Applicants with special needs - Slovenia

Overview

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Relevant EU legislation

Slovenia is bound by the recast Asylum Procedures Directive and has transposed its provisions through the International Protection Act (IPA) | Zakon o mednarodni zaščiti (ZMZ-1)

Slovenia is bound by the recast Reception Conditions Directive and has transposed its provisions through the International Protection Act (IPA) | Zakon o mednarodni zaščiti (ZMZ-1)

National legislation

Slovenia has transposed the recast Asylum Procedures by the International Protection Act (Official Gazette of the Republic of Slovenia, No 16/17 – official consolidated text, 54/21 and 42/23 – ZZSDT-D)| Zakon o mednarodni zaščiti (ZMZ-1)

Competent authority and other stakeholders

Assessment of special needs in the asylum procedure	Migration Directorate, International Protection Procedures Division (Ministry of the Interior) | Direktorat za migracije, Sektor za postopke mednarodne zaščite
Assessment of special needs in reception	Government Office for the Support and Integration of Migrants (UOIM) | Urad vlade za oskrbo in integracijo migrantov

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Reception and care of UAMs	Government Office for the Support and Integration of Migrants (UOIM) | Urad vlade za oskrbo in integracijo migrantov Social Work Centres | Centri Za Socialno Delo Slovenije Statutory representatives in line with the IPA
Age assessment	Migration Directorate, International Protection Procedures Division (Ministry of the Interior) | Direktorat za migracije, Sektor za postopke mednarodne zaščite

Training initiatives

Regular training is provided to Migration Directorate officials on the treatment of minors and assistance in effective exercise of their rights; techniques of conducting a personal interview, especially regarding identification of signs that could have a negative impact on the person's ability to participate in the interview; the application of the Dublin III Regulation on personal interviews; and examination of applications of vulnerable persons with special needs (Article 8 IPA).

As part of the Operational Plan, staff of the International Protection Procedures Division of the Migration Directorate received specific training from the EUAA on three modules: interviewing vulnerable groups, interviewing children, and gender identity and sexual orientation (AIDA: Slovenia 2023). The EUAA has also provided support to UOIM on reception-related training which focused on identification, assessment and referral and case management of vulnerable persons, in line with national Standard Operating Procedures and relevant EUAA training curriculum (Slovenia, EUAA Operating Plan 2022).

The National Working Group on Combating Trafficking in Human Rights Action Plan for 2023-2024 focuses on training UOIM staff and organisations involved in the Asylum Centre and its branches in the early detection and prevention of trafficking in human beings (Government of Republic of Slovenia: Action Plan 2023-2024).

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Special needs in reception

Identification of special needs

There is no special mechanism laid down in law or in practice to identify vulnerable persons with special reception needs (AIDA: Slovenia 2023). Vulnerability is largely examined during the medical examination, which is undertaken before the lodging of the application for international protection, by medical professionals who identify physical vulnerabilities (Article 13 IPA). Vulnerability can also be identified during the lodging of the application or at any time during the asylum procedure (Article 13(1) IPA).

When an applicant with special reception needs arrives in the country, the Migration Directorate or the police, who make and register the application, are responsible for identifying special needs. When an unaccompanied minor arrives in the country, the Migration Directorate or the police, who make and register the application, are responsible for identifying special needs.

When special needs or vulnerabilities are detected in reception, the Government Office for the Support and Integration of Migrant (UOIM) is responsible.

When special needs or vulnerabilities are detected in any procedural stage following the arrival, the Migration Directorate or the UOIM are responsible.

Referral of applicants with special needs

As stipulated by law, the Migration Directorate and the UOIM inform each other of the existence and nature of identified special needs in reception or special guarantees in the procedure to ensure appropriate treatment of vulnerable applicants (Article 13 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).

The Migration Directorate documents the applicant's vulnerability or special needs on a specific form which is then given to the UOIM. The Migration Directorate gathers basic information such as the applicant's medical needs. UOIM social workers review the paperwork to ensure that the applicant receives appropriate care (AIDA: Slovenia 2023).

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Reception and care of applicants with special needs and vulnerabilities

The International Protection Act (Article 2, point 22 IPA) defines vulnerable applicants as the following groups: minors, unaccompanied minors, disabled persons, elderly persons, pregnant women, single parents with minor children, victims of human trafficking, persons with intellectual disabilities, persons with a mental health problems, and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.

The IPA is not very specific about the special needs of applicants with vulnerabilities or how applicants falling into specific categories are addressed within the reception stage, because special needs are addressed on a case-by-case basis. However, in practice, additional measures are specifically provided for vulnerable applicants who are victims of sexual or gender-based violence or human trafficking.

Victims of sexual or gender-based violence

The UOIM, in cooperation with the Ministry of the Interior, the Ministry of Labour, Family, Social Affairs and Equal Opportunities, the Police, the Ministry of Justice, 11 participating NGOs and UNHCR have Standard Operating Procedures (SOP) for prevention and action in cases of sexual and gender-based violence (SGBV) against persons treated under the provisions of the IPA (Government of the Republic of Slovenia, Stakeholders signed a new protocol on prevention and action in cases of sexual and gender-based violence).

Identified victims or potential victims of SGBV are processed in accordance with the SOP, which is based on a protocol that establishes a mechanism for prevention and action. The mechanism intends to provide victims with timely and coordinated assistance, complementing the current national mechanism. The national authority or NGO must report and immediately activate the SOP if a potential victim is identified. A meeting is held with the relevant actors and a support plan is developed based on the victims individual needs (AIDA: Slovenia 2023).

Victims of human trafficking

The Ministry of the Interior and the Ministry of Labour, Family, Social Affairs and Equal Opportunities are responsible for providing assistance to victims of human trafficking in the asylum procedure, in cooperation with NGOs and humanitarian organisations. Identified victims can be offered crisis accommodation, followed

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by long-term assistance and safe accommodation. The initiative provides all basic forms of assistance including accommodation, food, care, psychological assistance, translation services, counselling and information on their rights (Government of the Republic of Slovenia: Assistance to and protection of victims of trafficking in human beings).

Reception facilities and other housing arrangements

There is an Asylum Centre branch in Logatec for applicants with vulnerabilities. Unaccompanied minors are accommodated in Postojna in a separate reception facility dedicated to unaccompanied minors.

Housing arrangement

Individuals identified as vulnerable by a special multidisciplinary committee may be accommodated in special facilities, such as medical facilities or nursing homes, if suitable accommodation is not available in the Asylum Centre (Article 83(2) IPA). Accommodation is provided to vulnerable groups based on their vulnerability category on a case-by-case basis and is dependent on the availability of such facilities (AIDA: Slovenia 2023).

Specific needs and safety

Material reception conditions, medical and psychological counselling, and care are adapted to applicants with special needs in the course of their reception (Article 14(1) IPA). Vulnerable persons with special needs are entitled to additional health services, including psychotherapeutic assistance (Article 86 (2) IPA), following approval from a special committee comprising of a representative of the UOIM, a nurse or medical technician employed in the Asylum Centre, a representative of NGOs working in the field of asylum and a representative of the Ministry of Health (AIDA: Slovenia 2023).

Detention of vulnerable persons and applicants with special reception needs

If a measure on the restriction of movement has been ordered for a vulnerable group of persons with special needs, the competent authority ensures as a priority that their health is protected, including mental health, and that regular

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monitoring and adequate assistance is provided based on the special situation of that person (Article 84(9) IPA).

The Manual on Police Detention contains the rules on how police detentions are carried out. The manual is regularly updated (last update in May 2025). The manual also defines the conduct of detentions of vulnerable individuals in the chapters on the Rights of Children, Juveniles and Persons Lacking Mental Capacity (Chapter 3.7.5), detention of persons with disabilities (Chapter 3.7.6) and applicants for international protection (Chapter 3.7.7).

Reception of unaccompanied minors

Legal provisions in national legislation on reception conditions for unaccompanied minors are outlined in Article 16 of the IPA. On 10 October 2023, the government also adopted the Regulation on the method of ensuring adequate accommodation, care and treatment of unaccompanied minors.

Reception facilities and other housing arrangements

Housing arrangements

Unaccompanied minors are accommodated in a separate, dedicated reception facility in Postojna.

Youth apartments for unaccompanied minors are also foreseen (Article 30(1) Regulation on the method of ensuring adequate accommodation, care and treatment of unaccompanied minors).

Location

Postojna.

Specific needs and safety

The UOIM places an unaccompanied minor in an institution for children, where he/she is provided with appropriate treatment and care, according to the opinion of the centre for social work which is territorially competent in the area where the minor is accommodated. In providing accommodation and care, the office cooperates with a legal representative (Article 16(7) IPA).

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An unaccompanied minor is assigned a counsellor who is responsible for monitoring the child's development (Article 10 Regulation on the method of ensuring adequate accommodation, care and treatment of unaccompanied minors). An individual care and treatment plan is drawn up for the minor within 5 days of their arrival at the accommodation facility (Article 9(1) Regulation on the method of ensuring adequate accommodation, care and treatment of unaccompanied minors). The age and maturity and an assessment of the best interests of the child are carried out, in which vulnerabilities, special needs or risks that affect the accommodation process or directly threaten the safety and well-being of the minor are identified and addressed. For a minor with special needs or a minor who is exposed to risks, the minor will be given appropriate treatment (Article 9(2) Regulation on the method of ensuring adequate accommodation, care and treatment of unaccompanied minors).

Age assessments

Medical experts are responsible for the age assessment procedure. The legislative provisions on the age assessment procedure are outlined in Article 17 of the IPA.

An appeal of an age assessment may be filed against the final decision on the asylum application.

Access to education

Unaccompanied minors have the right to access the national education system soon after their arrival. If necessary, the minor is provided with preparatory educational assistance in order to facilitate access to the education system (Article 88(4) IPA). Unaccompanied minors are guaranteed the right to primary education no later than 3 months after lodging the application (Article 88(1) IPA).

Access to healthcare

Unaccompanied minors are entitled to healthcare equivalent to that received by children under mandatory health insurance (Article 86(3) IPA).

Transition to adulthood

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The legislation does not contain provisions regulating transition into adulthood.

Detention of unaccompanied minors

Unaccompanied minors cannot have their movement restricted in the Centre for Foreigners (Article 84(2) IPA).

Special procedural guarantees

First instance determination for applicants with special needs

The Migration Directorate considers the request as a matter of priority for vulnerable persons with special needs (Article 48 IPA).

Access to information

Special procedural guarantees regarding information provision are regulated by Articles 12–14 of the IPA, as well as by the Rules on the procedure for foreigners who wish to apply for international protection in the Republic of Slovenia and on the procedure for accepting applications for international protection.

Personal interview

Throughout the asylum procedure, the Migration Directorate is responsible for adopting specific procedural safeguards for the needs or vulnerabilities of an applicant. The official of the Migration Directorate conducts the personal interview in a way that enables the applicant to fully present their reasons for seeking asylum and their personal circumstances in the proceedings. In doing so, the official takes into account the personal circumstances of the individual, including their vulnerability (Article 37 IPA).

The Centre for Social Work appoints a legal representative to a person, who due to a temporary or permanent mental disorder or illness or for other reasons, is unable to understand the meaning of the procedure and cannot independently participate in the procedure (Article 19 IPA). The legal representative is present during the personal interview of the applicant.

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There is the possibility to omit the personal interview if the applicant cannot participate in the procedure on his/her own due to a temporary or permanent mental disorder or illness or reasons which prevent him or her from understanding the meaning of the procedure (Article 38 IPA).

The applicant can request that the interviewer or interpreter is of the same gender (Articles 37(6) and 6(6) IPA).

Legal assistance

Legal assistance during the asylum procedure is not regulated by the IPA. Legal counselling and representation are provided by refugee counsellors according to Articles 9–11 of the IPA. During the first instance procedure, it is provided free of charge by the Legal Centre for the Protection of Human Rights and the Environment | Pravno-informacijski center nevladnih organizacij (PIC) (AIDA: Slovenia 2023).

There are no specific provisions for the provision of legal assistance and representation for persons with vulnerabilities.

Guarantees for unaccompanied minors

The special procedural guarantees for unaccompanied minors in the asylum procedure are outlined in Article 16 of the IPA.

Making, registering and lodging an asylum application

Unaccompanied minors are appointed a statutory representative before the procedure for international protection begins. The Migration Directorate attempts to find out the identity of the minor as soon as possible in order to start the process for finding the parents or other relatives (Article 16(1) IPA). An unaccompanied minor participates in the asylum procedure in a manner that is appropriate and adapted to their age and level of mental development (Article 16(2) IPA). The legal representative accompanies the minor from the beginning of the procedure throughout the whole procedure (Article 16(6) IPA). The Migration Directorate assesses the application of the minor as a matter of priority (Article 48 IPA).

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Information provision

The Migration Directorate is responsible for providing information to unaccompanied minors on the procedure for international protection. Before lodging an application for international protection, the unaccompanied minor must be provided with information on the rights and duties of applicants, and the information must be adapted to the age and development of the minor (Article 16(5) IPA).

The minor is shown an information video for unaccompanied minors which includes information on the asylum procedure, the structure of the procedure, information on legal guardians, the rights and obligations of asylum seekers, the Dublin procedure, the right to appeal and representation by refugee counsellors (AIDA: Slovenia: 2023).

The EUAA and the Migration Directorate have made an information leaflet on the asylum procedure for minors. The information is available in several languages, including English, Arabic, Bengali, Spanish, Farsi, French, Hindi, Kurdish, Pashto, Punjabi, Portuguese, Russian, Urdu and Turkish.

Best interests of the child in the Dublin procedure

The best interests of the child is a primary consideration according to Article 15 of the IPA. In establishing the best interests of the child in the Dublin procedure, the following factors in particular are considered: the possibility of family reunification; the well-being and social development of the minor, particularly considering the environment from which the minor originates; issues concerning safety and protection, especially when there is a risk that the minor is a victim of trafficking in human beings; and the minor's opinion in accordance with his or her age and maturity (Ministry of the Interior and EUAA: Dublin procedure as a minor).

Personal interview

Unaccompanied minors aged 15 years or older are interviewed in person in the presence of a legal representative (Article 37(2) IPA). At the discretion of the public official conducting the procedure, an interview may exceptionally be conducted with an unaccompanied minor under the age of 15 (Article 37(3) IPA).

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There are specific procedures in place for interviewing an unaccompanied minor, and the official conducts the personal interview in a way that enables the minor to fully present their reasons or personal circumstances in the proceedings (Article 37(1) IPA).

Regular training is provided to Migration Directorate officials with regard to the treatment of minors and the provision of assistance in their effective exercise of their rights; techniques of conducting a personal interview, especially regarding identification of signs that could have a negative impact on the person's ability to participate in a personal interview; the application of the Dublin III Regulation on personal interviews; and examination of applications of vulnerable persons with special needs (Article 8 IPA).

As part of the Operational Plan, staff of the International Protection Procedures Division of the Migration Directorate received specific training from the EUAA on interviewing vulnerable groups including children (AIDA: Slovenia 2023).

The personal interview can be omitted for unaccompanied minors under certain circumstances as defined by the IPA. For example, if the minor cannot participate in the procedure on his/her own due to a temporary or permanent mental disorder or illness or reasons which prevent him or her from understanding the meaning of the procedure (Article 19 IPA).

Legal representation during the asylum procedure

The Social Work Centre appoints a legal representative to an unaccompanied minor from a list of legal representatives managed by the Ministry for Labour, Family and Social Affairs (Article 16(4) IPA). The legal representative is appointed as soon as possible, but before the procedure for international protection begins (Article 16(1) IPA). The legal representative accompanies the minor from the beginning of the procedure throughout the whole procedure and is present at all proceedings (Article 16(6) IPA). The legal representative represents the minor in the international protection procedure, as well as in areas such as health, education, protection of property rights and rights related to reception (Article 16(3) IPA).

Legal assistance and counselling

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There are no specific provision in the IPA on legal assistance and representation to unaccompanied minors.

An unaccompanied minor can be counselled and represented by a lawyer from PIC (AIDA: Slovenia 2023).

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