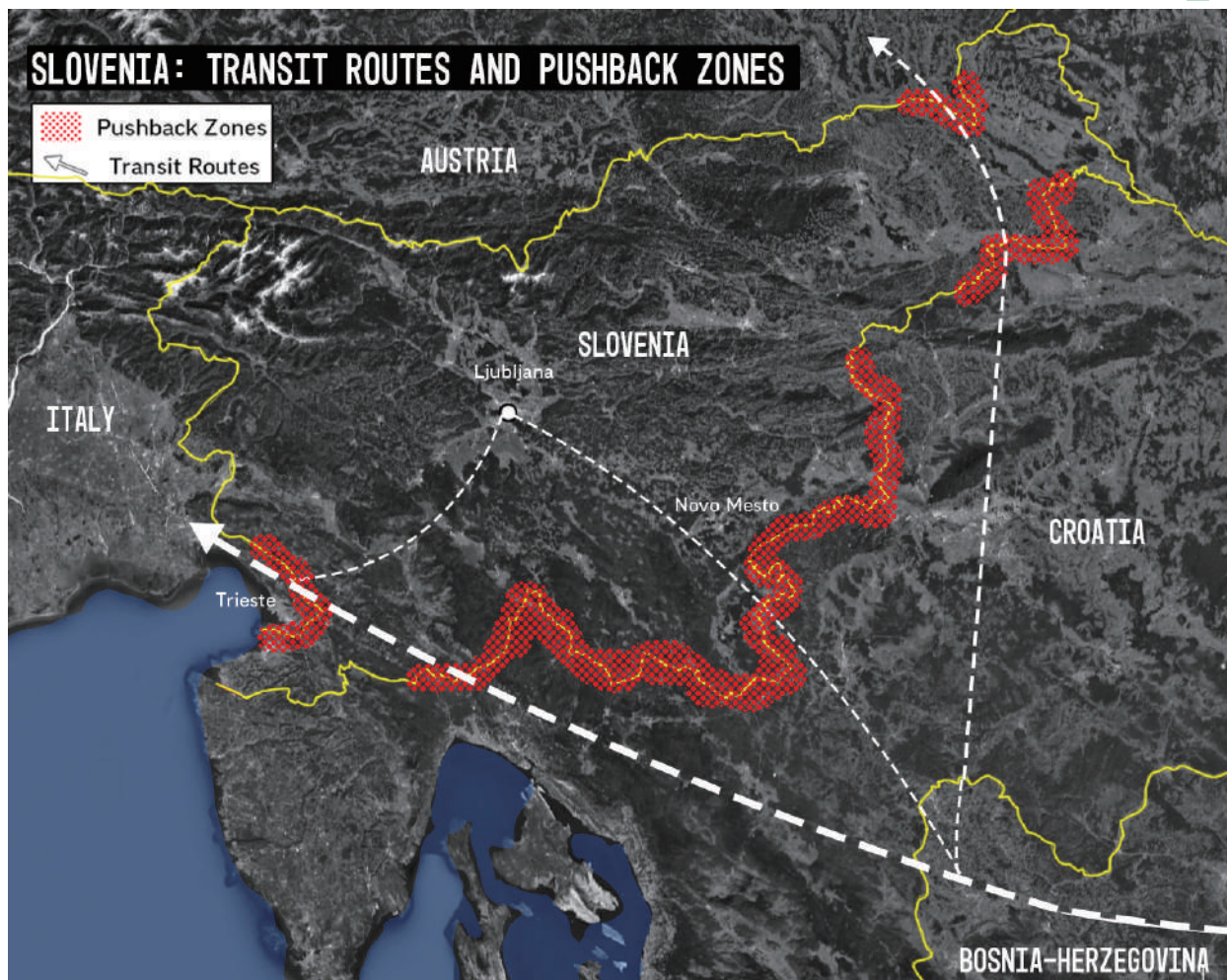


SLOVENIA



Slovenia is the first Schengen country on the Balkan route (after Greece), and one of the main transit points since the route shifted through Bosnia-Herzegovina (BiH) in 2018. Though the distance between Bosnia and Slovenia is only around 70 kilometers, the walk through Croatia usually takes 10 days or more. Yet these long and dangerous journeys invariably result in a forced return to Croatia within 24 hours.

Research and evidence collected by Amnesty International[1], the Ombudsman Office of the Republic of Slovenia[2] and BVMN member InfoKolpa[3] confirms that there is a systemic denial of access to asylum in Slovenia, carried out through malversation of procedures. In police stations asylum requests are ignored by the police, POM are faced with violence and threats or are misled into signing documents, thinking that they will be transferred to an asylum camp. Instead, they are subjected to an informal readmission procedure, leaving them without an option to appeal, or any other procedural safeguard against their removal.

This practice became systematic in early 2018, when official statistics indicated a sharp decrease in numbers of registered intentions to seek asylum and an increase in readmissions. A clear example of the above is the border police station Črnomelj, where the number of filed intentions to seek asylum dropped from 371 in May 2018 to only 13 in June 2018[4] despite an increase in recorded irregular border crossings. This decrease was the result of a series of internal police directives, at least one of which[5] was signed by Marko Gašperlin, current chairman of the management board of Frontex[6]. While to date, BVMN has collected 141 pushback testimonies from Slovenia detailing

the treatment of 1,181 persons, statistical reports on illegal migration collected from the Slovene Police indicate that from 2018 to 31st October 2020 there have been 24,756[7] people returned from Slovenia to Croatia via readmission.[8] Nearly all of them have been pushed back to BiH or Serbia in the manner of a chain-refoulement by Croatian police

The chain pushbacks from Italy and Austria to Slovenia are conducted in a similar way, through abrogated readmission procedures. By end of October 2020, there had been 1321 people readmitted from Italy to Slovenia[9], and there was also an increase of readmissions from Austria. The persons readmitted are returned to Croatia and subsequently on to BiH or Serbia. The issue of readmissions to Croatia was confirmed this year by a court in Genova, which stopped a Dublin deportation of a Pakistani citizen to Slovenia due to systemic deficiencies in the Slovenian asylum system and a high risk of further deportation to Croatia.[10]



This year InfoKolpa have observed a new practice emerge: detention of asylum seekers and fast-track asylum decision-making. Those detained were held in containers without access to direct sunlight, while being intimidated by police dogs.[11] This detention was ordered by the director of police Anton Travner who argued that people should be held in detention until the Ministry of Interior issues a negative asylum decision, so they could be returned to Croatia. Due to degrading treatment several protests broke out in the detention center in Postojna.[12] This change in policy bears resemblance to the "Hungarian model" of quick asylum requests processing under detainment.



Photo: Family found on a freight train in Dobova, at the Slovenian border, and later pushed back through Croatia to Serbia. Photo released by the Slovenian police. Case report by the BVMN: <https://www.borderviolence.eu/violence-reports/march-3-2020-0000-harmica-croatia/>



In Slovenia there have also even been attempts to legalise pushbacks. The proposed amendments of the Foreigners Act would, upon declaration of a “complex migration crisis” by the majority in parliament, allow for a suspension of the right to asylum[13]. By denying the right to asylum and conducting re-admissions to Croatia, Slovenia is violating the prohibitions on collective expulsion and torture. Despite overwhelming evidence, court decisions[14] and hundreds of testimonies, these violations are still officially denied, even though the Minister of Interior Aleš Hojs casually admitted in a newspaper interview that chain pushbacks are happening on a regular basis.[15]

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Photo: Fine + notice issued by Slovenian police, BVMN:
<https://www.borderviolence.eu/violence-reports/july-23-2019-2200-train-station-in-frankovci-slovenia/>

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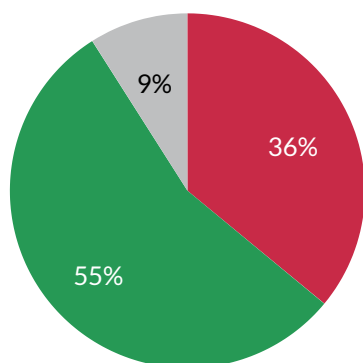
STATISTICS

Testimonies of pushbacks in Slovenia

Year	Number of testimonies	Affected persons
Overall	138	1266
2017	10	36
2018	39	343
2019	64	609
2020	25	278

Pushbacks involving minors in Slovenia

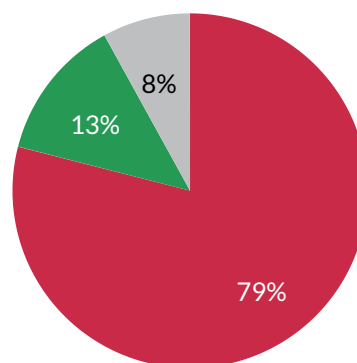
Percentage of testimonies in which at least one affected person was under 18 years old



Yes (36%) No (55%)
Unknown (9%)

Intention to ask for asylum in Slovenia

Percentage of testimonies in which the affected people were pushed back, even though they expressed an intention to seek international protection.



Yes (79%) No (13%)
Unknown (8%)