

Slovenia Immigration Detention Data Profile



Quick Facts	
Immigration detainees (2016)	1,482
Detained asylum seekers (2017)	47
Detained minors (2019)	318
Immigration detention capacity (2019)	220
Persons expelled (2018)	4,445
International migrants (2019)	253,122
New asylum applications (2019)	3,868

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/europe/slovenia>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	1,482	2016	Top nationalities of detainees	Afghanistan, Syria, Morocco, Iran, Iraq	2016
	2,338	2015			
	337	2014			
	425	2013			
	359	2012			
	402	2012			
	250	2011			
	289	2011			
	313	2010			
	340	2010			
	408	2009			
	439	2009			
	512	2008			
	781	2007			
	1,117	2006			
	1,639	2005			
	1,544	2004			
	1,908	2003			
	3,272	2002			
	10,034	2001			
14,576	2000				
15,559	1999				
8,869	1998				
3,747	1997				
2,095	1996				
Number of persons granted alternatives to immigration detention	4	2013	Number of detained asylum seekers	47	2017
				77	2016
				16	2015
				57	2012
				42	2011
				31	2010

Total number of detained minors	318	2019	Number of detained unaccompanied minors	287	2019
	311	2018		245	2018
	46	2017		135	2016
	289	2016		66	2015
	449	2015		31	2014
	9	2012		34	2013
	0	2010		30	2012
	0	2010		9	2012
				12	2011
				0	2011
Number of detained accompanied minors	31	2019	Number of apprehensions of non-citizens	4,345	2018
	66	2018		4,180	2017
	154	2016		2,475	2016
	383	2015		1,025	2015
				1,025	2014
				1,040	2013
				1,555	2012
Immigration detainees as a percentage of total international migrant population	0.99	2015	Estimated total immigration detention capacity	220 - 240	2019
	0.18	2013			
	0.13	2010			
	8.52	2000			
Number of dedicated long-term immigration detention centres	1	2019	Estimated capacity of dedicated long-term immigration detention centres	220	2019
Number of transit facilities	1	2016	Number of persons removed/returned (voluntary returns and deportations)	4,445	2018
				250	2017
				330	2016
				840	2015
				840	2014
				885	2013
				1,090	2012
Number of deportations/forced returns only	180	2018	Percentage of persons removed in relation to total number of people placed in removal procedures	20	2017
	100	2017		24	2016
	175	2016		82	2015
	110	2015		82	2014
	115	2014			

Criminal prison population	1,323	2016	Percentage of foreign prisoners	9.3	2016
	1,357	2013		10.7	2013
Prison population rate (per 100,000 of national population)	64	2016			
	66	2013			
Demographics and immigration-related statistics					
		Observation Date			Observation Date
Population	2,100,000	2020	International migrants	253,122	2019
	2,068,000	2015		244,800	2017
	2,000,000	2012		236,000	2015
				233,300	2013
			254,000	2010	
			171,000	2000	
International migrants as a percentage of the population	11.8	2017	Refugees	741	2019
	11.4	2015		749	2018
	11.3	2013		614	2017
				462	2016
			283	2015	
			213	2014	
Ratio of refugees per 1000 inhabitants	0.22	2016	Total number of new asylum applications	3,868	2019
	0.12	2014		1,258	2016
	0.09	2012		361	2014
				305	2012
Refugee recognition rate	24.1	2014	Stateless persons	4	2018
				4	2015

DOMESTIC LAW				
LEGAL TRADITION				
Legal tradition	Name		Observation Date	
	Civil law		2019	
LAWS AND REGULATIONS				
Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	Constitution of the Republic of Slovenia, article 19	1991	2006

LAWS AND REGULATIONS			
Core pieces of national legislation	Name	Year Adopted	Last Year Amended
	Aliens Act (Zakon o tujcih), 2011	2011	2018
	International Protection Act (Zakon o mednarodni zaščiti), 2016	2016	2017
	State Border Control Act (Zakon o nadzoru državne meje), 2007	2007	2017
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Immigration-status-related grounds	Name	Observation Date	
	Detention to effect removal	2019	
	Detention to establish/verify identity and nationality	2019	
	Detention to prevent absconding	2019	
	Detention during the asylum process	2019	
	Detention to ensure transfer under the Dublin Regulation	2019	
	Detention to prevent unauthorised entry at the border	2019	
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Non-immigration-status-related grounds providing for administrative detention in immigration legislation.	Name	Observation Date	
	Detention on public order, threats or security grounds	2019	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	No	2019
LENGTH OF DETENTION			
Maximum length for administrative immigration detention in law.	Number of Days	Observation Date	
	480	2019	
LENGTH OF DETENTION			
Average length of detention	Number of Days	Observation Date	
	14	2017	
	18	2013	
LENGTH OF DETENTION			
Maximum length of detention for asylum-seekers	Number of Days	Observation Date	
	120	2019	

LENGTH OF DETENTION				
Maximum length of detention for persons detained upon arrival at ports of entry	Number of Days		Observation Date	
	2		2019	
PROCEDURAL STANDARDS				
Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Right to appeal the lawfulness of detention	Yes		2019
	Independent review of detention	Yes		2019
	Access to free interpretation services	Yes	infrequently	2017
	Information to detainees		Yes	2017
Compensation for unlawful detention	Yes	No	2014	
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Designated non-secure housing	Yes	Yes	2017
	Supervised release and/or reporting	Yes	Yes	2017
	Registration (deposit of documents)	Yes	No	2017
	Release on bail	Yes	No	2017
Electronic monitoring	No	No	2017	
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Impact of alternatives	Name	Impact of Nature		Observation Date
	Unknown	Alternatives to detention are rarely granted because non-citizens can rarely afford the cost of private accommodation.		2014
VULNERABLE PERSONS				
Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Elderly	Provided	Not available	2019
	Asylum seekers	Provided	Yes	2017
	Unaccompanied minors	Provided	Yes	2016
Accompanied minors	Provided	Yes	2016	
MANDATORY DETENTION				
Mandatory detention	Filter	Name	Observation Date	
	No	No	2019	

COVID-19 UPDATES

	Update Status	Observation Date
<p>Latest Update</p>	<p>Responding to the Global Detention Project's Covid-19 survey, the Slovenian Human Rights Ombudsman reported that no moratorium on new immigration detention orders had been established by Slovenia and that no such measure was under consideration. Contrary to information published by ECRE (see 15 May Slovenia update on this platform), stating that immigration detainees had been released from the Postojna detention centre due to Covid-19, in a 21 April response to a request for information sent by the Ombudsman to the Interior Ministry, the ministry stated that no immigration detainees had been released from detention due to the pandemic and that no special measures had been adopted in case migrants were released. Importantly, however, the Ombudsman did not indicate whether they had received more recent information concerning these issues since the 21 April communications from the Interior Ministry. The Ombudsman also reported that, to their knowledge, detained migrants are tested if it is suspected that they have Covid-19. New detainees are placed in isolation for six days to reduce the risk of spreading the disease. Regarding returns, the Ombudsman indicated that in April, the National Preventive Mechanism staff of the Ombudsman's office carried out monitoring of the return of three persons to North Macedonia. No further information was provided by the Ombudsman. Furthermore, the Ombudsman's office said that no new immigration and/or asylum policies as well as border controls in response to Covid-19 were implemented. However, new asylum and immigration legislation is currently being proposed by the government, yet the Ombudsman indicated that the changes do not seem to be directly linked to the crisis.</p>	<p>2020</p>
	<p>As of 13 May 2020, Slovenia had recorded 1,461 cases of Covid-19 and 102 deaths related to the disease. As of 5 May, the detention centre in Postojna was still open. Migrants in the return procedure were released, with a temporary stay status of up to 6 months or until their removal. However, ECRE revealed that after their releases, these people were left without accommodation or support. Dublin transfers are suspended, without asylum seekers being made aware. ECRE also raised a red flag regarding the Slovenian Act on Provisional Measures for Judicial, Administrative and other Public Matters, which could "potentially be interpreted to mean that asylum procedures are not urgent. This would result in a suspension of asylum requests, submissions, interviews and decisions on family reunification." On 13 March, visits to prisons were suspended. Some inmates with less than six months remaining to their sentence have been released, starting 20 March. Asylum seekers were informed about Covid-19 by the Government Office for the Support and Integration of Migrants, and were provided with masks and protection equipment. Asylum Centres are disinfected and cleaned frequently, and newly arrived migrants are placed in quarantine. Only urgent asylum applications are being processed and according to EMN, "the application for international protection could be lodged only once the quarantine period has ended and the medical examination was conducted." The government announced a plan on 14 March to set up 40 kilometers of fence along the border, to prevent people from moving along the Balkan route. However, migrants are still crossing the border to get to Italy, passing through Slovenia. Mayors in the south of the country have called out the Slovenian government to send the army along the border with Croatia. Their petition was published on 22 April, and they feared that "a larger number of infected persons could enter Slovenia, since the virus is already present among migrants and a major spread among them will be impossible to prevent given their accommodation situation in Europe and Turkey."</p>	<p>2020</p>

INTERNATIONAL LAW

Relevant international treaties and date of ratification		
International treaties	Name	Ratification Year
	OP CRC Communications Procedure	2018
	CRPD, Convention on the Rights of Persons with Disabilities	2008
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2007
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2004
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2004
	ICCPR, International Covenant on Civil and Political Rights	1993
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1993
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1992
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1992
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1992
	CRC, Convention on the Rights of the Child	1992
	CRSR, Geneva Convention Relating to the Status of Refugees	1992
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1992
	CRSSP, Convention Relating to the Status of Stateless Persons	1992
VCCR, Vienna Convention on Consular Relations	1992	
Ratio of relevant international treaties ratified	15/19	
Relevant international treaties and date of ratification		
Individual complaints procedure	Name	Acceptance Year
	CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2008
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2004
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1993
	CAT, declaration under article 22 of the Convention	1993
ICERD, declaration under article 14 of the Convention	1992	
Relevant international treaties and date of ratification		
Ratio of complaints procedures accepted	Number	Observation Date
	5/7	
	5/7	

Regional treaties, regulations, and directives

Regional legal instruments	Name	Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	CPCSE, Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse	2013
	ECHR, Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the European Convention on Human Rights)	1994
	ECHR1, Protocol 1 to the European Convention on Human Rights (amended by protocol 11)	1994
	ECHR7, Protocol 7 to the European Convention on Human Rights (amended by protocol 11)	1994
	ECHR12, Protocol 12 to the European Convention on Human Rights	2010
	ECPT, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment	1994
	CATHB, Convention on Action against Trafficking in Human Beings	2009

Regional treaties, regulations, and directives

	Name	Recommendation Excerpt	Recommendation Year	Observation Date
	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)	<p>§ 31: the strict supervision unit was in a rather neglected condition, as illustrated by its dilapidated state of repair. The CPT recommends that this unit be refurbished in the near future. § 32: the CPT recommends that the Slovenian authorities review the official capacities of the rooms and apply the standard of at least 4m² of living space per person. § 35: The CPT recommends that the current practice concerning clothing of foreign nationals held at the Postojna Centre for Aliens be revised; all persons arriving at the establishment with clean clothes should be entitled to wear them during their stay and, when necessary, to have them cleaned and repaired. § 36: The CPT recommends that steps be taken to ensure that all persons detained at the Ljubljana Home for asylum seekers and the Postojna Centre are offered at least one hour of outdoor exercise every day. § 37: The CPT recommends that concerted efforts be made to provide a proper programme of activities, including organised recreation, leisure and sports, for foreign nationals held at both the Postojna Centre and the closed section of the Ljubljana Home for asylum seekers. The longer the period for which persons are detained, the more developed should be the activities offered to them. Children of school age should be provided with suitable educational activities. § 39: The CPT recommends that the Slovenian authorities pursue their efforts to further develop staff training, particularly in respect of all staff working in direct contact with foreign nationals.</p>	2006	
Recommendations issued by regional human rights mechanisms	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)	<p>§ 83: Steps should be taken to remedy [the] shortcomings [that rooms did not have any lockable space where foreign nationals could safely store personal belongings and that some of them were not equipped with a table and/or with enough chairs for the number of persons accommodated in them].</p> <p>§ 89: The CPT recommends that the necessary measures be taken to ensure that unaccompanied/separated minors are always provided with special care and accommodated in an open (or semi-open) establishment specialised for juveniles (e.g. a social welfare/educational institution for juveniles); the relevant legal provisions should be amended accordingly. The CPT considers that the accommodation of children accompanying their parent(s) in a detention centre can have a negative psychological effect on the child's development and well-being, particularly when the child is young. The placement of minors with their parents in a detention centre should only occur as a last resort, and if, in exceptional circumstances, such placement cannot be avoided, its duration should be as short as possible. Every possible effort should be made to avoid separation of children from their parent(s).</p> <p>§ 92: The CPT recommends that the judicial review of the detention order always includes an obligatory hearing of the foreign national concerned. The relevant legal provisions should be amended accordingly.</p> <p>§ 93: The Committee further recommends that regular access of legal counsellors to the centre be arranged (also without prior request by a foreign national). Steps should also be taken, including at legislative level, to ensure that all detained persons held under aliens legislation have an effective right of access to a lawyer for issues related to the detention, asylum and deportation. Those who are not in a position to pay for a lawyer themselves should benefit from an effective system of free legal aid. Further, appropriate interpretation should be provided for, whenever necessary.</p> <p>§ 96: The CPT recommends that owing to the special vulnerability of unaccompanied minors, steps should be taken to ensure that whenever they are deprived of their liberty, they are always assigned an appropriately trained and/or sufficiently experienced guardian (or legal representative) who effectively protects their rights and keeps them regularly informed about their legal situation. Review mechanisms should be introduced to monitor the ongoing quality of the guardianship.</p> <p>§ 100: The Committee recommends that [...] provisions [regarding the procedure of imposing disciplinary sanctions, including the foreign national's rights to be heard on the subject of the offence which he/she is alleged to have committed, and to appeal to a higher authority against any sanction imposed] be adopted. Further, a legal upper time-limit for placements under the strict police supervision regime as a disciplinary measure should be introduced.</p>	2017	

Bilateral/Multilateral agreements linked to readmissions

Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	Austria	1993	2017
	Bulgaria	2000	2017
	Denmark	1997	2017
	Estonia	1997	2017
	France	1993	2017
	Hungary	1999	2017
	Italy	1997	2017
	Latvia	1998	2017
	Lithuania	1997	2017
	Poland	1998	2017
	Romania	2001	2017
	Slovakia	1995	2017
	Czech Republic	2004	2017
	Switzerland	2005	2017
	Albania	2011	2017
	Bosnia and Herzegovina	2006	2017
	Macedonia	1999	2017
	Montenegro	2009	2017
Russian Federation	2012	2017	
Serbia	2009	2017	

Non treaty-based international human rights mechanisms

Visits by special procedures of the Human Rights Council	Name	Year of Visit	Observation Date
	None		2019

Non treaty-based international human rights mechanisms

Relevant recommendations by UN Special Procedures	Name	Recommendation Excerpt	Recommendation Year	Observation Date
	None			2019

Non treaty-based international human rights mechanisms

Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date
	No	2010	2017
	No	2014	

INSTITUTIONAL INDICATORS

Governing structures																
Federal or centralized governing system	Federal or centralized governing system										Observation Date					
	Centralized system										2019					
Governing structures																
Centralized or decentralized immigration authority	Centralized or decentralized immigration authority										Observation Date					
	Centralized immigration authority										2019					
Institutions responsible for immigration detention																
Custodial authority	Agency	Ministry				Ministry Typology				Observation Date						
		Ministry of Interior				Interior or Home Affairs				2019						
		Ministry of Interior				Interior or Home Affairs				2006						
Institutions responsible for immigration detention																
Detention Facility Management	Entity Name				Entity Type				Observation Date							
	Slovenian Police				Governmental				2019							
	Police				Governmental				2010							
	Police				Governmental				2006							
Institutions responsible for immigration detention																
Formally designated detention estate?	Formally designated immigration detention estate?				Types of officially designated detention centres								Observation Date			
	Yes				Dedicated immigration detention facilities								2019			
Institutions responsible for immigration detention																
Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date	
	Yes		Yes	Yes											2016	
Detention monitoring institutions																
Authorized monitoring institutions	Institution				Institution Type				Observation Date							
	Jesuit Refugee Service				Non-Governmental Organizations (NGO)				2017							
	Legal-Informational Centre for NGOs (Pravno Informacijski Center nevladnih organizacij (PIC))				Non-Governmental Organizations (NGO)				2017							
	European Committee for the Prevention of Torture (CPT)				International or Regional Bodies (IRBs)				2017							
	Human Rights Ombudsman of the Republic of Slovenia (Varuh Clavekovih Pravic)				OPCAT National Preventive Mechanism (NPM)				2017							
Detention monitoring institutions																
Is the national human rights institution (NHRI) recognized as independent?	Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?										Observation Date					
	No										2016					

Detention monitoring institutions		
Does NHRI carry out visits?	Does NHRI carry out visits in practice?	Observation Date
	Yes	2015
Detention monitoring institutions		
Does NHRI have capacity to receive complaints?	Does NHRI have capacity to receive complaints?	Observation Date
	Yes	2015
Detention monitoring institutions		
Does NHRI publicly release reports on immigration detention?	Does NHRI publicly release reports on immigration detention?	Observation Date
	Yes	2015
Detention monitoring institutions		
Does national preventive mechanism (NPM) carry out visits?	Does NPM carry out visits in practice?	Observation Date
	Yes	2017
Detention monitoring institutions		
Does NPM publicly release reports on immigration detention?	Does NPM publicly release reports on immigration detention?	Observation Date
	Yes	2017
Detention monitoring institutions		
Do NGOs carry out visits?	Do NGOs regularly carry our visits?	Observation Date
	Yes	2017
Detention monitoring institutions		
Do NGOs publish reports on immigration detention?	Do NGOs publish reports on immigration detention?	Observation Date
	Yes	2017
Detention monitoring institutions		
Do international and/or regional bodies (IRBs) visit immigration-related detention facilities?	Do international and/or regional bodies (IRB) regularly visit immigration-related detention facilities?	Observation Date
	Yes	2017
Detention monitoring institutions		
Do IRBs publicly report their findings from inspections?	Do IRBs publicly report their findings from detention inspections?	Observation Date
	Yes	2017
Outsourcing and privatisation		
Types of privatisation/outsourcing	Types of Privatisation/Outsourcing	Observation Date
	Social services	2017
	Detention facility security	2016

Outsourcing and privatisation

	Name of entity	Type of entity	Detainee transport	Food services	Health care	Social services	Laundry services	Legal counselling	Management	Owner of detention facility	Recreation	Security	Telephone service	Translation services	Observation Date
Detention contractors and other non-state entities	Jesuit Refugee Service	Not for profit				Yes									2017
	Unnamed private security agency	For profit										Yes			2016

Expenditures

Estimated cost per detainees day (in USD)	Estimated cost per detainees day (in USD)	Observation Date
	16	2014

Foreign sources of funding for detention operations

Does the country receive external sources of funding?	Benefitted from non-state funding sources?	Observation Date
	Yes	2017
	Yes	2016
	Yes	2015
	Yes	2014

Foreign sources of funding for detention operations

Description of foreign assistance	Description of non-state assistance	Observation Date
	During the period 2014-2017, Slovenia used funds provided through the EU's Asylum, Migration, and Integration Fund (AMIF) for various detention-related activities, including one or more of the following: increased staff at detention facilities; renovation of detention facilities; operational costs of running detention facilities; interpretation and healthcare services; legal assistance for detainees; leisure, cultural and educational activities at detention facilities. Proposed future regulations for this fund include encouraging recipients to consider possible joint use of reception and detention facilities by more than one Member State (see "The Way Forward, p.39).	2017
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More information about immigration detention in Slovenia is available at the website of the Global Detention Project (www.globaldetentionproject.org)