

Eight Long Years: Living Without Residency in Slovenia

Interview with Dinnyuy Kongnyuy

Irregular migrant is a broad term that hardly manages to encompass the numerous realities of people whom it designates. An irregular migrant can be someone who crossed into the territory of the state without any travel document, or somebody unable to extend their work or student visa, or an asylum seeker who finished their asylum procedure with a final negative decision. A person may be an irregular migrant for just one day, or their illegal status may last for years. The main commonality of this wide variety is that the person does not have a regularised stay, or in other words, legal status, in a country where he or she lives. Being in a position of illegality causes the person to be without basic rights (health or social insurance, labour rights, etc.). Irregular migrants are subject to direct police control and face the serious threat of long-term detention and deportation. Becoming an irregular migrant is often subject to causes outside the person's control. Precarious status of temporary migrant residencies also means that losing your legal status could be a result of arbitrary factors such as employer bankruptcy, employer's disregard for administrative procedures, or injury. The number of irregular migrants in Europe is impossible to estimate correctly. A recent study by the project Measuring irregular migration and related policies (MIrreM) suggests 2.6 million to 3.2 million people living irregularly in 12 European countries (Kierans, Vargas-Silva: 2024: 3). The conditions of irregular migrants vary significantly from one country to another, as do their respective legislations. Still, no matter the country, escaping irregularity and obtaining legal status remains a challenging task that may take years and forces many to stay illegal and invisible indefinitely.

Dinyuy Kongnyuy is a Cameroonian citizen who came to Slovenia as a football recruit in 2009. A combination of unfortunate circumstances, strict legislation, and absurd bureaucracy meant that he was left without legal permission to stay in Slovenia in 2016. After eight years of legal and administrative struggles, he was finally able to legalise his stay in Slovenia.

Dinyuy, can you explain when and how you came to Slovenia?

I came to Slovenia in 2009. I was brought here by the football club Domžale. I flew here directly from Cameroon. I had to change flights in Paris, fly directly from Paris to Brnik and then go to Domžale.

How did FC Domžale decide to recruit you from Cameroon? Can you explain how the recruitment system works?

The club's delegation consisted of three members: the trainer, the assistant trainer, and the director. They came to Cameroon. They organised a kind of competition there. They watched us play and selected me to join their club. They asked if I wanted to play, and I said yes.

How many players were there?

Out of almost 400 players, only two of us were selected that day.

How old were you when they recruited you?

At the time, I was 19, almost 20, but it took four to five months to get everything together because they had to return to Slovenia to arrange it all. By the time I arrived in Slovenia, I was already 20.

Were you playing football professionally in Cameroon before?

Yes, I was playing in a second division club at the time. This club is currently in the first division.

Were you working in another job in Cameroon at that time?

No, I wasn't working in any other job. Unless... No, no other jobs. I remember when there was a break from football, I would go back home and help my father on the farm.

And how did your family earn their income?

My mother was a sports teacher in high school. That's how she earned her income. And my dad was a farmer. This is how he earned his income. Most of our income came from the farm because my dad had several farms. Most of the money in Africa is spent on food. For a family like ours, which was quite large, this was a big help. We weren't buying food; we just bought the essentials we lacked, such as salt, oil, and other items that couldn't be produced on the farm. There were tomatoes, watermelons, cassava, corn, beans, onions, and yams. Having a variety of food helped us a lot financially. Since it was produced in large quantities, we couldn't consume it all, so we had to sell a significant portion of it.

After you came to Slovenia to play football, what was your experience with the football league?

It was, let's say, not what I expected, because I thought I would see big stadiums like they have in England or France. So, when I got here, I noticed that the stadiums were quite different. And the crowd, the people who came to watch the games, was smaller. It was not like I expected, because in Cameroon, lots of people come to watch football. It doesn't matter which level, if it's in the first league or second league, only that it's football and it's a competition. The stadium was always full. I was surprised to find that stadiums were always empty here in Slovenia. Or like, I don't know, 75% is always empty. So that was a surprise to me.

How long did you play for Domžale? Did they take care of your housing?

I played for Domžale for a year. They took care of my housing and food, except for breakfast, which I had to prepare myself. For lunch and dinner, the club paid for my meals at a specific restaurant. The club covered the housing and my salary, so they took care of everything.

Were there any other Africans in the club at that time?

Yes, there was one African; he came from the same recruitment event. They brought us together. And then there was one Brazilian, a Croatian, and one Albanian, I believe.

Can you maybe tell how many teams you have played for?

Here in Slovenia, I played for seven teams: FC Domžale, FC Celje, Interblock, Triglav, Bravo, Ivančna Gorica, and Sava Kranj.

Have you ever played outside of Slovenia?

No, I didn't play outside of Slovenia, except when we went to play friendly games in Italy, Croatia, or Austria. These are the only times I played outside of Slovenia.

Why did you stop playing football?

I stopped when I got injured. That's the reason I played only one year in Domžale. I sustained a serious injury and was out of action for almost six months. In fact, I was out for nearly nine or ten months. Every time the injury improved and I went to play, it got worse again.

What kind of injury? Was it due to football?

I tore a muscle in my leg. I think it was because I overtrained during the holiday. We had a two-week break, during which I was training with one of my teammates, the African player I came with. We were preparing for the new season, which was about to start, so I pushed myself too hard.

Did your club offer you medical assistance or pay for your therapy?

Yeah, Domžale was very generous and kind when I was injured; they took care of all my medical expenses, including therapy, doctor's appointments, and transport.

Why did they terminate your contract?

Six months after the injury, they terminated my contract because my recovery was not progressing as quickly as they had expected. They told me that they couldn't extend my stay at the club. That was the end of my contract. It's a business, and they can't afford to wait for a player for this long.

What did you do after that?

Luckily for me, some clubs had already seen me when they terminated the contract, and the news got around fast. They heard that my contract had been terminated, and then Celje offered me a new one. They said they would wait until I recovered. They offered me a contract. I went to Celje. I played there for a year. However, due to an injury, I had lost some of the muscle that would have strengthened my knee, so I was unable to play. My knee wasn't strong enough,

which led to ongoing problems. I couldn't play to the best of my ability. I wasn't one hundred percent. Then I told them that I cannot keep playing with this condition. I need to take a break and get fully fit. That's how the contract was terminated. After that, I moved to Ljubljana with a friend, found a job, and stopped playing football for over a year and a half. After that, I had recovered fully, and that's when I joined Bravo. At the time, they were in a lower league. I called them to ask if they would give me the chance to prove that I could play. They said I could come to show them how I could play. I went, and they were interested. That's how I ended up playing for Bravo, and then Interblock saw me. That's how I joined Interblock.

How did you find yourself in a situation without a residency permit?

I was married, and that was the basis for my residency. But things didn't go well, and my wife had to move to Malta. She had a chronic disease, and her family couldn't afford the expense. She had a brother in Malta who worked as a mechanic on airplanes, which could help pay her medical bills, and he asked her to move in with him. So, she moved there, we separated, and we got divorced. That's how I found myself without a residency status.

How would you describe the situation of a person living in Slovenia without a residency permit?

Basically, it's a horrible situation to be in Slovenia without any residency permit because you can't work, nobody can offer you a club or a job, and you still need to sustain yourself. So, you basically find yourself sometimes without food, without money for rent, so it's horrible, it's almost like you're in prison. It looks like you're free, but you're not free, because people in prison have a better life than you, because there's a guarantee for a roof over their head, meals are guaranteed for them throughout the whole day, but there is no guarantee of meals for you because you don't have the funds for that. It's a horrible, horrible situation, given that you have no right to work and no health insurance.

What did you do to survive that time?

I only survived through the help of friends and a few black-market jobs, but mostly with the help of my friends.

What kind of black-market work did you do?

Jobs in a warehouse, these were the kind of black-market jobs that I did. Like, somebody needed cleaning, or if a warehouse required physical work. Yeah, these were the kinds of jobs that I did.

Were there more people working without a contract?

Yes, when I went there, a few people were working with no papers, but after some months or a period of a year, the companies said they couldn't continue doing this, because it was a risk for them and it was not beneficial, as they could get fined, and it didn't make sense for them to employ us.

Was there a work inspection visit at the time?

I remember that once. No, not just once. I remember the days when the work inspectors would come. Usually, they would tell us, the people who worked without papers, not to come to work that day. But there was one time when the work inspectors came unexpectedly, and we were at work. They instructed us to change our clothes and leave the premises as quickly as possible.

As you didn't have a residence, it was dangerous for you to be stopped by the police because they could arrest and detain you. Were you ever stopped by the police in the street or taken to the detention centre in Postojna?

Yes, when I didn't have residency, I was stopped by the police twice and taken to the detention centre both times. The first time, I was playing for Triglav. I was between clubs at the time, so I didn't have a residency permit. I was detained for only a few days, and Triglav arranged for me to be released. The second time, however, I was without a club. Thanks to friends, I was able to get out of the detention centre this time.

Can you maybe describe what happened when the police stopped you? Did it just happen randomly?

One time, we were on our way to training in Kranj. They stopped us on the way, which is how I ended up in the detention centre. We were driving when they stopped us. I think it was a random check because, at the time, there was a checkpoint where they were stopping cars at random. They were checking people, so they checked our car too. Another time, they came directly to the apartment where I was staying, as this was when my divorce was finalised. They knew

from the system that I was officially divorced and that my papers were no longer valid, so they came to my apartment and took me to the detention centre.

How long did you stay in Postojna?

The first time I went there, I only stayed for a few days. I arrived on a Friday and left on a Monday. The second time, I stayed for a month.

How would you describe detention in Postojna?

I don't think anyone wants to be locked up; it's not a good experience. Having your freedom taken away is definitely not a good experience. However, I would say that you are treated okay there, because the guards and staff were not mean to me. You are provided with food and shelter, and as long as you follow the rules, you won't have any problems. I didn't have any issues with anyone when I was there, so it was OK for me. Perhaps it's because I didn't stay there very long. I don't know what it would have been like if I had stayed for five or six months. Maybe it would have got to me, and I would have behaved in a way that I didn't think I could. I don't know.

How did you try to legalise your stay in Slovenia after you were left without residence?

I have a son. By the time I went to Postojna, my son had already been born. Afterwards, I tried to legalise my stay in Slovenia as my son's father, but the process took a long time. My application was denied due to bureaucratic reasons; I had missed the deadline and should have applied immediately after my son was born. I appealed to the Administrative Court, which eventually approved my claim and sent my application back to the administrative unit for re-evaluation. But then came COVID-19. When it arrived, the procedure did not go ahead. As was the case throughout the pandemic, they were not dealing with any procedures. They were only dealing with the pandemic. By the time the pandemic was over, my son's mother had moved to Croatia for a job, so I could not get residency based on being his father because he was no longer living in Slovenia.

When you applied for residence as the father of a Slovenian citizen, what was the decision from the administrative unit?

The first time that I applied, they rejected it. I then had to appeal to the court, which ruled in my favour, based on the fact that he, as a child, has the right to a

father. So, although I was in the country illegally, the administrative unit had to allow me to request a legal stay based on family reunification. Then the pandemic hit, so they didn't go through with it. By the time they were ready to do so, my son had already moved and changed his citizenship with his mother.

How long did your legal struggles last?

I lost my residency status in 2016. I appealed against the negative decision on my family reunification application in 2019, but it was not until 2024 that I was finally granted legal status and temporary residency. My family reunification case took like 5 years before it was denied, since my son was already living in Croatia, and he adopted Croatian citizenship, as did his mother. However, since I was involved in an official procedure with the state regarding my residency request, I was able to ask for permission to stay. Because the procedure took so long, I applied for permission to stay, which I then extended for two years. This meant I was allowed to apply for residency in Slovenia because I had permission to stay for at least two years. Having permission to stay meant that I could not work or get health insurance, but I was able to get some financial aid from the state so that I could pay for my rent and some food. I had to reapply every six months, wait for a decision from the police, and then wait to receive financial aid. This meant that I sometimes didn't have enough money to pay the rent.

How did you manage to succeed in getting a residency?

I want to say it was because of the help of my friends. And luck, because I had to get police approval to obtain residence. I was also fortunate to have obtained police approval for my request for permission to stay. They granted me permission to stay while my residency application was under review by the administrative unit.¹ Every six months, the police issued me papers confirming my right to stay in Slovenia. If the police stopped me, I could show them the documents proving that I was allowed to be here and that my residency status was still under

1 Permission to stay is a precarious legal status that can be granted by the police to a person who has already been ordered to leave the country, but whose removal is not possible for specific reasons (e.g., the person cannot be deported due to severe health conditions). The reasons for which a person can apply for permission to stay were reduced in the March 2020 amendments to the Foreigners Act. The introduced amendments removed the right of a person to stay in the country while their administrative procedure was ongoing. The same amendments also removed the right of a person to apply for permission to stay, making it an 'official duty' of the police. This decreases the rights of persons without residency and pushes them under the arbitrary authority of police jurisdiction (Amendments to the Foreigners Act 2021). - *Interviewer's note.*

review. Based on the papers that the police were giving me every six months for two years, I was eligible for legal status in Slovenia.

So, I would say I was lucky because, by that time, my son had already moved away from Slovenia. If they had made the decision earlier, I wouldn't have had the legal status to stay, as I would still not have obtained the six-month residency papers. I got it thanks to the help of friends and luck.

It was luck, but not just luck. Let's say God was watching over me, because they could have called me at that time and said, "We've been looking into your case, and we see that your son is no longer here, so we're rejecting the case."

What are your plans for the future?

Now that I have my residency, I need to start working. I cannot get back lost time; I can only focus on what I can control, which is my future. The time that has been lost is lost. I cannot change that; I cannot do anything about it. So, my plan now is to get a job and try to get my life back on track. I will work hard to start my own business, as I prefer not to work for someone else. If it's possible, I would like to start my own business as soon as possible.

Do you want to stay in Slovenia?

Yes, I would like to stay in Slovenia because basically I've spent half of my life here. Yes, I would like to stay in Slovenia, but I would also like to split my time between here and back home. That's my goal: I want to do business here in Slovenia, as well as in Cameroon, and I want to be close to my son in Zagreb.

Literature

Kierans, Denis and Carlos Vargas-Silva (2024): *The Irregular Migrant Population of Europe*. Oxford: University of Oxford.

AMENDMENTS TO THE FOREIGNERS ACT (ZTuj-2F), Official Gazette of the Republic of Slovenia, No. 57/21.