



National Summary Report

Case study: Slovenia



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Exploration and analysis of further public and civic alternatives to RR: case studies at multiple levels

Case study: **Slovenia**

Author: Ana Frank

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This document provides a concise summary of the key findings of the WP7 national report in Slovenia. For detailed analysis, evidence, and comprehensive insights, please refer to the full report. The information in this summary should not be considered complete or fully representative of the entire study.



Table of contents

1. Introduction	4
2. Alternatives.....	6
2.1 Legal alternatives	6
2.2 Civil society–project-based alternatives	7
2.2.1 Selected alternative: Ambasada Rog.....	8
3. Conclusion.....	10
4. References / Further reading	11

1. Introduction

This national report analyses **alternatives to return and readmission (R&R)** in Slovenia, examining the legal, institutional, and civil society landscape that shapes the possibilities available to asylum seekers, rejected applicants, and persons without legal status. The analysis is situated within a broader political and policy context characterised by **restrictive migration governance**, securitised approaches to border control, and persistent political resistance to non-return-based solutions.

Migration governance in Slovenia has been strongly affected by the political aftermath of the so-called “migration crisis” of 2015, which reinforced hostile public discourse and legitimised increasingly restrictive legal reforms. Migration has since become a recurring instrument of political mobilisation, particularly among populist and right-wing actors, who consistently oppose measures that might enable residence, regularisation, or long-term inclusion of migrants. Notably, however, regardless of shifts in government composition, the **Ministry of the Interior has maintained a long-standing and relatively stable line of restrictive policy-making**, resulting in a migration regime that is strongly oriented toward return and deterrence.

Within this context, debates on migration governance are overwhelmingly framed in terms of the **effectiveness of return**, i.e. **compliance** while alternatives to return and readmission remain politically marginal, fragmented, and conceptually underdeveloped. Institutional responsibility is frequently reduced to procedural compliance and enforcement, rather than to the identification of durable solutions for individuals who cannot be returned or whose prolonged presence in Slovenia generates social, family, or private ties, but are not always taken into account by institutions.

The Slovenian legal framework provides very limited systematic pathways for regularising the legal status of individuals who have received negative asylum decisions. Instead, it relies primarily on return, short-term tolerance measures (permit to stay on the territory of Slovenia), or exceptional and narrowly defined case-by-case solutions. The combination of restrictive legislation, protracted administrative and judicial procedures, and inconsistent institutional practices produces **heightened legal uncertainty and prolonged precariousness** for migrants at risk of return.

At the same time, migrants respond to these structural constraints in diverse ways, ranging from resignation and disengagement to active resistance and political mobilisation. In this landscape, **non-governmental organisations (NGOs), activist collectives, and grassroots initiatives play a crucial yet structurally limited mediating role**, providing forms of support and advocacy that are largely absent within institutional state frameworks.

Against this backdrop, the report examines the limited constellation of alternatives to R&R in Slovenia, focusing both on **formal legal alternatives** introduced through legislative amendments and on **informal, civil society-led practices** that mitigate the social and legal effects of restrictive migration governance. While the overall assessment indicates that Slovenia lacks comprehensive and durable alternatives at the national level, the report highlights practices emerging at the margins of the system, where civil society actors attempt to interrupt or soften the consequences of return-oriented policies, and in some cases succeed in challenging the official status-quo, either by preventing deportations (albeit rarely) or having influence in changing some minor legislation provisions (like allowing work permit to asylum applicants after 3 months instead of previous 9 months period).

The report draws on desk research, legal analysis, and interviews conducted across multiple work packages (WP2, WP4, and WP5), and presents a systematic overview of the Slovenian context, followed by an in-depth analysis of one selected alternative: **Ambasada Rog**, a migrant-inclusive grassroots initiative that exemplifies a non-institutional and counter or non-hegemonic response to R&R.

2. Alternatives

Alternatives to return and readmission in Slovenia exist in a **highly constrained and fragmented form**. They can be broadly divided into two categories: (1) **legal alternatives embedded within national legislation**, and (2) **civil society-driven, project-based alternatives** that operate largely outside formal policy frameworks. There are also some cross-section alternatives in cooperation of local authorities (for instance the municipality) and NGOs.

Across both categories, alternatives remain heavily conditional, precarious, and limited in scope. They rarely constitute explicit, rights-based regularisation pathways away from return, and instead function as transitional, temporary, or exceptional mechanisms that mitigate but do not fundamentally challenge the dominance of R&R policies.

2.1 Legal alternatives

Legal alternatives to R&R in Slovenia are narrow and primarily linked to **labour-market participation, family ties, or exceptional procedural circumstances**. They do not amount to a coherent regularisation framework and are often embedded in broader legislative reforms that simultaneously expand state control and procedural uncertainty.

A notable development occurred with the **2023 amendment to the International Protection Act**, which shortened the waiting period for asylum seekers' access to the labour market from nine months to three months after the submission of an application. This reform was widely welcomed by civil society actors and practitioners, as it significantly improved the material situation of asylum seekers and reduced their dependence on minimal reception conditions. Nonetheless, this measure applies exclusively to asylum applicants and does not extend to other categories of undocumented or irregular migrants. The amendment was though a direct result of civil society pressure, namely the collective Ambasada Rog.

In 2024, the **Act on Measures to Optimise Certain Procedures in Administrative Units**, often referred to as the **Intervention Act**, introduced a temporary and highly specific alternative for a limited number of rejected asylum seekers. Under this Act, individuals whose application for international protection had been rejected but who were **already employed and registered in the social security system** could apply for a single residence and work permit. This pathway was time-limited (less than a year), applied only to applications submitted by a specific deadline, and covered only a very small number of people. Although widely praised by interviewees as an important and humane provision, the Act ceased to apply at the end of 2024 and did not evolve into a permanent policy instrument.

More substantial changes were introduced in **May 2025** through amendments to the **Foreigners Act**. These amendments created, for the first time, **explicit legal possibilities for asylum seekers to transition from asylum-related status to labour-based residence** before the conclusion of asylum procedures. Under specific conditions, such as prior employment, inclusion in social insurance, and fulfilment of general statutory requirements, individuals may apply for a first single residence and work permit, and also apply for extension.

Importantly, the amendments also apply to **rejected asylum seekers**, as pending applications for labour-based permits can continue to be assessed even after a final negative asylum decision. In such cases, authorities may issue temporary certificates that permit residence and employment during administrative processing, thereby mitigating the immediate risk of irregularity and forced return.

However, at the same time, these amendments also **extend decision-making timelines**, in some cases from one to two years, significantly increasing legal uncertainty and prolonging exposure to precarious conditions. As such, the reforms reflect a **dual logic**: they expand selective inclusion through labour-market integration while simultaneously reinforcing administrative control and procedural precarity.

Beyond statutory law, **individual court cases** constitute another potential legal avenue. Strategic litigation may, in rare instances, result in favourable judgments or establish legal precedents. However, interviewees emphasised that judicial pathways are slow, unpredictable, and rarely successful in Slovenia, particularly with regard to higher courts or European legal forums.

Overall, legal alternatives in Slovenia remain **conditional, employment-centred, and narrowly circumscribed**, offering partial relief rather than durable protection. They tend to reframe migrants less as rights-bearing subjects and more as economically useful actors whose inclusion is tolerated under exceptional circumstances, according to labour market needs.

2.2 Civil society–project-based alternatives

In the absence of comprehensive legal alternatives, **civil society organisations and activist initiatives have assumed a central role** in providing practical support to migrants facing return, irregularity, or legal limbo. These initiatives operate across different sectors, including housing, healthcare, legal assistance, advocacy, and socio-economic support.

Organisations such as **Slovene Philanthropy**, the **Legal Centre for the Protection of Human Rights and the Environment (PIC)**, the **Red Cross**, **Caritas**, **InfoKolpa**, **Gmajna**, and pro bono healthcare clinics (the longest operating in Ljubljana) play a vital role in addressing immediate needs that are largely neglected by state institutions. Their work is primarily support-oriented and case-based, rather than systemic, reflecting both their resource constraints and the structural limits imposed by Slovenia's migration regime.

Among these practices, **pro bono healthcare services** stand out as an important alternative, ensuring access to essential medical care irrespective of legal status and without reporting obligations. Similarly, civil society actors frequently provide housing assistance, food, clothing, legal counselling, accompaniment in administrative procedures, and advocacy on behalf of individuals at risk of deportation.

While these initiatives do not constitute formal alternatives to R&R in the strict legal sense, they **mitigate the social harm** associated with return-oriented policies and create spaces for dignity, survival, and resistance. They also maintain ongoing pressure on state institutions through public advocacy, media engagement, and strategic mobilisation.

Within this heterogeneous landscape, the report selects **Ambasada Rog** for in-depth analysis as a particularly illustrative example of a **non-institutional, grassroots alternative** that combines material support with explicit political contestation of R&R policies.

2.2.1 Selected alternative: Ambasada Rog

Ambasada Rog is a **self-organised, migrant-inclusive initiative based in Ljubljana**, emerging from the broader ecosystem of the Autonomous Factory Rog. It operated as a collective space where migrants and local activists collaborated on the basis of solidarity, mutual aid, and political mobilisation.

The initiative was selected as the central case study because of its **distinctive characteristics**: its bottom-up structure; its explicit engagement with migrants as political actors rather than passive beneficiaries; its operation outside formal NGO and state frameworks; and its sustained critique of dominant migration and border regimes. Unlike many support-oriented initiatives, Ambasada Rog explicitly challenged the premise that detention, deportation, and return are the inevitable or legitimate outcomes of irregularised migration.

Within Ambasada Rog, two interconnected formations played a key role. The **Asylum Working Group** focused on legal monitoring, advocacy, and administrative support, often engaging with asylum procedures and detention practices. The collective **Tukaj smo (We Are Here)**

functioned as a self-organised refugee and migrant community that emphasised visibility, voice, and political subjectivity. Through publications, public statements, protests, and storytelling, migrants articulated their own experiences and demands, actively shaping public discourse.

Ambasada Rog combined **practical assistance**, such as legal information, accompaniment, and mutual support, with **public campaigning and political pressure**. Interviewees consistently emphasised that sustained public visibility and collective mobilisation were crucial in challenging deportations, influencing administrative practices, and contributing to legislative changes, most notably the earlier access to employment for asylum seekers introduced in 2023.

From the perspective of migrants, the initiative provided **collective support, dignity, and a sense of belonging** that was absent in formal asylum structures. Migrants valued the opportunity to be seen and heard as political subjects, rather than as objects of humanitarian intervention or administrative control.

At the same time, Ambasada Rog was marked by **structural precarity**. It lacked stable funding, legal recognition, and institutional protection, relying almost entirely on voluntary labour and donations. Its operation was further constrained by state repression and the eviction of the Autonomous Factory Rog by the Ljubljana Municipality in 2021, which resulted in the loss of an accessible and central physical space.

Despite these limitations, Ambasada Rog does not simply represent a failed or defunct initiative. While its spatial and organisational form has changed, its activism, discourse, and political engagement continue. However, from the perspective of WP7 criteria, it **cannot be classified as a promising practice in terms of durable legal security or institutional sustainability**. Instead, it functions as a **counter-hegemonic political alternative**, exposing the limits of R&R policies and demonstrating the social and political viability of solidarity-based, non-carceral responses to migration control.

3. Conclusion

The analysis presented in this report demonstrates that **Slovenia lacks durable, rights-based alternatives to return and readmission**. Migration governance remains dominated by deterrence, enforcement, and return-oriented logic, reinforced by securitised political discourse and restrictive institutional practices.

Recent legislative amendments introduce **selective and conditional alternatives**, primarily linked to employment. While these changes represent modest openings within an otherwise restrictive regime, they remain limited in scope and are accompanied by measures that increase legal uncertainty and procedural precarity. Temporary legal instruments, such as the 2024 Intervention Act, have provided meaningful relief for a very small number of individuals but have not transformed the structural conditions of migration governance.

State officials generally interpret alternatives narrowly, often equating them with procedural compliance or voluntary return and reintegration. This framing obscures the distinction between return-based measures and genuine alternatives, and contrasts sharply with the perspectives of NGOs, legal experts, and international organisations, who emphasise the need for regularisation pathways for individuals who cannot be returned.

In this constrained environment, **civil society initiatives constitute the most significant source of practical alternatives**, even though they operate without systemic support and under conditions of chronic precarity. Among these initiatives, Ambasada Rog stands out as a politically articulate and migrant-inclusive response that challenges dominant paradigms and expands the conceptual boundaries of what alternatives to R&R can mean.

Ultimately, the Slovenian case illustrates how alternatives to return may emerge **less through formal policy design and more through social struggle, solidarity practices, and political contestation**, particularly in contexts where migration governance remains resistant to rights-based reform.

4. References / Further reading

International Protection Act (ZMZ 1)

Employment, Self-employment and Work of Foreigners Act (ZZSDT)

Act on Measures to Optimise Certain Procedures in Administrative Units (ZUOPUE)

Foreigners Act (ZTuj 2), including 2025 amendments

Kanellopoulou, J. & Ntounis, N. (2024). Kanellopoulou, J. & Ntounis, N. (2024). A Chronotopic Evaluation of Autonomous Rog: The Spatiotemporalities of a “Quasi-Public” Urban Squat, *Social & Legal Studies* 2024, Vol. 33(1) 61–81,
<https://journals.sagepub.com/doi/pdf/10.1177/09646639221147650>

Ribač, M. (2025). Facing the polycrisis storm: divergent forms of solidarity in Slovenian contentious discourse framing. In: *Framing solidarities in times of multiple crises*, Cham. p. 147–174. P. 147–174.
https://link.springer.com/chapter/10.1007/978-3-031-82563-7_6

Zorn, J. (2021). The Case of Ahmad Shamieh’s Campaign against Dublin Deportation: Embodiment of Political Violence and Community Care. *Social Sciences*, 10(5), 154.
<https://doi.org/10.3390/socsci10050154>

UNHCR, Refugee Convention (1951)

Selected NGO and civil society publications referenced in the report

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