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Slovenia Detention Profile

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Located on Europe's south-eastern frontier, Slovenia is both a transit and destination country within the European Union (EU). The majority of asylum seekers and irregular migrants in Slovenia come from Turkey and the Balkans. Until 2006, Slovenia operated several detention centres (JRS 2007, p.110). In recent years, hardening border controls have meant that fewer people enter the country irregularly, which has contributed to a decreasing detainee population (Matevzic 2010a). Developments in Slovenian detention infrastructure and policy have also reflected harmonisation with the policies of the EU, of which Slovenia became a member in 2004 (JRS Europe website; ECRI 2006, p.16).

Detention Policy

The principle norms and regulations relating to the administrative detention of foreign nationals in Slovenia are contained in the 2000 *Asylum Act (Zakon o azilu)*, the 2006 *Aliens Act (Zakon o tujcih)*, and the 2000 "Regulations on Conditions of Detention" (JRS Slovenia 2007, p.111). The legal framework governing detention provides for four different types of detention, varying on the legal status of the migrant, the grounds on which such detention is ordered, and the place and duration of detention.

The *Asylum Act* provides grounds for detaining asylum seekers, including to ensure their removal to the country responsible for processing their asylum claims under the Dublin II regulation and in cases where people make repeated claims for international protection. In both of these cases, the asylum seeker is detained in a dedicated immigration detention centre (JRS Slovenia 2007, p.111). However, if an asylum seeker who has been detained because of his/her repeated claims for international protection can demonstrate that circumstances have sufficiently changed to merit a new asylum application, then the person is transferred to a non-secure asylum home as part of the standard asylum process (JRS Slovenia 2007, p.114).

An asylum seeker who is staying in an asylum home, which principally functions as a non-secure site, may be placed in a "detention unit"—a secure section within the home—when this is deemed necessary to establish his/her identity, to prevent the spread of contagious disease, to prevent harm to another person's life or property, or if he/she is deemed to be misleading or abusing the asylum procedure. The maximum period of detention in the asylum home is three months, which may be extended by an additional month (JRS Slovenia 2007, pp.111-2).

The *Aliens Act* provides for the administrative detention of illegally staying foreign nationals for the purpose of removal or to establish a person's identity. Detention for removal may continue for up to six months. This can be extended an additional six months if prompt removal is not possible (*Aliens Act* 2006, Articles 56, 58). However, the *Aliens Act* also provides for alternatives to detention. Article 59 of the act states that "the police may, at any point in time, replace the measure of the obligatory accommodation of an alien at the [detention centre] with more lenient measures if they believe that they will thereby accomplish their purpose." Such measures include obligatory stay in another place determined by the police.

A nongovernmental advocacy group reported in 2007 that while "[t]here are no provisions in the legislation prohibiting the detention of vulnerable people. ... [I]n most cases they are not detained" (JRS Slovenia 2007, p.114). However, official statistics from the Slovenian police indicate that a number of children and unaccompanied minors—between five and eleven percent of the total detainee population, amounting to between 15 and 80 children—were detained in 2007 and 2008 (Slovenian Police website).

The country's sole detention centre, the Postojna Centre for Foreigners, is managed by the Slovenian Police under the auspices of the Interior Ministry. The centre operates in conjunction with a number of other government ministries and civil society actors (Slovenian Police website). NGOs that have been given access to the centre in recent years include Jesuit Refugee Services (JRS), *Pravno Informacijski Center nevladnih organizacij* (PIC), *Slovenska Filantropija*, *Mozaik*, *Ključ*, and *Slovenska Karitas* (JRS Slovenia 2007,

p.110). Of these organisations, currently JRS visits the centre weekly, PIC monthly to provide legal assistance, and *Slovenska Filantropija* whenever a minor is detained (Matevzic 2010b). UNHCR and legal representatives have access to all asylum seekers (JRS Slovenia 2007, p.114).

Detention infrastructure

As of 2010, Slovenia's sole dedicated immigration detention centre was the Postojna Centre for Foreigners (JRS Slovenia 2007, p.110; Slovenian Police website). The centre, which was opened in 2002, is operated by the Slovenian Police under the auspices of the Interior Ministry (Slovenian Police website). Another facility used to hold non-citizens, Prosenjakovci, was closed in 2006 after Slovenian authorities centralised immigration detention functions (JRS Slovenia 2007, p.110).

In addition, the Sector for International Protection, under the auspices of the Interior Ministry, operates a secure detention unit within the Ljubljana reception centre and the Slovenian police operates holding premises at Brnik airport in Ljubljana for foreign nationals refused entry and awaiting expulsion (JRS Europe website; CPT 2008, p.19; Matevzic 2010a).

The Postojna centre has an official capacity of 220. In 2009, a total of 408 people were detained at the centre (Slovenian Police website). JRS estimates average daily occupancy rates to be approximately 60 persons (JRS Europe website). The centre accommodates men, women, minors, and families in separate living quarters. Staff at the centre number 58, most of whom (some 70 percent) are uniformed police officers (Slovenian Police website). The detainees must cover the costs of their stay in the centre, unless they have no funds, in which case costs are covered by the state budget (Aliens Act 2006, Article 62).

Observers have noted that the appearance of the centre bears a striking resemblance to criminal incarceration facilities, despite the fact that those detained in it are under administrative detention. One NGO that makes regular visits to the centre described it as "a prison-like facility, which was previously used for military purposes" (JRS Slovenia 2007, p.109). Security personnel constitute the majority of employees and all adult detainees are obliged to wear "prison-like uniforms" (CPT 2008, p.20).

The Postojna facility has also received favourable comments from independent observers. In its report on a 2006 visit to Postojna, the [European Committee for the Prevention of Torture](#) (CPT) noted that provision of food (including special dietary needs) and activities were sufficient. The CPT also highlighted that "no allegations were received of ill-treatment of detained persons by staff working in detention facilities for aliens. ... [T]he Committee is pleased to note that, at the Postojna Centre for Aliens, the general attitude of staff to foreign nationals has changed for the better since the 2001 visit" (CPT 2008, p.11). Commenting on the regime of activities available, a 2007 JRS report claimed that "[t]he basic rule about accommodation is as follows: everything possible is done to facilitate the detainees' well-being in the centre, if it is feasible according to house rules and Slovenian law" (JRS Slovenia 2007, p.117).

As of 2010, the Ljubljana asylum home had a secure section in which the detainees' freedom of movement could be limited (JRS Slovenia 2007, p.111; Matevzic 2010a). This secure section had, as of 2006, a capacity of 20 places (CPT 2008, p.19).

The Brnik Airport in Ljubljana was, as of 2010, operating holding premises for aliens in the vicinity of the main airport terminal (Matevzic 2010a). These facilities may be used to accommodate persons refused entry for up to 48 hours. The CPT, during its 2006 visit, found that the official capacity of 12 beds did not conform to minimum standards and recommended that the authorities review the official capacity (CPT 2008, p.20). A 2007 NGO report states that although occupancy rates of these premises are extremely low (averaging less than one case a year), construction for new premises were underway in order to ensure compliance with Schengen regulations (JRS Slovenia 2007, p.110). However, there are no reports of foreigners being held in these facilities in recent years (Matevzic 2010a).

Facts and figures

As of January 2009, Slovenia had 84 pending asylum cases (UNHCR website). In 2007, the Slovenian police reported 2,479 illegal border crossings (Slovenian Police website).

The number of people detained at the Postojna Centre for Foreigners has fluctuated considerably over the years, according to statistics provided by the Slovenian Police. In 1992-1997, between 1,178 and 3,747 persons were detained at Postojna. Between 1998 and 2001 the corresponding range was 8,869 to 15,559. In recent years, the number of persons detained has declined, with 408 persons detained in 2009 (Slovenian Police website). While the Slovenian Police explain the declining numbers by citing lower numbers of asylum seekers

following the stabilisation of the political situation in a number of surrounding countries, a Slovenian NGO representative told the GDP that the decreased number of detentions in Slovenia is also affected by the hardening of border controls, resulting in larger numbers of people (including potential asylum seekers) being turned back at the border (Matevzic 2010a).

Of those detained in Postojna in 2009, 10.3 percent were women, 10.5 percent children, and 6.4 percent unaccompanied minors. The largest national groupings detained between 2005 and 2007 were Serbian, Albanian, Bosnian, Turkish, and Macedonian. In 2008 and 2009 the largest national groupings were Kosovar, Bosnian, Pakistani, Serbian and Albanian (Slovenian Police website).

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Slovenia Detention Profile

List of Detention Sites

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| Name | Location | Status (Year) | Facility Type | Security | Authority | Management | Capacity | Reported Population | Demographics and Segregation |
|---|-----------------------|---------------|--------------------------|--------------|----------------------|-------------------------------------|----------------------------|---------------------|--|
| Postojna Centre for Foreigners | Veliki otok, Postojna | In use (2010) | Migrant detention centre | Secure | Ministry of Interior | Slovenian Police | 220 (2010) | 50 (As of 2007) | Adult males & females, minors, families. Segregation of men and women, space for family units. |
| Ljubljana Asylum Home | Ljubljana | In use (2010) | Registration centre | Mixed regime | Ministry of Interior | Sector for International Protection | 20 (closed section) (2006) | | Adult males & females, minors. Segregation of men and women, age segregation. |
| Brnik Airport Holding Premises for Aliens | Ljubljana Airport | In use (2010) | Transit zone | Secure | Slovenian Police | Slovenian Police | 12 (2006) | | Segregation of men and women. |

Sources

(This is only a partial list. More detailed information is available upon request.)

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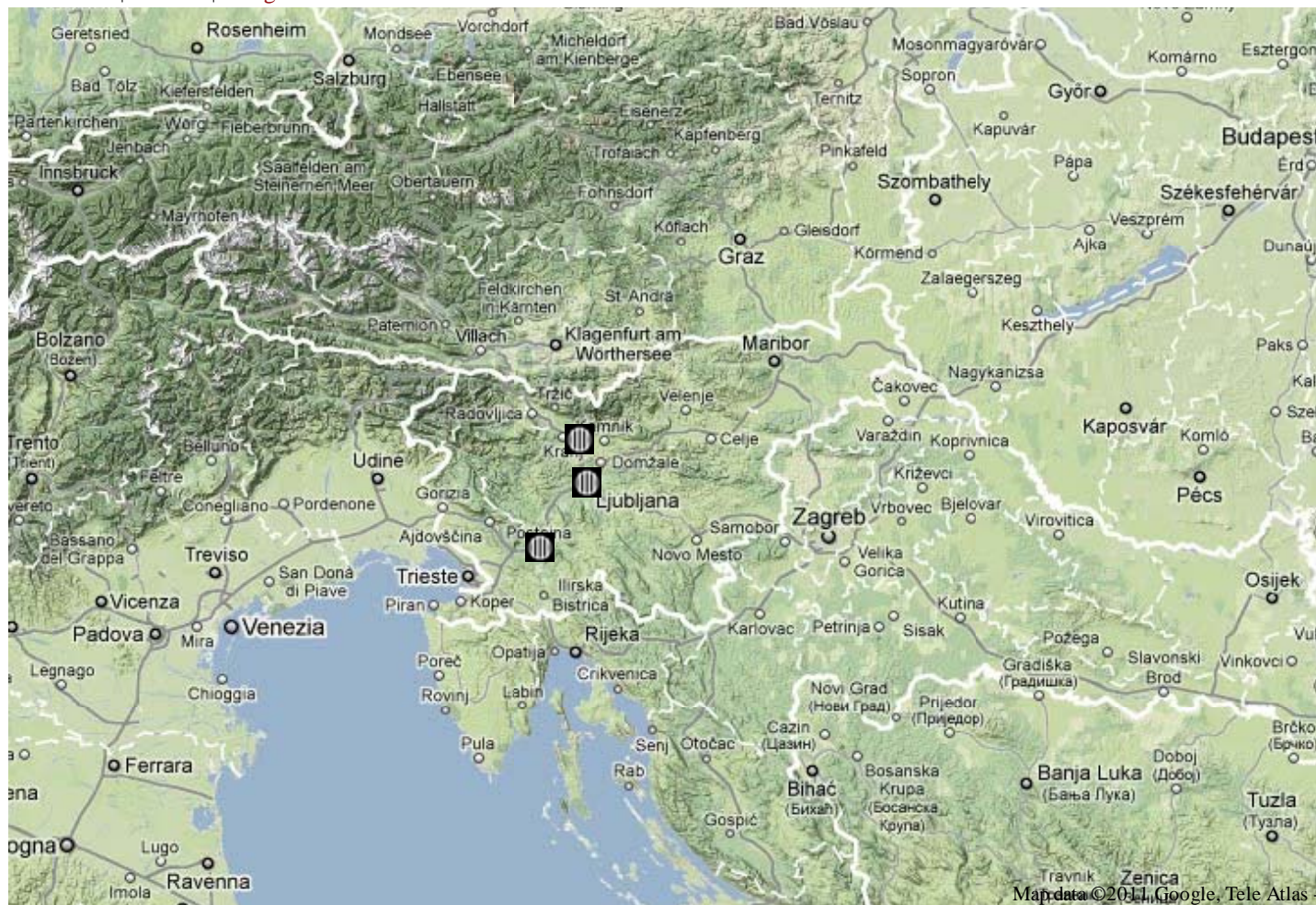
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Slovenia Detention Profile

Map of "In Use" Detention Sites

For more detailed information, see the complete List of Detention Sites.

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Country View

1. [Brnik Airport Holding Premises for Aliens](#)
2. [Ljubljana Asylum Home](#)
3. [Postojna Centre for Foreigners](#)

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Slovenia Country Profile

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- » [International Organizations](#)
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- » [Media](#)

Government agencies

Centre for Foreigners, Slovenian Police / Ministry of Interior

http://www2.policija.si/portal_en/organiziranost/uup/CenterZaTujce/index.php

Human Rights Ombudsman of Slovenia

<http://www.varuh-rs.si/index.php?L=6&id=1>

International Organizations

International Organization for Migration Ljubljana

<http://www.iom.si/index.htm>

UN High Commissioner for Refugees – Slovenia Country Information Page

<http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e48e096>

NGOs and Research Institutions

Caritas Slovenia

http://www.karitas.si/predstavitev/index_eng.php

Društvo Ključ

<http://drustvo-kljuc.si/indexen.php>

Jesuit Refugee Service Slovenia (Slovene)

<http://www.rkc.si/jrs/>

Mozaik (Slovene)

<http://www.mozaik-drustvo.si/si>

Pravno-informacijski center nevladnih organizacij – PIC (Slovene)

<http://www.pic.si/>

Slovene Philanthropy

<http://www.filantropija.org/en/>

Slovenian Red Cross

<http://www.rks.si/sl/English/?rks-frontend=b4hvq5jrem0v351p75muli5el3>

Media

Delo (Slovene)

<http://www.delo.si/>

Dnevnik

<http://company.dnevnik.si/>

Primorske Novice (Slovene)

http://www.primorske.si/PN/Article_widePrva.aspx?pDesc=268,1,49

Slovenian Press Agency

<http://www.sta.si/en/>

Slovenia Times

<http://www.sloveniatimes.com/>

Vecer (Slovene)

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