy in the country where the family member is located, the documents can also be served to family members by an international organisation working in the field of migration (UNHCR, IOM, Red Cross).

Sending Slovenian documents (passports and residence permit) to countries without IOM, UNHCR and Slovenian representations presented difficulties in the cases of Syrian, Afghan and Palestinian nationals. When the documents cannot be served in the country where the family member is located, the latter have to travel to

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<sup>716</sup> Official statistics provided by the Migration directorate, April 2025.

<sup>717</sup> Articles 47.a(3) and 47.b(3) Foreigners Act.

<sup>718</sup> Observation by the PIC.

<sup>719</sup> Observation by the PIC.

<sup>720</sup> Article 98(5) Foreigners Act.

another country where it will be feasible to receive the documents. In some cases, family members have struggled to obtain exit and entry visas for that purpose.<sup>721</sup>

Financial assistance for arrival in Slovenia is not provided. Since the costs needed for arrival can be extremely high, beneficiaries normally seek NGOs (ADRA, Red Cross) to help them with fundraising campaigns. In addition to the costs of arrival, beneficiaries also have to bear the costs of the procedure. This includes costs related to obtaining the needed documentation, translation of the documents, cost of passports issued by the Migration directorate, costs of serving the documents, etc. During the personal interview, interpretation is provided by the Migration directorate.<sup>722</sup>

Vulnerable family members often request the assistance of IOM when travelling to Slovenia. Covering the cost of the IOM assistance is the responsibility of the beneficiary.<sup>723</sup>

In 2024, the costs of the family reunification procedure, including travel, travel assistance and documents could be covered by the NGOs PIC and [Peace Institute](#) as part of the COMP4SEE<sup>724</sup> project, financed by AMIF. The project concluded in June 2024. In addition, the costs could be covered by Red Cross as part of the [REPAIR](#) project also financed by AMIF. The project concluded in December 2024. As both projects have now concluded, beneficiaries will have to bear the costs of the procedure themselves in 2025.

## 2. Status and rights of family members

Before 2014, family members of the sponsor were granted the same status (refugee or subsidiary protection) as the sponsor. However, since the 2014 legislative changes, family members are now granted resident status under the Foreigners Act. Family members of persons with refugee status are granted a permanent residence permit, while family members of a person with subsidiary protection are granted a temporary residence permit for the same duration as that of their family member's subsidiary protection. It can be extended under the same conditions as it is granted and for the same time as the extension of the subsidiary protection of the sponsor.<sup>725</sup>

Family members of refugees are entitled to accommodation in an Integration House or financial assistance with accommodation at a private address together with the sponsor. However, family members of a person with subsidiary protection are not entitled to financial assistance for accommodation (see [Housing](#)).<sup>726</sup>

Family members are entitled to the same rights regarding health care, social security, education and employment as citizens of the Republic of Slovenia.<sup>727</sup>

The favourable conditions for obtaining citizenship do not apply to family members of beneficiaries. They can apply for citizenship under the same conditions as other foreigners in Slovenia (see [Naturalisation](#)).

## C. Movement and mobility

### 1. Freedom of movement

Beneficiaries of international protection enjoy freedom of movement within the territory of the Republic of Slovenia. Freedom of movement is set out in Article 32 of the Constitution of the Republic of Slovenia, which

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<sup>721</sup> Observation by the PIC.

<sup>722</sup> Observation by the PIC.

<sup>723</sup> *Ibid.*

<sup>724</sup> More about the project available [here](#).

<sup>725</sup> Articles 47.a(3) and 47.b(3) and (7) Foreigners Act.

<sup>726</sup> Articles 93(2) and 97(5) IPA.

<sup>727</sup> Family members of persons with subsidiary protection pursuant to an explicit provision in Article 47.b(12) Foreigners Act and family members of persons with refugee status as holders of a permanent residence permit.

provides that everyone can move freely and choose their place of residence. There is no dispersal scheme for beneficiaries of international protection in place.

Social assistance is also not subject to actual residence in a specific place.

2. Travel documents

Refugees are issued a passport for refugees, which is a Convention travel document.<sup>728</sup> Beneficiaries of subsidiary protection can use their national passport; in case they do not have one, the Migration directorate issues them a passport for foreigners. Reunited family members of beneficiaries without a valid passport from their country of origin can also obtain the passport for foreigners.<sup>729</sup>

Refugees are normally issued a passport with a validity period of 10 years. Passports for foreigners issued to beneficiaries of subsidiary protection are issued for the time period for which subsidiary protection was granted.<sup>730</sup>

A person holding a refugee status applies for the refugee passport with the Ministry of the Interior,<sup>731</sup> which must issue the document within 15 days.<sup>732</sup> A beneficiary of subsidiary protection applies for their passport with the Administrative Unit of their place of residence.<sup>733</sup>

In 2024 the authorities issued 209 passports to persons with international protection.<sup>734</sup>

D. Housing

Indicators: Housing		
1.	For how long are beneficiaries entitled to stay in reception centres?	15 days
2.	Number of beneficiaries staying in reception centres as of 31 December 2024	5

Beneficiaries of international protection have to vacate the reception centres as soon as the positive decision on their asylum applications becomes enforceable, *i.e.*, within 15 days of being granted status.<sup>735</sup> This does not apply for unaccompanied minors accommodated in **Postojna**.

In line with the amended IPA, beneficiaries need to sign an integration contract with the UOIM if they want to access integration services, including housing.<sup>736</sup> In 2024, 177 beneficiaries signed integration contracts and only 6 beneficiaries did not.<sup>737</sup> In practice integration contracts are normally not signed by beneficiaries who are employed and therefore do not need financial assistance or accommodation in the integration house.

Beneficiaries without financial means and for whom accommodation is not provided in another way must sign the integration contract in order to receive financial assistance for accommodation.<sup>738</sup> They are entitled to assistance for one year after being granted status. If they attend at least 80% of free training in Slovenian language and

<sup>728</sup> Article 111 IPA. More detailed provisions are set out in Rules on the content, format and method of issuing passports to refugees.  
<sup>729</sup> Article 113 IPA and 98 Foreigners Act.  
<sup>730</sup> Articles 111(3) and 113(2) IPA.  
<sup>731</sup> Article 6 Rules on the content, format and method of issuing passports to refugees.  
<sup>732</sup> Article 111(1) IPA and Article 25(1) Passports of the Citizens of the Republic of Slovenia Act, Official Gazette of RS, No. 65/2000 and subsequent amendments.  
<sup>733</sup> Article 98(3) Foreigners Act.  
<sup>734</sup> Official statistics provided by the Migration directorate, April 2025.  
<sup>735</sup> Article 70 (1) IPA.  
<sup>736</sup> Article 90(3) IPA.  
<sup>737</sup> Official statistics provided by UOIM, April 2025.  
<sup>738</sup> *Ibid.*

culture, and visit their case worker at least once a month, the assistance can be prolonged for an additional year.<sup>739</sup> (see [Access to Education](#)).<sup>740</sup>

Students, including students enrolled in adult education, who have financial means and are in the Republic of Slovenia without parents or other persons legally required to provide for them, are entitled to the assistance until they finish schooling, but not after they reach the age of 26. The only condition for such assistance is that they obtained their student status within one year of signing the integration contract.<sup>741</sup>

This financial assistance covers the rent for accommodation and related utility costs. The maximum monthly amount for single claimants is calculated based on the monthly amount of financial social assistance, currently € 484.88. In the case of families, the maximum amount per person is less, calculated in accordance with a Decree.<sup>742</sup>

Beneficiaries are assisted to find an apartment in the real estate market and in other integration-related areas by the UOIM and by NGOs, mainly Slovene Philanthropy. High prices and distrust of migrants by potential landlords often pose an obstacle to finding suitable apartments. One identified systemic shortcoming in relation to housing for beneficiaries is the restriction of access to non-profit governmental rental apartments,<sup>743</sup> since this right is by law only available to Slovenian citizens. However, they do have access to non-profit municipal rental apartments in some municipalities.

In the first year after receiving status, monetary assistance can be substituted with free accommodation in “Integration Houses” of the UOIM, which are facilities comprised of apartments for beneficiaries.<sup>744</sup>

If they attend at least 80% of free training in Slovenian language and culture, and visit their case worker at least once a month, the assistance can be prolonged for one additional year.<sup>745</sup>

Based on justified medical or other reasons, accommodation in the Integration House can be extended for a further six months, on the condition that the person signs the integration contract and meets at least one of the above-mentioned conditions.<sup>746</sup> If beneficiaries have their own means of subsistence (of an amount equivalent to the minimal income), or if this is provided to them in another way, they have to cover a proportionate share of accommodation costs in the Integration House or another accommodation facility.<sup>747</sup>

The UOIM currently administers two Integration Houses, one in **Ljubljana**, intended for families and single women, and one in **Maribor**, intended for single men:

Capacity and occupancy of Integration Houses		
Integration House	Capacity	Occupancy as of 31 December 2024
Ljubljana	15	15
Maribor	35	23

<sup>739</sup> Article 97(1) IPA.  
<sup>740</sup> Article 97(2) IPA.  
<sup>741</sup> Article 97(3) IPA.  
<sup>742</sup> Article 20 Decree on the methods and conditions for ensuring the rights of persons with international protection.  
<sup>743</sup> Apartments owned by the municipality, the state, the public housing fund or a non-profit housing organisation, leased out under a reduced rent, pursuant to the Housing Act, Official Gazette of RS, No. 69/2003 and subsequent amendments.  
<sup>744</sup> Article 93(1) IPA.  
<sup>745</sup> Article 93(3) IPA.  
<sup>746</sup> Article 93(3) IPA.  
<sup>747</sup> Article 93(6) IPA.

<b>Total</b>	50	38
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Source: Information provided by the UOIM, April 2025.

Unaccompanied children who are granted international protection can keep their accommodation in **Postojna**, where they have also been accommodated as asylum applicants. At the end of 2024, 2 beneficiaries of international protection were living in Postojna.<sup>748</sup>

Reunited family members of a beneficiary of international protection (both refugee and subsidiary protection status) are entitled to accommodation in an Integration House, together with the sponsor.<sup>749</sup> Reunited family members of a person with refugee status are also entitled to financial assistance with accommodation at a private address,<sup>750</sup> however this right is no longer available to family members of persons with subsidiary protection.

## E. Employment and education

### 1. Access to the labour market

Beneficiaries of international protection and their reunited family members have free access to the labour market and can be employed, self-employed, or work without having to obtain a special work permit or to meet other requirements.<sup>751</sup> Their access to the labour market is also not conditioned by a market labour test. There is no difference between refugees and beneficiaries of subsidiary protection.

The identification documents issued to beneficiaries of international protection explicitly mentions their right to work, same as the documents issued to other aliens, which helps prevent misunderstandings in practice.

Beneficiaries also enjoy equal treatment to nationals with regard to the “active employment policy” programmes and other rights as unemployed persons.

Beneficiaries can verify and prove their educational qualifications free of charge (see [Access to Education](#)).

The Employment Service of Slovenia set up two positions for employment counsellors working exclusively with beneficiaries of international protection – one in **Ljubljana** and one in **Maribor**. Their programme for on-the-job training has also been adjusted to beneficiaries, with longer duration and an appointed mentor. A dictionary of basic Slovenian required for work has also been prepared.

In practice, beneficiaries of international protection face discrimination and reluctance from employers on the labour market. Individuals who cannot obtain proof of education from countries of origin cannot obtain certificates of higher education. Beneficiaries of international protection are often employed in positions that require hard physical work (e.g., warehouses, factories, construction, etc.)

The Integration strategy adopted in 2023 includes the following measures to improve integration of foreigners into the labour market: establishing an INFO point at the Employment Offices of the Republic of Slovenia, additional programs of social activation for foreign women, improving the prosecution of labour law violations and establishing a mentorship scheme for employment of foreigners in culture.<sup>752</sup>

<sup>748</sup> Official statistics provided by UOIM, April 2025.

<sup>749</sup> Article 93(2) IPA.

<sup>750</sup> Article 97(5) IPA.

<sup>751</sup> Article 102 IPA and Article 6(2) Self-Employment and Work of Aliens Act, Official Gazette of RS, No. 47/2015 and subsequent amendments.

<sup>752</sup> Government of Slovenia, *Strategy for integration of foreigners, who are not citizens of European Union into the cultural, economic and social life in the Republic of Slovenia*, 10 November 2023, available [here](#).

Statistics on the number of employed beneficiaries is not gathered. By the end of 2024, 524 beneficiaries were registered as unemployed at the Employment Service. However, registering as unemployed is not necessary and is only needed in certain cases (e.g. for accessing certain social transfers or other rights).

## 2. Access to education

Beneficiaries of international protection are entitled to the same rights regarding pre-school, primary, secondary, higher and adult education as nationals.<sup>753</sup> They are also entitled to state scholarships and accommodation in student dormitories under the same conditions as nationals.<sup>754</sup> Asylum-seeking children enjoy unimpeded access to the education system (see [Reception Conditions: Access to Education](#)) and are, therefore, normally already enrolled in the education system before they are granted international protection status. Special needs of children are taken into consideration the same way as Slovenian students.

Same as for Slovenian nationals, elementary and high schools are free for children beneficiaries of international protection. Elementary school for adults is also free of charge. Elementary school for adults is organised by Javni zavod Cene Štupar, where students are placed in a suitable class, based on initial testing of their knowledge level. They can then complete two regular school years per year. High school for adults requires tuition. Universities are mostly free in Slovenia, however programs in English are rare.

If beneficiaries do not have their own means of subsistence and have signed the integration contract other costs related to participation in the regular education program and elementary school for adults can be covered by the UOIM for up to 2 years.<sup>755</sup>

Costs related to recognition and assessment of education attained abroad can be covered by the UOIM if the person signed the integration contract and does not have their own means of subsistence. UOIM covers the cost for one year after the integration has been signed. This period can be prolonged for an additional year if the person attended 80% of Slovenian language classes and visited the integration social worker once per month.<sup>756</sup> In case the attained education cannot be proven with documentation, a system for official testing is set up in a Decree.<sup>757</sup>

Furthermore, beneficiaries of international protection are entitled to a free Slovenian language course of 300 hours, which can be extended for further 100 hours, subject to approval of the UOIM.<sup>758</sup>

The Integration strategy adopted in 2023 envisages additional measures to ensure better linguistic integration of foreigners including renovation of the Program for the initial integration of foreigners, establishing new language programs for vulnerable groups, enlarging the number of language course hours, enabling individuals to attend the language classes during their working hours, etc. In addition, the Integration strategy envisages measures that will improve the integration of foreigners in education. The measures include additional language hours in primary school and secondary school, additional learning support, employment of needed staff, etc.<sup>759</sup> In 2024, the following measures were taken: the program for the initial integration of immigrants was updated, guidelines for conducting the language courses at the lowest level were adopted, and the number of hours included in the Slovenian language course was increased. In addition, new staff was employed to make the programs more accessible.<sup>760</sup>

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<sup>753</sup> Article 101(1) IPA.

<sup>754</sup> Article 101(2) IPA.

<sup>755</sup> Article 101(4) IPA.

<sup>756</sup> Article 101(3) IPA.

<sup>757</sup> Articles 23-42 and 34 Decree on the methods and conditions for ensuring the rights of persons with international protection.

<sup>758</sup> Article 103 IPA and Article 49 Decree on the methods and conditions for ensuring the rights of persons with international protection.

<sup>759</sup> Government of Slovenia, *Strategy for integration of foreigners, who are not citizens of European Union into the cultural, economic and social life in the Republic of Slovenia*, 10 November 2023, available [here](#).

<sup>760</sup> Information provided by the UOIM, May 2025.



## A. Social welfare

Beneficiaries of international protection are entitled to social benefits under the national social security system.<sup>761</sup> Their rights in this respect are equal to Slovenian citizens and do not differ between persons with refugee status and subsidiary protection. The main authority for granting social assistance is the territorially competent Centre for Social Work.

First, beneficiaries are entitled to financial social assistance, provided to all persons without other means. The current amount for single claimants is € 484.88 per month. If the individual also receives financial assistance for accommodation they receive 15% less of financial social assistance per month. In the case of families, the amount per person is less than € 484.88 calculated in accordance with the Social Assistance Benefits Act.<sup>762</sup> This is complemented by other benefits under the national social security system, granted to individuals who meet specific criteria, including child benefits, large family allowance, emergency assistance and kindergarten subsidies.

The rights to social assistance described above are the same regardless of the region of residence. However, apart from the national social security system, additional assistance is sometimes provided by municipalities which may also require beneficiaries to reside within their territory.

One considerable problem faced by beneficiaries of international protection is the lack of social security during the initial period after being granted status. The precondition for applying for social welfare is a registered address of residence, which means beneficiaries must first rent an apartment or be accommodated in an integration house (see Housing). This, together with the waiting time to process their social welfare claim, can in practice take up to two months, during which beneficiaries often have to rely on humanitarian support of welfare organisations.<sup>763</sup>

## B. Health care

Beneficiaries of international protection are entitled to health care under the same conditions as nationals. The Slovenian national system of health insurance is set out in the Health Care and Health Insurance Act.<sup>764</sup> Since January 2024 the services covered by the complementary health insurance are completely covered by the compulsory health insurance, meaning that individuals in Slovenia do not have to cover the costs of additional health insurance in order to have full coverage as was the case before.<sup>765</sup>

Beneficiaries of international protection are covered by compulsory health insurances on the basis of their international protection status.<sup>766</sup> If they are employed, the compulsory health insurance is covered by the employer and taken from their wages.<sup>767</sup>

Child beneficiaries of international protection are entitled to health care services under the same conditions as Slovenian children,<sup>768</sup> which means they have health insurance until they reach the age of 18 (or until 26, as long as they are enrolled in school as regular students).<sup>769</sup>

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<sup>761</sup> Article 95 IPA.

<sup>762</sup> Official Gazette of RS, No. 61/2010 and subsequent amendments.

<sup>763</sup> Observation by the PIC.

<sup>764</sup> Official Gazette of RS, No. 9/1992 and subsequent amendments.

<sup>765</sup> MMC, *Dopolnilnega zdravstvenega zavarovanja ni več. Nov prispevek se trga od dohodka*, 1 January 2024, available [here](#).

<sup>766</sup> Article 98 IPA.

<sup>767</sup> MMC, *Dopolnilnega zdravstvenega zavarovanja ni več. Nov prispevek se trga od dohodka*, 1 January 2024, available [here](#).

<sup>768</sup> Article 94(2) IPA.

<sup>769</sup> Article 22 Health Care and Health Insurance Act.

Compulsory health insurance also covers services for beneficiaries suffering from mental health problems, including torture survivors and other traumatised persons.<sup>770</sup>

In the initial phase after being granted status, beneficiaries also enjoy assistance from the UOIM staff and NGOs. Nevertheless, practical access to healthcare remains challenging in practice because of difficulties from a language and cultural perspective.

In practice, beneficiaries of international protection and employed asylum applicants have troubles obtaining a personal doctor due to a lack of personal doctors in Slovenia. However, this is not connected to their status, and Slovenian citizens face the same difficulties.

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<sup>770</sup> Article 98(1).

## ANNEX I – Transposition of the CEAS in national legislation

### Directives and other CEAS measures transposed into national legislation

Directive / Regulation	Deadline for transposition	Date of transposition	Official title of corresponding act	Web Link
<b>Directive 2011/95/EU</b> Recast Qualification Directive	21 December 2013	27 December 2013	Zakon o mednarodni zaščiti Uradni list RS, št. 22/16 in 54/21.	<a href="http://bit.ly/2g7aCiV">http://bit.ly/2g7aCiV</a> (SI)
<b>Directive 2013/32/EU</b> Recast Asylum Procedures Directive	20 July 2015 Article 31(3)-(5) to be transposed by 20 July 2018	25 March 2016	Zakon o mednarodni zaščiti Uradni list RS, št. 22/16 in 54/21.	<a href="http://bit.ly/2g7aCiV">http://bit.ly/2g7aCiV</a> (SI)
<b>Directive 2013/33/EU</b> Recast Reception Conditions Directive	20 July 2015	25 March 2016	Zakon o mednarodni zaščiti Uradni list RS, št. 22/16 in 54/21.	<a href="http://bit.ly/2g7aCiV">http://bit.ly/2g7aCiV</a> (SI)
<b>Regulation (EU) No 604/2013</b> Dublin III Regulation	Directly applicable 20 July 2013	25 March 2016	Zakon o mednarodni zaščiti Uradni list RS, št. 22/16 in 54/21.	<a href="http://bit.ly/2g7aCiV">http://bit.ly/2g7aCiV</a> (SI)

The following section contains an overview of incompatibilities in transposition of the CEAS in national legislation:

Directive	Provision	Domestic law provision	Non-transposition or incorrect transposition
<b>Directive 2011/95/EU</b> Recast Qualification Directive	Article 12 Article 14 (14b)	Article 31 IPA	The grounds for exclusion include substantiated reason that the person is a threat to the security and territorial integrity and a final conviction for a serious crime due to which the person represents a threat to the Republic of Slovenia. These are not exclusion grounds under the Qualification Directive. In addition, the required standard of proof is reasonable grounds for suspicion the person committed a crime against peace (..), a serious crime etc.
<b>Directive 2011/95/EU</b> Recast Qualification Directive	Article 14 (14b)	Article 68(1) IPA	While the Qualification Directive allows the revocation of refugee status in case the individual is convicted by a final judgement of “a particularly serious crime” the IPA does not contain the definition of a particularly serious crime. Therefore, the refugee status can be revoked in case the person is convicted with a final judgement of a serious crime in Slovenia.
<b>Directive 2013/33/EU</b> Recast Reception Conditions Directive	Article 8(4)	Article 84 IPA	The IPA does not contain a provision on alternatives to detention. “Limitation of freedom of movement” on the premises of the Asylum Home amounts to <i>de facto</i> detention.