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IN-DEPTH STUDY OF REFUGEE POLICIES AND PRACTICTES OF THE FIVE CITIES INVOLVED IN SIFORREF

City of Ljubljana

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1. Overview of national asylum policies (NB. Have a look on Annex 1 at the end of this document)

Slovenia has a brief history of another migration movement from the early 1990s when refugees from Bosnia and Herzegovina and Croatia were fleeing war because of disintegration of Yugoslavia (starting in 1990 with the secession of Slovenia). Laws were different in that period, a kind of collective "refugee" status was introduced with one of the most visible difference, being that refugees at that time couldn't work for several years since it was anticipated they would return to their home countries as soon as the war ends. That changed with new legislations so the field of international protection and refugees' rights in Slovenia today is mainly handled by the International Protection Act. There are some matters, such as family reunification, that are separately included in the Foreigners Act. Since the rights of people with refugee status are mostly equal to those of Slovenian citizens', they are also part of other national acts (Social Assistance Benefits Act, Patients' Rights Act, Employment, Self-employment and Work of Foreigners Act, etc.), which don't specifically refer to refugees because they are valid for them as well as for Slovenian or other citizens. This means they have the same rights access to the labour market, to be part of education system, access to healthcare and social benefits, residence permit. People with refugee status don't have the right to vote or the right to access non-profit housing.

International Protection Act in the Chapter I - General Provisions, defines terms, such as international protection, refugee, application, etc. It further defines in Chapter II - Fundamental Principles and Guarantees, rights to translators, role of officials, involved in procedures, rights and responsibilities of unaccompanied minors and vulnerable people with special needs. Chapter III - Recognition of International Protection deals with issues, such as definition of international





protection, justification of the application... Chapter IV - Procedures refers to the stages, steps to the recognition/denial of international protection, like entering in the country, rules around personal interview, ways to apply for international protection, concept of safe countries, re-application, reasons and procedures to withdrawing the status. Chapter V defines details regarding Judicial Protection and Chapter VI citizens of third countries and stateless persons who fulfil the conditions for recognition of the status of international protection and have been accepted to the Republic of Slovenia on the basis of quotas (definition of quotas, conditions, procedure, entering the country, sharing of burdens amongst EU Member States). Further on, while Chapter VII deals with rights and obligations of applicants for international protection at the reception (rights of asylum seekers, asylum centres, movement restrictions, access to healthcare, to the labour market, education, obligations of the asylum seeker), Chapter VIII continues with rights and obligations of persons with recognized international protection, detailing their rights, information, residence in the Republic of Slovenia, accommodation, compensation for accommodation at a private address, access to labour market, healthcare, social benefits, education, integration activities, obligations. Under Chapter IX there are listed documents and their characteristics, like applicant card, card for residence permit, refugee passport, passport for a person with subsidiary protection. Chapter X - Record, handles the issues of data protection, collections of personal data, record of people who were recognized international protection, record of issued documents. And final, Chapter XI are Transitional and Final Provisions.

In autumn 2015 (September-October), Slovenia became a part of the so-called Balkan corridor, when thousands of migrants wanted to reach their destination countries of Western or Northern Europe. Migrants were mostly arriving to Greece from the Mediterranean Sea with boats or from continental Turkey they have reached by foot from war-torn Syria, Iraq, Iran, Afghanistan. From Greece





they continued their way through Northern Macedonia, Serbia and until the closure of the border, Hungary and further north-west. When Hungary closed its border with Croatia in mid-October 2015, migration flow redirected to the western side and continued from Croatia to Slovenia and Austria, finally reaching Germany and other countries of Western and northern Europe. This so-called Balkan corridor was in motion from October 2015 until mid-March 2016 when Slovenia closed its borders, causing domino effect further south and leaving thousands of people stranded in camps and on the streets of Turkey, Greece, Macedonia, Serbia and Bosnia and Herzegovina.







Slovenia faced a new dynamic at its borders as the migration flow shifted from Hungary. Prime minister at that time activated thousands of members of military, professional soldiers, police. UNCHR and IOM sent their representatives and new staff with translators to the border in order to monitor and execute activities according to the human rights and international regulations. There were countless NGO, humanitarian and solidarity organizations with volunteers who worked in shifts, handing out clothes, toiletries, food, water, and other necessities to the arriving refugees.

Main arrival/transit points were Dobova train station, town of Brežice, Šentilj (border crossing with Austria), Gornja Radgona (bordering with Austria), Rigonce (border crossing with Croatia), Obrežje (border crossing with Croatia), Dobovec (border crossing with Croatia).

Migrants and all the happenings around their movements and border crossings was from the beginning in the spotlights of Slovenian and foreign media. There were pictures of thousands of people walking kilometres and then arriving in stuffed trains to the stations where they were escorted by the military or police to the next border crossing.







Source: Države na balkanski migracijski poti za upočasnitev toka migracij, https://www.rtvslo.si/slovenija/drzave-na-balkanski-migracijski-poti-za-upocasnitev-toka-migracij/378877

Above mentioned migration flow also resulted in higher number of applications for international protection which is describe more detailed further down.

The increased flow of migrants also caused Slovenia to set up a wired fence on the border where the (larger) inflow of migrants was and still is anticipated. This was determined by the prime minister with the support of foreign and other ministers, president of the Republic of Slovenia and other politicians. It was, however, strongly opposed by the local population and human rights and solidarity movements, NGOs and other organizations, active in the field.







For Slovenia, »Long summer of migrations of 2015-2016« (Kasparek 2016: 5) and the so called »Balkan route« became a harsh wake up call. Ideas about Slovenian society as a successful but closed, homogeneous and unattractive as final destination for people on the move supported by problematic political »solutions« such as bilateral agreements with Croatia and Bosnia and Herzegovina which legalized »push backs« of people on the move »back to where they came from« lost their power and meaning when more than half a million people contested Slovenian and EU border regime and negotiated their way across the state on their way to Austria and other Western Europe countries during the »Crisis of EU border regime« (see Hess, 2016: 3)

It was this situation that forced Slovenian politics to resolve what they have identified as two mayor questions: first, how to organize the transports of people





on the move in a way that as few as possible would stay in Slovenia, which was achieved with the help of the so called »Humanitarian corridor« (Petrovčić 2016:47) and anti-migration political, media and public discourses (see Vezovnik 2017: 124), and secondly, how to deal with the people, who wanted to seek protection and possibilities in Slovenia by claiming asylum.

As the first question was mostly solved by quick transport by trains and buses across the territory, unfriendly and sometimes brutal police force, short term temporary official »shelters«, (see Kozinc 2015: 246) razor wire on the borders and the EU externalization policies (mostly FYR Macedonia and Turkey), the second one is still pending since Slovenia, unlike the other countries from the Visegrad group, also decided to support the EU relocation program so around 460 asylum seekers from the »Balkan Corridor« were joined by 556 asylum seekers which are still getting transferred from Italy and Greece at a very slow pace. (MNZ 2016:1)

Nearly three years after the official »closure« of the so called »Balkan humanitarian corridor« (Kogovšek Šalamun 2016: 61) situation of the asylum seekers and people with international protection (refugees) in Slovenia is far from ideal. Whereas official policy intentionally fails to provide additional activities other than those they perceive as essential for livelihood, there are many other initiatives in the form of grassroots initiatives, solidarity movements, experiments, projects and one-time or continuous actions that together with refugees and asylum seekers manages an »alternative« inclusion system to Slovenian society. There is a wide network of diverse actors, like local communities, NGOs, humanitarian organizations, public and private research institutions, youth cultural centres, libraries, activist movements, multitudes (see Second Home 2017: 76) individuals and even some autonomous government offices involved in creating something new. This new development does not cover the integration field in the »nation state text book« sense but is filling small every day's voids where people





are stuck and which emerge from non-existing long-term strategy in the field of migrant and refugee welcoming and inclusion.

As it turns out »Slovenian integration system« is obviously still following the similar guidelines which were set in 1991 during the war in Yugoslavia because of Croatian and Bosnian refugees since people are still falling into the same gaps and are faced with similar obstacles that prevent the inclusion as in the past. (see Beznec 2017: 62) On one side a certain pressure can be felt in the acts of selfsufficient bureaucrat apparatus, mostly Ministry of Interior, which is mostly in line with growing securitarian political and public discourses (see Gombač 2016: 74). On the other side asylum seekers and people with international status are still struggling with border practices, which are aimed at preventing their inclusion. As Balibar puts it »some borders are no longer situated at the borders at all in geographical and political senses of the terms« (Balibar 2002: 84). It is everydays small barriers and challenges in schools, banks, offices, hospitals, shops, streets... that migrants experience as living constantly at the border, a »place where one resides«. (Nyers 2010: 132) It seems that Khosravi is even more precise in his analysis of precarious situation of irregular migrants, asylum seekers, refugees when he stresses that »Borders have become invisible borders, situated everywhere and nowhere. Hence the undesirable persons are not expelled by the border, they are forced to be border. I am included and at the same time excluded. I am indistinguishable from the border; I am the border«.

A diverse spread of networks in the cities where most refugees live, Ljubljana and Maribor, made it possible for asylum seekers and refugees to navigate through the official and also participate in the so called »alternative« inclusion system(s). However, the dynamics and content of networks in both cities differ due to different organizational methods, historical involvement of civil society, social movements and social non-movements, (see Bayat 2010: 43) 2009 austerity measures aftermath and forcibly regulated flow of people between the Slovenian





cities who acquire the status, which is organized and managed from the top down through the official institutions (acquiring the status in Ljubljana and then being moved to Maribor or Velenje cutting the networks already acquired). Main challenges of this situation seem to be the following:

First, filling the voids, left unattended by the official policies is an interesting and engaging but also a two-sided process. On one hand it is an opportunity to identify and provide support for the fields that have not been yet covered, but on the other hand it does not represent a systemic, sustainable or continuous solution which can, over the time, have negative side-effects. When working with migrants, sense of permanence is of great important in order to build a relationship, organize a continuous process of support and solidarity and create a safe space which could eventually become their home(town). So temporary or timely undefined actions identified by individuals, activists, initiatives, NGOs, social movements, migrant associations and other actors in the solidarity networks as urgent and necessary can in a longer term create s situation of constant stress, lack of people, money, resources which can lead to organizational difficulties, compassion fatigue and a feeling of burnout.

Second, as social inclusion was imposed from the top down by the Ministry of Interior and later Government Office for the Support and Integration of Migrants (GOSIM) by financing the Integration houses and engaging of two NGOs, one situated in Maribor and the other in Ljubljana on temporary project based work local communities were neither invited neither involved but sometimes even discouraged to participate in the process. This created a whole set of issues of marginalization, alienation and hopelessness for persons with international protection. Challenges were addressed by the already mentioned »alternative« inclusion system with a variety of actors and then forcing their way into the field by everyday's grassroots work, actions, support, discussions, pressures with the refugees and earning their trust. This process is still ongoing as different actors are





stepping in and out and for different occasions or period of time, actors like activists in the field of Roma inclusion, human rights, anti racism, music and dancing schools and associations, transnational guerrilla art school, primary schools, theatres, autonomous zones, various sustainable development and art associations, sport clubs, youth centres, research institutions, migrants associations, associations for psychosocial assistance and after three years also, but very reluctantly, municipalities. Some of the activities are sponsored by the EU but most of the work is voluntary and community based/orientated.

Third, as social inclusion is finally showing some progress the inclusion to the labour market is still a tough nut to crack especially in the cities where 2009 crisis and the following austerity measures hit the population especially hard. So media and public discourses can get very negative when it comes to employment of »foreigners« (they are taking OUR jobs). We can follow the situation through first hand experiences of refugees themselves then they formulate their opinions on »Slovenian integration system« and their (non)inclusion to this specific sector, which is (over)protecting the domestic workforce on one but benefiting from black market precarious labour sources on the other side. (De Genova 2002: 436)

The lessons that could be drawn from all this accumulated knowledge showed us that current situation of people with international protection in Slovenia is not critical (yet), but many things should be addressed and improved in order to develop a long term functional locally orientated inclusion system where responsible official and other actors would pursue similar goals together with the local populations





2. Origin, development and consolidation of refugee policy-making at regional/local level.

2.1. The regional level

There is no regional level in Slovenia. Only state/national and local. And there is no possibility for the structured refugee policy on the local level since it was "usurped" by the state.

Official refugee policy, supported by various measures and legislation, can only be discussed at national level. This area is covered by two institutions: Ministry of the Interior and Government Office for the Support and Integration of Migrants. Many national directives and measures mostly align with European directives.

The integration policy is slowly developing, looking good at the declaratory level, but there are insufficient financial resources devoted to this area. Moreover, the policy is under-divided among the various actors involved. The Government Office for the Support and Integration of Migrants is expected to fully cover the area of integration, while other government departments are less active. Refugee policy in Slovenia has always been relatively restrictive. In recent years the share of persons, who granted international protection status have been very small. This percentage has been extremely low throughout the years, at one point it was even one of the lowest in the EU. It looks like everybody is convinced that Slovenia has always been mainly a transit country.





2.2. The local (city) level (NB. Have a look on Annex 2 at the end of this document)

Local communities are left to use their own imagination and react to the events they are faced with. Ljubljana reacted for the first time from inertia and not because of the structure during Bosnian war. Network was created in the city but also the state started to react. Various actors took part in this network, but almost all the activities were in the hands of the State, Asylum homes and all... And the State is still holding its hand over this after all these years.

In the time of the »Crisis of European border regime in 2015-2016« the city of Ljubljana prepared the capacities for people on the move and also the Ministry of Interior said "ok" but at the end people were sent to the periphery and not to Ljubljana. The City council supported this engagement and actions no one vote against it.

City of Ljubljana organized some additional activities during 2015-2016, Slovenian language courses in schools, also certain additional programs in Asylum homes. The City council has followed the situation closely and some of the political parties presented initiatives about the necessary activities during the refugee situation on national and local level. The City (co)financed specific activities, programs and projects for public institutions that come in direct contact with refugees or migrants and perceive their needs. They followed the written principles and support the state in providing opportunities for optimal development of the individual, regardless of gender, social and cultural background, religion, nationality, physical and mental constitution, etc. (as follows from the Constitution of the Republic of Slovenia and the Convention on the Rights of the Child).

Concerning the legal aspect there was a breakthrough in 2010/11 with EU legislation, that was developed also through the practice of European courts;





accession process to the EU and the harmonization of national with the EU legislation; another milestone is the Lisbon treaty 2007, that abolishes the three-pillar structure (where migration was under intergovernmental security pillar, with the abolishing of the pillar system migration becomes the topic that can be revised by European courts).

Summer of migration 2015/16 enhanced the above mentioned developments. A surge in legal cases also on the national level with the increased number of asylum seekers. Singular cases contributed to the development of national legislation (despite the fact, that many asylum seekers continue their journey). Right now, the normative framework is comparable to western European countries, despite the relatively recent history of asylum and migration policies/legislation in Slovenia. Counsellors for refugees contributed significantly to these developments through court practice (since they are basically legal representatives of AS/refugees in legal procedures in front of courts/institutions)

As for NGOs in Ljubljana, they are mainly entering areas not yet covered by national institutions or covered only to a certain degree: assistance to refugees, children and young migrants, aid for the homeless and other persons without health insurance in access to health services, advocacy of rights of migrant workers, establishment of intergenerational cooperation. They work in the field of social and psychosocial support, providing practical forms of assistance and guidance.

Education for children in Ljubljana is organized and lead by Department for Preschool education and education of the Municipality of Ljubljana. They have shaped the democratic system of education, which enables implementation of the principle of equal opportunities, together with a request to take account of and respect for diversity: Individual differences, balanced development, equal opportunities, the freedom of choice and diversity. The pursuit of these objectives





is taken into account when performing compulsory additional tasks of the local community, by investing appropriately in the spatial solutions and equipment of kindergartens and schools, facilitating quality leisure in school facilities for pupils, promoting the cooperation of schools with relevant institutions, and preparing and implementing a comprehensive educational design, which means equal opportunities for achieving a high educational standard, also for refugee pupils and students or for pupils and students who are foreigners or whose parents are foreigners and Slovenian is not their mother tongue.

In schools there are also no specific refugee policies at the local level. The school works together with various associations and receives a lot of municipal support, though it hasn't increased with the refugee crisis. In the last 10 years not much has changed. Refugee children were already present at the school ten years ago, and by then the Municipality of Ljubljana had already provided financial support for the school's development. However, this hasn't increased with the refugee crisis. All compulsory school age children from reception centres come to one school (Livada primary school), where they receive professional help and are taken very good care of. From a professional standpoint, it would be better if the children were distributed across several different schools, although they'd receive less support there than they do with us, they'd be mixed in with the crowd, forced to adapt.

Also Office for Youth, responsible for education, became actively involved through its calls and programs.

Adult education is run mainly by Ljubljana Public Education Centre Cene Štupar as one of the biggest organizations in the field of adult education in Slovenia. It was established by the Municipality of Ljubljana and has been continuously warning ministries, as well as local authorities, that the needs of immigrants regarding education have been increasing and are different from those of





immigrants in the 90's, who came from ex-Yugoslav republics. The institution presents itself as a public one, and one that works with persons under international protection and asylum seekers. They present activities related to assisting adult immigrants. In the last 10 years, the topic of immigrants, asylum seekers and persons with international protection has become more widely discussed, public awareness has also increased. The number of immigrants in the city has been increasing, and with it the need for Slovenian language courses.

Activism in Ljubljana, like in other places, changes according to the most acute matters. It began in 1999 and evolved from research and awareness raising. Activists from multitudes like Antiracist front and movements like Second Home, Ambasada Rog, Infokolpa... also work with AS and R in the city, that are not considered to have a great potential for successful integration. On the political level they try to expand the boundaries of the acceptable, they work on the level of political imagination. They say what the more formalized actors are not saying, they break the ice and others can follow. During the refugee crisis there were humanitarian actions on the border and media campaigns, later there was a social centre, an autonomous space that had an alternative international program.





3. The multi-level dimension of refugee policy-making

3.1. The levels of government

The national and EU level are intertwined and most relevant; the national level basically implements the EU level, with a little more autonomy on the field of social policies, although even here there are EU minimum standards. When a person obtains a refugee status, he is on the same level of social rights as citizen (except for social housing).

In Slovenia, official refugee policy, supported by various measures and legislation, can only be discussed at national level. This area is covered by two institutions: Ministry of the Interior and Government Office for the Support and Integration of Migrants. Many national directives and measures mostly align with European directives.

At local level, we can only discuss about the implementation of national policies and policies at the declaratory level, the political attitude to this issue and the (financial) support of certain programs. So there are no levels of refugee management in the city of Ljubljana. And no local community in this State was able to organize something like that. Everything is in the hand of the Ministry of Interior.

3.2. The public and private actors

Ministry of Interior is controlling and managing every aspect of refugee policy in Slovenia. And until refugee situation is recognized as a securitization issue under the management of a repressive ministry without the involvement of other levels, we cannot talk about this classical approach to integration through education, psychosocial support, cultural events and other support practices to give people the opportunity to leave behind the trauma they experienced and move on.





The Ministry of the Interior, or now the Government Office for the Support and Integration of Migrants, has a very extensive network of cooperation with public and private actors in the city of Ljubljana

About actors, there is still a network of individuals who were active already during the Bosnian war...they work and are involved in various organizations and institutions... there is also other departments and then there is ZRC SAZU, which surprisingly became one of the most profiled organization in field of asylum and refugee situation and inclusion of people on the move... and there are of course the NGOs (Slovenska Filantropija, Mirovni inštitut, Odnos, Terravera, Brejapreja...) also playing an important role...

Also municipality has some public institutions as Young dragons, Zavod Bob and Pioneer house which did take kids from asylum home on occasional basis.

There is the Ministry of Internal affairs, courts, detention centre, asylum home, integration house, NGO's (especially after an AS gets the refugee status, regarding basic social services such as housing, labor, education, health), research institutes, ombudsman. Actors in this field in Ljubljana have to be connected as the state is supposable doing a very bad job... they don't do their job properly on many fields like legal protection, financial support, psycho-social support, moral support, employment opportunities, housing opportunities, so NGOs step in and do the and of course they have to be connected. They do this with the state or parallel to the state...

There is no refugee policy in Slovenia at the local level, therefore public institutions in the field of education (elementary school in kindergartens) have been searching for some other solutions: connecting with the Faculty of Social Work at the Faculty of Education - social pedagogy; providing Slovenian language courses; looking for active forms of cooperation with parents; organizing special events; involvement in international projects.





In integrating immigrants into education the following actors are also included: Employment Service of Slovenia, Centres for Social Work, Pension and Disability Insurance Institute, Ministry of the Interior, Government Office for the Support and Integration of Migrants, Ministry of Labour, Family, Social Affairs and Equal Opportunities, Slovenian Institute for Adult Education, National Education Institute. People's Universities Association. Primary schools, museums, galleries, theatres, the National Assembly ... Generally, public institutions finance various programmes and projects, they also make sure the participants are informed and directed to educational programmes. Others help us educate immigrants on our culture, history and constitution. Also several private actors are involved: companies, private educational institutions, Šentprima (Institute for Rehabilitation and Education), the Odnos society, the Institute for African Studies, the MISSS institution, Voluntariat, Terra-Vera, Slovene Philanthropy, IOM, the Social Chamber, Chamber of Commerce...

The schools that accept asylum home and refugee children are those that also take the most care of them. On all levels, the people dealing with the issue are those removed from the issue, lacking direct experience, which in turn creates a system that is too simplified, with little to no space for individual modifications, while needs differ school to school. Ministries should develop effective long-term measures.

The Faculty of Arts (the Department of Educational Sciences), the faculty recognizes the voluntary work of students at the school as part of their obligatory practice.

There was one other agency that tried to assist foreign nationals with employment, they wanted to find chefs for "Druga Violina" (a social entrepreneurship restaurant), but were unsuccessful due to the candidates' poor education and language skills.





3.3. The benefits of the system

There are some advantages to this system(s): As a small country, Slovenia has a relatively strong civilian sector implementing individual integration programs, which is an advantage as the civilian sector has greater access to users in real life as well as to the majority population.

3.4. The disadvantages of the system

And there are of course some disadvantages: Local actors don't have free hands. City can support an co-finance NGO but that is all. This is not a system, it is a situation because a certain state politics are not in place and institutions that should monitor that are not doing a good job and then the politics are exploiting the situation trying to win some political points, discredit certain NGOs, manipulation of data aka fake data about migration. It is all about securitization and interfering in to the matters by the state. This system is intimidating local communities to take part, to organize something because the state interferes and prevents

Not enough private, autonomous actors. Not enough engagement of educational institutions (primary and secondary schools, universities). More education/training courses possibilities are needed, beyond (just) language. Also, the system did not adopt to the post refugee crisis reality (more AS and refugees)

Ministry of Internal affairs is important, it creates legislation and is the main financer on the field of migration, which is bad, because there is competition, self-restraint and self-censorship on the part of civil society (to obtain funds).

Due to the fact that in our country we do not have institutionalized policies at the local level, local actors are totally free to act as they see fit. On the other hand it also means they have limited options. It is not possible to act in dis-accordance with the national refugee policy. However, any organization at the local level can apply a project, receives funding and then implements the program.





The disadvantage of the system is its high degree of centralization. Integration should take place in real life, but there are no formal actions at the local level. Although there are some individual local services involved, e.g. educational institutions that organize Slovenian language courses.

The disadvantage of this System is also its high degree of centralization.

Disadvantages include the purposeless spending of large amounts of money, repeating the same assignments, and that actors remain unaware of one another. A systemic disadvantage: integrating immigrants (persons with international protection have no problem) with no documents into high schools. There is no financial support for short vocational courses for people who claim to have complete high schools in Pakistan, Afghanistan, Syria, etc., which turn out to be too general, so these people have no specialized knowledge.





4. Current and future pathways on refugees' integration

4.1. The effects of refugee policy-making on social integration

There is no social integration in Slovenia, because here everything is under Ministry for internal affairs (MNZ). The issue of refugee integration is a marginal field that NGOs are most concerned with. As long as this remains like this, there will be no changes. Refugees are like caricatures of exclusion. They have no good examples, role models. They have the impression of being stuck, not moving forward. To them integration is a pretty abstract concept. Social integration of refugees would be more effective if all social actors were aware of its importance.

Self-organization is important in the sense of social inclusion, but with various political implications (depends on the strength of the movement). Also, there is the risk of ghettoization within activist communities, which are often marginalized (and migrants feel marginal *per se*, their goal is to step out from the margins of society). It is more effective when the self-organized community addresses the individual needs of migrants. There are some small nucleuses of migrant movements. Although there is a lot of individualism in this community, like everywhere, there are some good examples. But in general, you will sooner get a 'professional refugee' (a poster refugee that goes everywhere and is presented everywhere) then a refugee community. There were some glimpses of this community in an autonomous space in Rog, but also there was a division between refugees and citizens. Refugees were not getting involved in the organization of the space. So, local people became 'professional activists', people that take care of other people. But there is no equality in that.

Refugees are not engaged in city politics, but they should be. There are some initiatives to give refugees also the political rights on local level, just like foreign citizens with permanent residence.





4.2. The effects of refugee policy-making on labour market integration

With the end of the economic crisis and more economic prospects, more attention has been paid to the refugee labour market integration. At that time, the Employment Service of Slovenia created a special counselling program and they employed three consultants dealing with persons with international protection, who actively assist them in finding employment. Refugees have been actively engaged in various other activities of Employment Service of Slovenia, such as the "on the job training program" in which they have acquired some competencies.

Refugees also participate in the "orientation program" of Slovene Philanthropy (NGO), where they are equipped with basic skills they need: from the functioning of institutions, to talking about local habits, culture, society.

Employers are looking for immigrants, asylum seekers and refugees, but for relatively low-paying jobs. Many asylum seekers and refugees are employed, which means that refugee policy has a positive impact on labour market integration. However, it is problematic that the vulnerable groups are willing to work for a very low salary just for their existence, which consequently may lead to exploitation.

System is sporadic, not thought through. Asylum seekers cannot work for 9 months. Plus, if they get one negative, they cannot work for the entire process of asylum application, which can take years. In this period, they are left behind, even losing previous experiences, skills. After they get the status it's the same. They are not encouraged to work in the two years' period after receiving status, since they get subsidies for rent and social assistance for two years. If they get a salary, the social transfers and subsidies are off.

Asylum seekers, refugees and foreigners in general are faced with constant 'minor' obstacles: for example, banks refuse to open personal bank accounts to





foreigners, consequently you cannot be employed without one (despite the EU directive that everyone has the right to a basic personal account).

At the moment the dominant mentality is the 'Steve Jobs paradigm', everyone is waiting and hoping that some migrant or refugee will become very rich and successful on his or her own through some enterprise. No one talks about cooperatives or state strategy, only private initiative is encouraged. Under this paradigm everyone should be a private entrepreneur or work for one of those undemocratic economic forms, where people are atomized and exploited. There is a need for a citizen and a refugee job guarantee, a broader social plan of directing the work force into sectors that are developing the society.

The two biggest hurdles faced in immigrant employment are the lack of language skills and education; and even if people have received education, they can't procure the required certificate. Since people can't find employment, this makes them feel useless, which leads to them wanting to leave the country, and for us that means investing capital and energy in nothing, and upon changing countries this process starts all over again. A mass of unsatisfied people accumulates, willing to even go as far as break the law if it means surviving, since the state doesn't help them to survive by themselves. A crucial part of integration is facilitating employment as fast as possible, and this also means the provision of health insurance and the formation of a feeling of belonging.

4.3. The effects of refugee policy-making on housing integration

As far as housing policy is concerned, the effects of refugee policy are even more problematic since refugees have so far not had access to non-profit housing or other forms of social housing. Recognized refugees in Slovenia have an option to live in a so called integration house for a period of one year, which is a kind of state institution; otherwise they are left to the real estate market. Consequently,





they are often discriminated. When it comes to finding a home, renters who are in a weak position have often been found to be getting worse housing for a much higher price. It's hard to talk about some kind of equality or integration here.

Life at a reception centre is stressful. A single room is assigned to the whole family, sometimes even two. There are cases of abuse, sexual assault, crime. Employees work as hard as they can, but the centres are overcrowded, while construction of new buildings takes too long. Upon receiving their status as refugees, they are finally allowed to move, a very brave step towards independence. Even though the state covers their living expenses for a while, they still find it hard to survive, as finding employment remains difficult.





5. Assessment / positions on/of local policies

5.1. The role of pre-existing local policies and administrative structures on refugee policy-making

Local level has almost no impact on refugee policies, mostly it is in the hands of the state, more specifically the Ministry of interior. In this case Slovenia is still pre-Amsterdam Treaty, where migration is not a social or political, but a security issue.

Refugee policy has been influenced in recent years by some populist trends, as is the case throughout Europe. The problem is that there is no meaningful solution for everyone. There is the need to develop some local policy in this field in order to transfer certain competences from the state to the local community. It is not for certain that it would work immediately, because municipalities are quite rigid. But the fact is that integration must take place in some smaller environments. Local communities, besides their manifest declarations of being for or against something, need some real leverage to organize and implement programs there.

5.2. The effects of welfare and social local policies on refugee policy-making

Municipality of Ljubljana (co)finances various projects to assist the integration of refugees. One of the projects that deals with labour market integration is the project *Integration of persons with international protection into the labour market*. The purpose of the project is to make it easier for persons with recognized refugee status to enter and integrate into the labour market and Slovenian society, and to lay strong foundations and clear guidelines for further work with the target group. The project was contracted by the Employment Service of Slovenia and the





program was funded by the Ministry of Labour, Family, Social Affairs and Equal Opportunities.

Another project *Initial Integration of Immigrants* is co-financed by the European Union from the Asylum, Migration and Integration Fund (AMIF). As part of the project, the publicly-recognized Initial Integration of Immigrants (ZIP) program was implemented, which combines learning of the Slovene language and Slovenian history, culture and constitutional system of the Republic of Slovenia. The Intercultural centre is funded by the Municipality of Ljubljana. The purpose of this project is to integrate immigrants successfully into the environment through counselling, education and cultural events, in order to avoid social and cultural isolation of certain groups. The Centre operates on three levels: counselling, education and culture. In order to enhance social cohesion and integrate immigrants, various activities are being carried out, aimed at all generations and all inhabitants.

The Municipality of Ljubljana also co-finances *The Literacy and Learning Assistance project for Applicants for International Protection*, which is implemented in the Asylum Center and is co-financed by the EU, through the Asylum, Migration and Integration Fund and the Ministry of the Interior of the Republic of Slovenia. The target group are the asylum seekers and their children. The overall objective of the project is to improve the standards for the reception, accommodation and care of applicants for international protection. The specific objectives of the project are to improve the quality of stay of applicants for international protection in the asylum home and in the host society and facilitate entry and integration into the education process.

The Municipality of Ljubljana also co-finances the development of a network of programs for raising functional literacy - Training for life success. Within this network, the public institution Cene Štupar has been carrying out the Slovenian





language course for parents, who in everyday life face problems in expressing in the Slovene language because their mother tongue is not Slovenian.

5.3. Critical aspects of refugee policy-making

The money aspect is relatively good. The bigger concern is the lack of imagination on the level of policy making. It's very rigid, outdated, ad hoc. There is no strategic thinking. People are considered as a burden, no one thinks or talks about the potential of migration (the same could be said about policies regarding citizens, not a big difference).

In the past, most refugees lived primarily in the Ljubljana and less outside of Slovenian capital city. When national authorities struggled to open certain accommodations, capacities for refugees in places outside Ljubljana, there were protests and population resistances. Therefore, asylum seekers and refugees did not settle there and as a consequence the refugee policy did not begin to develop there. However, there are certain positive effects, especially in the case of Maribor, the second largest city. The state managed to open an integration house there. This has led to the fact that integration practices have begun to develop in another city as well. There are many individual civic organizations and initiatives involved with this population. They currently do not have a direct impact on the national policy, but it might have in the long run.





6. The implementation of refugee policies: Practices and perspectives on local politics

6.1. The political debate on refugees

The political discourse at the level of the municipality of Ljubljana is relatively positive. Also because this is the capital city there is also a bigger understanding for these topics, sometimes discussion can also be positive, more cosmopolitan. However, individual departments of the municipality are far from dealing with the integration of refugees or treat them only technically, through calls for tenders and then partially financing certain programs. In city council there are sometimes provocative questions from the opposition. Especially during the crisis of the EU border regime there were a lot of dubious questions, but the debate did not escalate, nothing really dramatic happened.

Some (squatted) solidarity autonomous places that help refugees and asylum seekers are constantly under attack from local authorities. There is a clear priority of the city, which is tourism, branding and gentrification, not so much autonomy and solidarity. More than the municipal authorities, there is a certain openness of local public institutions in the cultural, art or scientific field. They are opening doors but it is more a thing of good will (of individuals) then a (public) policy.

On the level of the state, migration is mainly an expert, mostly security issue, that is not tackled with public debate and policy, but with police and bordering methods. There is a constant and a very dynamic discussion about state policies, which is sometimes full of prejudices, discriminatory positions, fear, homophobia, chauvinism.

The refugee crisis along the Balkan Route in 2015/16 definitely opened up new discussions. While the number of immigrants, asylum seekers and persons with





international protection was unnoticed, there were no problems at all. Issues arose when their numbers increased, along with their needs.

There are no efforts to find new solutions, a laughably small percentage of people actually receive their status as refugees, and even those who want to work can't. Slovene language courses receive funding, while information regarding the border situation goes ignored, so as not to worry the public, since the wave of refugees has instilled paranoia. Traditional values and local identity affect how well refugees are accepted. Conflicts arise where people feel threatened or hold xenophobic beliefs.

6.2. The position of the city mayor and his/her cabinet on refugees' integration

Mayor is supportive of refugees on the declarative level. He sees Ljubljana as an inclusive city, his reactions were positive, he is in favor of various programs. There are some individuals within the city administration that show some interest for supportive action, but at the moment the refuge question is not a city priority.

6.3. The actions of the city government for implementing its agenda on refugeerelated issues

The municipality indirectly supports individual actors. MOL isn't directly responsible for the organization of programmes, to that end it has public institutions: primary schools, kindergartens, Cene Štupar - CILJ (adults) and cofinanced nongovernmental institutions.

MOL (co)finances many events, e.g. the culinary achievements of immigrants, exhibitions ("Through my eyes: Stories from Iraq"), readings, events for book promotions (the promotion of Mira Delavec's book "Touhami Daughter of the Desert - Taraut en Tenere"), concerts (many musicians from ex-Yugoslav





territories, less events revolving around refugee music, even those are not attended enough by the general public). All these events emotionally influence the audience, changing viewpoints and beliefs, enable personal contact between people of different cultures and thus help break stereotypes, such as that foreigners are different, dangerous or lazy. These events and projects are also supported by museums, ZRC SAZU, nongovernmental organizations (Slovene Philanthropy), faculties and others.

- 6.4. The political and social actors supporting the refugees' integration in the City Supporters are various NGOs, Humanitarian organizations, Amnesty Slovenia, Red Cross, Factory of Rog (activists), scientific, cultural and educational institutions.
- 6.5. The political and social actors opposing the refugees' integration in the City Opposing are traditional right wing parties like SDS, NSI, and local neo fascists groups (sporadic but present).

6.6. Discussion

Alliance at the local level (between the civil sector and the city authorities) against Ministry of interior is the only way to change the refugee policy. It should be like in western Europe, where integration policies are developed and implemented on the local level. Ljubljana is not just a state capital, it is a heterogeneous city and this local identity could positively impact the development of policies. But to do that Ljubljana would have to start a serious policy of multiculturalism, diversity. In Lubljana there is some desire to act, but there is no capacity in terms of people that would be capable to run such programmes.





7. Conclusion and Debate

As one of the senior employers of the Slovenian Government Office for the Support and Integration of Migrants (GOSIM) stated during one of the focus group, the intentions of Slovenian government are to establish a kind of »Boutique refugee integration system«. It is a strange combination of ignorance, cynicism, lack of responsibility, cluelessness and alienation from the realities of local and global level. It was probably referring to the low numbers of excepted asylum claims in the past. Namely only 0.02% of the claims were positively solved in Slovenia in past 25 years. The consequences of this statistics are visible in the official integration system, which can swallow only a small number of people on the move hoping that migrations are going to end because of externalization, razor wire, police violence and push-backs on the border. We can also see them in the »alternative« system which is evolving, learning from history and contemporary struggles, including a variety of old and new actors and practices but also struggling because of burn-out effects and compassion fatigue. Refugees are also becoming important actors with a multitude of experiences, learning from commonly organized »acts of citizenship« (Nyers 2010: 142) and other activities posing important questions to the concept of citizenship and political rights. So the systems are developing into something new and this snapshot shows us the current status of a very complex process.





Annex 1. Overview of national asylum policies

	Sources
The national legislative framework consists of acts on asylum procedures, reception conditions, detention and content of international protection. The basis for this framework lies in the Universal Declaration of Human Rights (e. g. The Geneva Convention) and the EU Charter of Fundamental Rights.	AIDA report 2018 - UPDATE, pp. 9–11
The mentioned acts are:	
- International Protection Act (IPA)	
- Aliens Act	
- General Administrative Procedure Act (GAPA)	
- Administrative Dispute Act	
There are also several decrees, guidelines and regulations that implement procedures regarding international protection, reception and detention conditions, as well as the content of international protection. These legal bodies set out rules of conduct during these procedures, while also ensure the methods and conditions for ensuring rights of asylum applicants, detainees and other persons regarded under the Aliens Act.	
After almost two decades of no changes to the Slovenian Asylum procedures, the increase of asylum seekers since 2015 affected and in some ways challenged the asylum system in all areas. In early 2017, Slovenia adopted amendments to the Aliens Act, allowing future restrictions on access to asylum procedures. The amendments were put forward by the right-wing and central-right parties, which indicated a discord in the parliamentary coalition. The amendments to the Aliens acts allow the Parliament to vote on suspending the right to international protection in cases when they recognise that migration might pose "a threat to public order and internal safety in the Republic of Slovenia". The changes to the law are to be enforced in extraordinary cases and events, such as the "Refugee Crisis" of 2015–2016 that initiated these amendments.	AIDA report 2018 - UPDATE, pp. 17
With the support of several NGOs and civil initiatives, the Slovenian Human Rights Ombudsman called for a review of the adopted amendments, which are currently still under review by the Constitutional Court. The court's decision is still pending.	
Article 43 to the International Protection Act regulates asylum application procedures with the access to territory, by indicating that all applications are processed by the 'competent authority'. Third-country nationals can express their intention before any state or local authority, which has the duty to inform the Police.	International protection act: Official Gazette of RS, No. 22/16 and subsequent amendments.





Despite this regulation, such procedures are not used in practice at the state border, airport or ports. Applicants to international protection are first processed by the Police in the preliminary procedure: they establish the identity and travel route of the individual and complete the registration form. During the procedure the police must provide an interpreter. The Police also obtains a short statement as regards to reasons for applying for international protection. The latter is a part of ordinary procedure.

AIDA report 2018 - UPDATE, pp. 15–60

The individuals are then transferred to the Reception Centre (Asylum Home) in Ljubljana, where they start the second phase of the procedure – they lodge the application for international protection. Before lodging the application, the personnel at the Asylum Home conduct a medical examination and take a photograph and fingerprints which are run through the Eurodac database after the lodging of the asylum application. The International Protection Act does state any provision of a free legal representation for applicants in the first instance procedure. Legal representation is implemented instead by the non-governmental organisation Legal-Informational Centre (PIC). In the case of an unaccompanied minor, the personnel appoint a legal guardian, before the procedure begins.

The competent authority that processes an application for international protection is the Migration Office (Ministry of Interior), which carries out first instant level international protection procedure: first in-merit interviews, Dublin decisions, Refugee status determinations and Subsequent applications, providing that first application is not successful. The Administrative Court reviews judicial reviews of asylum applications appeals that are rejected or inadmissible. Further on, the Migration Office also carries out two types of procedures, based on the first-merit interview: regular procedures (6-months) and accelerated procedures (2-months).

Detention:

Asylum seekers can be detained in the regular, accelerated or Dublin procedure. They can only be detained in the Aliens Centre or the Asylum Home, and there are no legal provisions for detention at the border. In practice most asylum seekers are detained in the Aliens Centre pending a Dublin transfer. Free legal assistance and representation are provided by refugee counsellors under the same conditions as in other cases of judicial review. No additional condition to access free legal assistance is imposed in detention cases.

Deportation:

From the moment someone has expressed an intention to apply for international protection, he or she cannot be deported from the country. However, following the amendments to the International Protection Act, which allow for a future restriction on access to international protection procedures by measures adopted by the Parliament. Should these measures be adopted, the Police is instructed by law to reject all intentions to apply for international protection as inadmissible as long as the persons

<u>AIDA report 2018 -</u> <u>UPDATE</u>, pp. 17, 60– 66





wishing to apply entered Slovenia from a neighbouring EU Member State in which there are no systemic deficiencies of asylum procedure and reception conditions which could lead to torture, inhuman or degrading treatment. The Police then deports the person back to this neighbouring country.

Housing:

Upon arrival in the Reception Centre (Ljubljana), applicants are held in the reception area of the building without free access to its other parts. Before 2017, applicants were detained in that part for short periods, rarely exceeding one day. Post 2017, due to organisational difficulties such as the unavailability of interpreters and doctors, there have been cases of persons, including families and unaccompanied children, held in the reception area for 5-7 days on average, while waiting to lodge their application. The Reception Centre in Ljubljana (Asylum Home) has 3 branch facilities: 1 also in Ljubljana (branch facility Kotnikova), 1 in Logatec (branch facility) and 1 in Postojna (student dormitory). The total capacity of all facilities is 429. The Ljubljana Reception Centre accommodates mostly single men and some families, the branch facility Kotnikova in Ljubljana exclusively single men, the branch facility Logatec mostly families and couples, and the student dormitory in Postojna unaccompanied children. Applicants can also request to reside in private accommodation.

Employment and education:

Asylum seekers acquire the right to free access to the labour market 9 months after they have lodged their application if the decision in their procedure has not yet been taken by the Migration Office and the delay cannot be attributed to the asylum seeker. Once asylum seekers have the right to free access to the labour market, they can access self-employment, employment and work without meeting other requirements such as consent to the single residence permit and work permit or EU Blue Card or seasonal work permit. The Ministry of Interior only issues them a notice stating that they meet the abovementioned conditions. The establishment of the Government Office for the Support and Integration of Migrants (UOIM) anticipated that this government body to take on the responsibility of integration of asylum seekers into the labour market. In practice NGOs also help asylum seekers find employment. After 9 months, applicants are also allowed access to vocational training.

The law provides that the right to elementary education has to be ensured to asylum seekers no longer than in 3 months since they lodged their application. There is no age limit attached to this provision. Underage asylum seekers are ensured access to education in vocational and secondary schools under the same





conditions as Slovenian citizens; adult asylum seekers are also allowed such access. Furthermore, asylum seekers are allowed access to post-secondary and higher education programmes and programmes designed for the education of adults.

Health-care:

Asylum seekers have the right to urgent medical care which includes emergency medical assistance and emergency rescue services based on the decision of the doctor, the right to emergency dental service, emergency treatment based on the decision of the treating physician and health care for women. Asylum-seeking children and students up to the age of 26 are entitled to health care to the same extent as other children in Slovenia who are insured as family members, which means they enjoy full medical coverage. The Ljubljana Reception Centre employs a nurse who is present in the facility daily. A psychiatrist visits the Reception Centre weekly. Seekers of international protection accommodated in branch facilities can also make an appointment and visit the psychiatrist in the Reception Centre.

Provisions for vulnerable groups:

According to Article 14 of IPA material reception conditions, health services, psychological counselling and overall treatment needs to be adapted for applicants with special needs regarding their reception. Their vulnerability can be identified during different stages of asylum procedure: at the first or second phase of the application procedure, during their lodging of application, during first or later medical check-up etc. Vulnerable persons with special needs are entitled to additional health services, including psychotherapeutic assistance, following approval from a special committee comprising of a representative of the UOIM, a nurse or medical technician employed in the Reception Centre, a representative of NGOs working in the field of international protection and a representative of the Ministry of Health.

Refugee status is recognised with no time limitation on the status – a positive decision serves as a permanent residence permit. Beneficiaries of international protection are given a residence permit with the decision granting them international protection; this is expressly stated in the operative part of the decision. With the help of integration staff of the UOIM, they are then issued an identity card, usually within five days at the latest. The card certifies their residence permit and is required for accessing most rights. The procedure is free of charge for beneficiaries. Access to social welfare and integration rights for beneficiaries of international protection, as well as their reunited family members, do not depend on civil registration.

Subsidiary protection status is recognised for a limited period with the

<u>AIDA report 2018</u>, pp. 67





possibility of extension (1–5 years). Beneficiaries with subsidiary protection are issued a temporary residence permit with the duration of the status.	
In Slovenia, only mono-level governance of international protection exists.	Previous sub-sections
National authorities work following the national legislation – in certain cases leaning on EU directives.	
NGOs and other civil associations provide outsourcing of integration and inclusion practices under the legislation regulations and collaboration/cooperation with UIOM, Ministry of Interior, Police etc.	

Some existing country reports:

- http://www.asylumineurope.org/reports/country/slovenia
- $\underline{ https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/reports/nationalreports_en} \\$





Annex 2. Asylum statistics

Number of asylum applicants per year:

Year	Number
2014	385
2015	277
2016	1308
2017	1476
2018	2875
2019	2577

Number of asylum applicants (total and ten main nationalities)

In the year 2019 there were 2577 asylum application. Most of them were from:

YEAR 2019		
1	Algeria	675
2	Afganistan	437
3	Morocco	389
4	Pakistan	385
5	Irak	282
6	Iran	230
7	Bangladesh	199
8	Syria	150
9	Turkey	147
10	Tunisia	80





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