



Protection Seekers' Lived Experience of Vulnerability in Times of Stricter Migration Policy. The Case of Norway

Hilde Lidén, Erlend Paasche, Dorina Damsa |

Institute for Social Research

VULNER Research Report 2

About this Publication

Document History

Version	Date	Description
1.1	02 November 2022	Issued for consortium review
1.2	21 November 2022	Issued for formatting


Acknowledgement

This report is part of the VULNER project, which has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 870845 (www.vulner.eu).

Photo Credits

The photo for the cover image was taken by Hilde Lidén during her field research at a school in Oslo. Children who are protection seekers have equal rights to education, still, they face many challenge to be integrated.

Copyright

The copyright remains with the author. The report is available at www.vulner.eu. This work is licensed under CC BY 4.0. 

Disclaimer

This report reflects only the authors' views and the European Union is not liable for any use that may be made of the information contained therein.

Authors

Hilde Lidén, Research Professor, Institute for Social Research
 Erlend Paasche, Senior Research Fellow, Institute for Social Research
 Dorina Damsa, Senior Research Fellow, Institute for Social Research

Suggested Citation

Lidén, H., Paasche, E., Damsa, D., *Protection Seekers' Lived Experience of Vulnerability in Times of Stricter Migration Policy. The Case of Norway*. 2022. VULNER **Research Report 2**. [doi: 10.5281/zenodo.7312881](https://doi.org/10.5281/zenodo.7312881)



Project:	VULNER - Vulnerability Under the Global Protection Regime: How Does the Law Assess, Address, Shape and Produce the Vulnerabilities of the Protection Seekers?
GA:	870845
Horizon 2020:	H2020-SC6-MIGRATION-2019
Funding Scheme:	Research and Innovation Action
Dissemination Level:	PU

Protection Seekers' Lived Experience of Vulnerability in Times of Stricter Migration Policy. The Case of Norway

Work Package 5 | Deliverable 5.2

Lead beneficiary:

Institute for Social Research | hilde.liden@samfunnsforskning.no

Author:

Hilde Lidén, Erlend Paasche, Dorina Damsa

EXECUTIVE SUMMARY

In this report, we explore how asylum seekers and refugees resettled from third countries reflect on vulnerabilities in their lives prior to arrival and when they stay in Norway. We discuss the extent to which Norwegian protection procedures, reception conditions and welfare service identify vulnerabilities and capture what the protection seekers describe as their needs and concerns.

Most asylum seekers arriving in Norway come from countries with ongoing civil wars. Norway's asylum legislation, through its human rights approach, consistently alludes to vulnerability. The implementation of international human rights law in Norwegian domestic legislation obliges the state to protect people in vulnerable situations. Despite this, no specific procedure is in place to identify 'vulnerable' individuals. As discussed in our [first VULNER report](#), the attention paid to protection seekers' vulnerabilities in terms of legislation and administrative practice is fragmented, implicit and contradictory (Lidén et al., 2021). Shifts towards more restrictive asylum and immigration policies since 2015 have produced new situational vulnerabilities by making refugee status and residence permits more temporary, making it easier to return migrants to conflict-affected countries and creating barriers to inclusion in Norway for those who cannot return.

Three chapters present the main findings. One outlines the main sources of vulnerabilities that protection seekers bring from their origin country and while they are on the move, another deals with protection seekers' lived experience of vulnerability in Norway, and the third discusses the implications of an increasingly restrictive migration policy for protection seekers' everyday lives and futures. The research is based on qualitative methods. The Norwegian team conducted fieldwork between May 2021 and February 2022 in three main arenas: reception centres, the institutional settings of (re)settlement in a larger city and adjusted institutions for the survivors of human trafficking (THB). Altogether, the study includes four categories of protection seekers: those living in reception centres, resettled refugees, unaccompanied minors (UAMs) and protection seekers with an irregular status settled in a larger city and THB survivors. We also included informants representing the two reception centres, the centre responsible for (re)settlement, a health centre for refugees and non-governmental organizations (NGOs) that are important in protection seekers' everyday lives. We conducted 34 interviews with 35 protection seekers and 23 interviews with 31 people working in the institutional context of the everyday lives of protection seekers.

When describing their lived experiences, our informants tell us about various forms of fear, violence, destroyed cities and harmful events causing the departure from home. They stress relational costs, the unexpected feeling of being on their own or leaving behind someone in a precarious situation. The cases of lived experience from their former countries and while on the move display the complexities shaping their precarious situation. Their individual situations and concerns go beyond personal characteristics of vulnerability and instead display how vulnerability factors on different levels intersect with one another in specific ways. Vulnerability is seldom the term or concept they use to describe their situation. Instead, they identify specific barriers, worries and concerns, reducing their ability to act and move forward with their lives. The personal narratives include how their individual positions in the family and local factors such as local conflicts, discrimination and harassments intertwine with societal factors such as political, cultural and social conflicts. Broader structural factors such as persecution by a repressive state or civic authorities, legislation and immigration and border control are all clearly present in their stories.

We divide the main findings into three parts:

- 1) identifying vulnerability in asylum procedures,
- 2) lived experience of reception conditions and
- 3) vulnerability shaped by the asylum system and an increasingly restrictive migration policy.

In the *arrival procedure*, there are no explicit measures assessing vulnerabilities; however, the responsibility for identifying and categorizing people with *extra needs* and *dedicated rights* is an integral part of the ordinary registration and asylum procedure. Legal modification for categories such as children, gender-related abuse and harm, LGBTQIA+ minorities and THB victims THB are addressed when referring to human rights. The need for improved measures of vulnerability assessment relates to *specialists* and *measures*, to **identify more covered harm, trauma and persecution that is difficult to disclose**, ensuring access to competent health specialists following up on trauma and torture, and the routine of communicating and documenting harm between actors.

In times of increasing arrivals, the arrival procedures are delayed or adjusted to more limited or speedy routines and thus do not work optimally. One key finding is **the need for sufficient routines even in the periods with numerous arrivals**. We have documented the personal costs of procedural ruptures that occur when the adjusted procedures do not work, such as age assessments or reception conditions for UAMs. We also see the need for **improvements in the adjusted procedures**, such as including second opinions in the age assessment or improved reception standards for the oldest minors.

We also identify **gaps in the measures for identifying and supporting THB victims** and **the need for a national referral mechanism** to ensure sufficient support in all cases and a broad approach on how vulnerability factors interact in trafficking cases.

To guarantee *procedural justice*, Norway has accommodated hearing procedures related to age, such as a child hearing procedure and ensuring a representative present for UAMs, to gender (the choice of interpreter gender) and certain guidelines about interviewing and following up those with trauma, LGBTQIA+ minorities, and victims of THB. Despite these adjusted asylum procedures for those with extra needs, vulnerabilities remain under the radar. We have identified several barriers in the hearing procedure from the informants' point of view: the lack of **sufficient information about the hearing procedure** to grasp the legal rationale in the assessment; the need for **more legal advice early in the procedure**; and the need for **interpreters with improved skills** when disclosing private, demanding experiences. They stress **the implications of slow administrative procedures** and insufficient information about the process, which adds to their feeling of lack of agency.

The lived experience of reception conditions. The Norwegian asylum system relates rights as an asylum seeker to staying in a reception centre, including access to basic economic support. *The broad access to housing and support for all protection seekers, independent of status, guarantee basic needs.* However, the level of economic support has not been adjusted to reflect rising costs; many of our informants complain that the support does not even cover basic needs. Accommodated reception conditions are available – and vital – for UAMs, THB victims and those with severe health needs. Nevertheless, the reception conditions produce distress for our informants that is related to the spatial and temporary dimension when staying for an extended period in a reception centre. They find the *segregation* marked by such centres challenging because they limit social networking, access to information, the ability to learn the language and to get a job. Arrivals also face **limitations in access to health specialists and treatment**. The many

moves from one reception centre to another increase their feelings of being uprooted. **The reception conditions thus add significantly to their worries and everyday concerns for their children, their health and their future.**

Vulnerability shaped by the asylum system and increased restricted migration policy. The main group of protection seekers arriving in Norway come from countries with ongoing civil wars, and many are granted residence. Still, **many protection seekers were less vulnerable upon arrival in Norway than they were before spending some years trying to secure protection.** One reason relates to a stricter migration policy, initiated in 2015, which leads to increased use of temporary permits and restricted the practice of granting permits on humanitarian conditions. The immigration authorities have the opportunity to limit, re-examine or withdraw permits, producing new forms of vulnerability. **Temporal permits**, such as ID limits, although granting permission to stay, **extend the period of uncertainty and waiting for the normalization of life.** **For children**, the period of precariousness comprises a vital part of their childhood, which has implications for their present and future wellbeing.

We also find paradoxes in practices, particularly on the grounds of humanitarian exceptionalism that result in **prioritizing immigration control interests before acknowledged vulnerabilities.** Some protection seekers learn that their worries about family conditions, health problems or personal conflicts do not meet the type and level of persecution stipulated in Norwegian legislation. The concept of ‘vulnerability’ is not frequently used and mobilized in asylum decisions. The informants representing the protection seekers described various sources of individual and structural vulnerabilities in their everyday, including migration-related harm and their legal and social conditions as protection seekers. We find **a need to improve the acknowledgement of the intersection of various factors of vulnerability, not least when appraising a permit on humanitarian conditions and the reasonability of return on internal flight alternative through IPAs.** This is also vital in a ‘**child’s best interests**’ assessment. Current policies regarding granting **UAMs a temporary permit to stay** have been widely criticized for rendering them **more vulnerable to physical and mental harm and further exploitation.** These clauses and regulations have a profound impact on the protection seekers’ lived experiences by creating additional forms of uncertainty and harm.

In contrast to the inland asylum procedure, various vulnerabilities, such as serious medical conditions, are included among the main selection criteria in the UNHCR resettlement programme. Our informants on resettlement draw attention to **administrative procedures adding to their vulnerabilities after arriving in Norway.** Slow family reunification procedures, the lack of adjusted language learning tracks and the difficult administrative procedures to have educational credentials recognized are but some of the problems they face and lead to a prolonged process of integration.

Resilience refers to the process of successfully adapting to challenging life experiences. One striking feature of the Norwegian protection system is the near absence of civil actors and NGOs in the organization of the asylum system. There are **very few interest organizations for refugees**, which restricts access to these organizations and giving voice to their interests. **The lack of civil engagement** is an additional structural factor intersecting with the vulnerabilities of protection seekers in Norway.

SAMMENDRAG

Denne rapporten belyser hvordan asylsøkere og bosatte flyktninger reflekterer over sårbarhet i deres liv før og etter at de kom til Norge. Vi diskuterer i hvilken grad norsk prosedyrer for å gi beskyttelse til asylsøkere og mottaksforhold identifiserer og forstår hva flyktninger beskriver som deres behov og bekymringer.

De fleste som kommer til Norge for å søke asyl kommer fra land med pågående krig og konflikter. Norge har implementert internasjonale menneskerettighetskonvensjoner i norsk lov. Utlendingsloven har et gjennomgående menneskerettighetsperspektiv, og gjennom dette er staten forpliktet til å ivareta ulike former for sårbarhet. Det finnes imidlertid ikke egne prosedyrer som har som formål å identifisere 'sårbare' individer. Som diskutert i vår [første VULNER rapport](#), er den oppmerksomhet som sårbarhet gis i lovverk og administrativ praksis fragmentert, implisitt og motsetningsfull (Lidén et al., 2021). Den økende vekten på en restriktiv asyl- og innvandringspolitikk skaper i tillegg nye former for situasjonell sårbarhet både for asylsøkere og flyktninger. For eksempel gjennom vedtak om midlertidig flyktningstatus og begrenset oppholdstillatelse er det enklere å returnere migranter til land preget av konflikt. Utsatt permanent flyktningstatus skaper også barrierer for å bli integrert i Norge.

I tre av rapportens kapitler presenterer vi de viktigste funnene. Ett kapittel beskriver avgjørende forhold som førte til oppbrudd i opprinnelseslandet og sårbare situasjoner på vei til Norge. Et annet kapittel beskriver erfaringer med sårbarhet som asylsøker i Norge, og et tredje diskuterer konsekvensene av en økende restriktiv migrasjonspolitik for hverdagen til asylsøkere og flyktninger, og for deres framtid.

Forskningen er basert på kvalitativ forskning. Det norske VULNER teamet gjennomførte en feltstudie mellom mai 2021 og februar 2022 som omfattet tre felt: to asylmottak, bosetting av flyktninger, inkludert overføringsflyktninger, i en større kommune og oppfølging av personer som har vært utsatt for menneskehandel. I alt dekker dette asylsøkere, personer i mottak som søker om omgjøring av endelig avslag, nylig bosatte enslige mindreårige flyktninger, overføringsflyktninger og tidligere ofre for menneskehandel. I tillegg har vi intervjuet ansatte i de to asylmottakene, ansvarlige for bosetting av flyktninger i kommunen, helsesenter for flyktninger og representanter for interesseorganisasjoner og andre instanser og organisasjoner som følger opp ofre for menneskehandel, LGBTQIA+ minoriteter og irregulære migranter. Vi har gjennomført 34 intervjuer med 35 asylsøkere/flyktninger og 23 intervjuer med 31 personer i instanser og organisasjoner med ansvar for flyktingers hverdag.

Når de beskriver erfaringene deres forteller informantene våre om ulike former for vold, trusler og forfølgelse, ødelagte byer og smertefulle opplevelser som førte til at de brøt opp hjemmefra. De beskriver hvordan hendelsene innebærer relasjonelle kostnader, følelse av å være helt på egenhånd og hvor vanskelig det har vært å forlate nære personer i vanskelig situasjon. Beskrivelsen av hva de har gjennomlevd formidler komplekse forhold; deres posisjon og bekymringer omfatter mer enn personlige karakteristikk av sårbarhet (alder/kjønn ol), den viser i stedet hvordan *familieforhold*, erfaringer fra vold, diskriminering og trakassering i *lokalsamfunnet* og *strukturelle faktorer* som myndighetenes maktutøvelse og politiske og kulturelle motsetninger virker sammen på spesifikke måter. De har opplevd at lovgivning legitimerer forfølgelse og inngrepene i deres liv. Problematiske grensepasninger og sårbarhet under flukt er også del av historiene deres. Sårbarhet som begrep brukes sjeldent av informantene. I stedet beskriver de ulike former for stengsler, regler, hendelser og personlige relasjoner som reduserer deres mulighet for å handle og forbedre situasjonen deres.

De viktigste funnene kan deles inn i tre:

- 1) identifisering av sårbarhet i asylprosessen,
- 2) erfaring fra det å leve over tid i asylmottak,
- 3) og sårbarhet skapt av asylsystemet og økende restriktiv innvandringspolitikk.

I *ankomstprosedyrene* er det ingen eksplisitte rutiner som identifiserer sårbarhet, men ansvar for å identifisere ekstra behov og klassifisere personer som tilhører grupper med særlige rettigheter er del av det ordinære registreringsarbeidet og asylprosedyren. Tilpasninger for barn, personer som er utsatt for kjønnsrelatert forfølgelse eller overgrep, inkludert LGBTQIA+ minoriteter, og ofre for menneskehandel har særlige rettigheter, nedfelt i regelverket. Tilpasninger for de med ekstra behov er utdypet i veiledere som utlendingsmyndighetene bruker i sin praksis. Forbedringspotensialet i ankomstprosedyrene er særlig å få på plass **bedre rutiner og verktøy for å identifisere mindre synlige former for skader, traumer og forfølgelse som er vanskelig å være åpen om**, og å sikre tilgang til kompetent helsepersonell som kan identifisere og følge opp traumer og tortur. Det er også vesentlig å sikre rutiner for å kommunisere og dokumentere skader på tvers av utlendingsmyndigheter, helsetjeneste og andre ansvarlige instanser.

I perioder med store ankomster har ankomstprosedyrene blitt forsinket og vært mer vilkårlige og mindre utførlige. **Det er behov for å sikre tilstrekkelige rutiner også i unntaksperioder.** Vi har dokumentert personlige kostnader av at rutiner svikter og særtiltak ikke iverksettes. Dette gjelder for eksempel vilkårlige aldersvurderinger og manglende standarder for enslige mindreårige asylsøkere (UAM). Det er også **nødvendig å styrke ankomstprosedyrene.** For UAM vil dette for eksempel være å inkludere informasjon om alder fra ansatte som ser ungdommen i daglige situasjoner.

Vi har også identifisert **begrensninger i organisering av ansvar og rutinene for å identifisere mulige ofre for menneskehandel og behovet for en nasjonal henvendelsesmekanisme** for å sikre tilstrekkelig oppfølging i alle saker, samt en bredere tilnærming til hvordan sårbarhetsfaktorer virker sammen i saker som gjelder menneskehandel.

For å garantere asylsøkere juridiske rettigheter, har Norge tilrettelagte høringsprosedyrer. For barn er det egne barnesamtaler, og for enslige mindreårige er det en representantordning allerede ved ankomst. Kvinner kan få kvinnelig tolk om de ønsker dette, og detaljerte veiledere spesifiserer gjennomføring av intervju og oppfølging av personer som har opplevd traumer, tilhører en LGBTQIA+ minoritet eller er et offer for menneskehandel. På tross av denne tilretteleggingen for de med spesielle behov, går noen former for sårbarhet under radaren. Vi har identifisert flere barrierer i høringsprosessen fra informantenes ståsted: de **mangler tilstrekkelig informasjon om høringsprosedyrene** for å forstå logikken i asylvurderingene, de **savner mer juridisk veiledning** tidlig i prosessen, og **tilstrekkelig kvalifiserte tolker** for å snakke åpent om private og vanskelige temaer. De forklarer hvordan **manglende informasjon** om og **langtrukne administrative prosesser** virker inn på deres følelse av ikke å ha forståelse for hva som skjer.

Erfaringer fra et liv i mottak. Det norske asylsystemet knytter statlig bistand til at asylsøkeren oppholder seg i et asylmottak. De får da et sted å bo og et økonomisk basisbeløp som skal dekke deres grunnleggende behov. Det økonomiske tilskuddet har ikke blitt tilstrekkelig justert i forhold til økende kostnadsnivå i samfunnet, og mange klager på at **det ikke dekker helt grunnleggende behov til mat og medisiner.** Tilpassede mottaksforhold er helt vesentlig for enslige mindreårige, ofre for menneskehandel og de med ekstra store helseproblemer. Alle opplever likevel mottaksforholdene som belastende, og dette

er knyttet til isolasjonen og uforutsigbarheten som et langt opphold i mottak innebærer. Når de bor i mottak har de begrenset mulighet til å utvikle sosiale nettverk, få tilgang til informasjon, lære språket og få en jobb. De har også begrenset tilgang til spesialisthelsetjeneste for å få hjelp til å bearbeide traumer og skader etter tortur. **Mange har opplevd å måtte flytte flere ganger fra ett mottak til et annet, som forsterker deres følelse av å være utenfor.** Dette har store konsekvenser for barna og deres forankring i ny skole/barnehage og sosiale miljøer. Mottaksbetingelsene skaper derfor **ytterligere problemer og bekymringer i hverdagen for egen helse, for barna og tilpasning** under asylperioden og en ny framtid.

Sårbarhet skapt av asylsystemet og en mer restriktiv innvandringspolitikk. En stor andel av de som søker om beskyttelse i Norge får tilkjent flyktningstatus eller opphold på humanitært grunnlag. Likevel, en vesentlig andel forteller at de var mindre sårbare ved ankomst til Norge enn etter flere år i asylsystemet. En grunn er **mer restriktiv tolkning av regelverket og bruk av midlertidige tillatelser.** Utlendingsforvaltningen er etter 2015 gitt mulighet til å **begrense, revurdere og trekke tilbake oppholdstillatelser**, noe som skaper nye former for sårbarhet. Midlertidige tillatelser, som for eksempel ved manglende ID dokumentasjon, forlenger perioden i mottak også for de som har fått opphold. Dette innebærer **vedvarende usikkerhet, og utsatt mulighet for å normalisere livet, språkopplæring og introduksjonsprogram.** **For barn** kan mottaksoppholdet utgjøre en vesentlig del av barndommen deres, med stor innvirkning på deres velferd og framtid.

Vi finner noen vesentlige paradokser i den restriktive politikken, særlig i **hvordan sårbarhet vektlegges i vurderinger av sterke menneskelige hensyn** når disse vurderes opp mot innvandringsregulerende hensyn. Informantene beskriver sammenvevde individuelle og strukturelle grunner for å være utsatt som asylsøker. En del asylsøkere opplever at deres situasjon knyttet til helse, personlige forhold og sosiale konflikter ikke møter kriteriene satt i utlendingsregelverket. Begrepet sårbarhet er sjeldent brukt eller mobilisert i asylvedtak (Lidén et al., 2021). Det er behov for å øke anerkjennelsen av hvordan ulike faktorer påvirker hverandre gjensidig, og gi dette tyngde i vurderingen av sterke menneskelige hensyn og av rimeligheten i alternativet retur til internflukt (IPA). Dette gjelder også vurderinger av 'barnets beste'. Midlertidig opphold til enslige mindreårige asylsøkere over 16 år er blitt kritisert for å forårsake psykisk skade og kunne utsette dem for kynisk utnyttning. **En snever tolkning av de forpliktelsene som staten har i henhold til menneskerettighetene innebærer betydelige påkjennelser for personene det gjelder, og forsterker usikkerhet og skade.**

I kontrast til når en person søker asyl i Norge, blir sårbarhet, for eksempel i form av alvorlig funksjonshemming og medisinske forhold inkludert som sentrale utvelgelseskriterier i UNHCRs program for overføringsflyktninger. Våre informanter i ulike programmer for overføringsflyktninger beskriver særlig hvordan **ulike administrative prosedyrer skaper problemer for dem etter at de er bosatt i Norge.** Langtrukne prosedyrer for familiegjennforening, manglende tilpasning i språkopplæringen og kompliserte prosedyrer for å få anerkjent tidligere utdanning, er noen av de problemene de møter som forlenger opplevelsen av å være utenfor.

Resiliens refererer til en prosess for å klare seg bra til tross for et vanskelig utgangspunkt.

Et slående trekk ved det norske asylsystemet er at **få sivile aktører og organisasjoner inngår i organiseringen av asylsystemet**. Det finnes svært få interesseorganisasjoner for flyktninger og migranter, noe som begrenser deres mulighet til å fremme deres interesser og erfaringer. **Mangelen på sivil engasjement** er således en av flere strukturelle faktorer som samvirker med andre personlige og situasjonelle faktorer som bidrar til at asylsøkere og flyktninger kan bli værende i en sårbar situasjon.

ABBREVIATIONS

CRC United Nations Convention on the Rights of the Child

EEA The European Economic Area (EU Member States and Iceland, Liechtenstein and Norway)

EU European Union

FGM Female genital mutilation

IMDi Directorate of Integration and Diversity

IA Norwegian Immigration Act of 2008

ICORN International Cities of Refuge Network

IOM International Organization for Migration

IPA Internal protection alternative

LGBTQIA+ Lesbian, gay, bisexual, transgender/gender diverse, intersex and queer +

NGO Non-governmental organization

NOAS Norwegian Organization for Asylum Seekers

PU National Police Immigration Service

THB Trafficking in human beings

UAM Unaccompanied minors

UDI Directorate of Immigration

UNE Immigration Appeals Board

UNHCR United Nations High Commissioner for Refugees

TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
SAMMENDRAG	7
I. INTRODUCTION	14
II. METHODOLOGY	17
2.1. Ethical foundations	20
III. SETTING THE LEGAL AND BUREAUCRATIC SCENE	21
3.1. Vulnerability and protection on refugee or humanitarian grounds.....	21
3.1.1. Restrictions: increased focus on temporality and control neglecting vulnerabilities?	22
3.1.2. The resettlement programme.....	23
3.2. Vulnerability assessment and adjusted procedures.....	23
3.2.1. Reception centres.....	24
3.3. (Re)Settlement procedures	24
3.4. Access to health and welfare system	25
IV. EXPERIENCE OF VULNERABILITY PRIOR TO ARRIVAL IN NORWAY	26
4.1. Age, gender and precarious family life causing vulnerabilities	26
4.2. Threats and violence against discredited minorities	28
4.3. Vulnerability related to political and private conflicts.....	29
4.4. Vulnerabilities on the move	32
4.5. Vulnerabilities caused by divided, transnational families	33
4.6. Concluding reflections.....	34
V. VULNERABILITIES IN PROTECTION PROCEDURES.....	35
5.1. Vulnerability assessment in protection procedures	35
5.1.1. Vulnerabilities caused by ruptures in the adjusted procedures	36
5.1.2. Vulnerabilities in hearing procedures	38
5.1.3. Insufficient legal aid.....	40
5.1.4. Indefinitely irregularized: waiting for a lasting solution	41
5.2. Vulnerability shaped by reception conditions	42
5.2.1. Reception conditions for UAMs.....	44
5.3. Vulnerability related to health issues.....	45
5.4. Vulnerabilities when losing legal status	46
5.5. Vulnerability related to membership in sexual and gender minority groups	47
5.6. Vulnerabilities in the resettlement process.....	48
5.7.1. Vulnerabilities after resettlement	49
5.7. Concluding reflections.....	51
VII. VULNERABILITIES AND MIGRATION POLICIES	53
6.1. Vulnerabilities shaped by the temporary turn in Norway's immigration legislation	53
6.1.1. Vulnerability for UAMs when turning 18.....	54
6.1.2. Vulnerabilities produced by unresolved status: parents of a child refugee	55
6.1.3. Permanent protection, but limited rights.....	57
6.2. A messy legal landscape with enduring uncertainties	58
6.3. Vulnerability and humanitarian exceptionalism	59
6.3.1. Serious medical conditions	60
6.3.2. Exploitation and THB: a separate vulnerability assessment track.....	61

6.4. Concluding reflections.....	63
VII. CONCLUSION	65
BIBLIOGRAPHY	68

I. INTRODUCTION

Vulnerability has become a central concept in European and international asylum and refugee policy (Freedman, 2019). The concept of vulnerability has gained importance in EU asylum law as a result of provisions regarding asylum applicants in EU directives and European Court of Human Rights case law (see Baumgärtel, 2020; Ippolito, 2020; Leboeuf, 2022). International agreements, state policies and practices increasingly seek to identify and address migrant vulnerability.

In this report, we explore how asylum seekers and refugees resettled from third countries reflect on vulnerabilities in their lives prior to arrival and when they stay in Norway. We discuss the extent to which Norwegian protection procedures, reception conditions and welfare service identify vulnerabilities and capture what the protection seekers describe as their needs and concerns.

In Norway, asylum legislation consistently alludes to vulnerability through its human rights approach, as outlined in the Norwegian research team's first report on the VULNER project (Lidén et al., 2021). The legislation identifies vulnerable groups by referring to international human rights agreements to which Norway is a party, such as the UN Convention on the Rights of the Child (CRC), the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol) to the UN Convention against Transnational Organised Crime. As a result of the incorporation of international human rights law into Norwegian legislation, the state is obliged to protect people in vulnerable situations (e.g., Sandberg, 2021). Despite this, no specific procedure is in place to identify individuals as 'vulnerable'. The attention paid to protection seekers' vulnerabilities in terms of legislation and administrative practice is fragmented, implicit, and contradictory. Nevertheless, while Norway is not a member of the European Union (EU), it is bound to the Schengen Agreement and closely tracks developments in the EU and the implementation of EU asylum policy. Norwegian authorities thus also take into consideration the need for measures to identify refugees as 'vulnerable', to ensure they can present the grounds for their application and to offer adequate reception conditions. The identification of vulnerable applicants occurs during ordinary registration and at the asylum hearing. A number of guidelines and circulars define procedural adjustments and reception conditions for those with extra needs.

Most asylum seekers arriving in Norway come from countries with ongoing civil wars. As far as the asylum assessment is concerned, the scope of protection for vulnerable asylum seekers and refugees is limited by narrow interpretations of Norway's obligations under the 1951 UN Convention Relating to the Status of Refugees and European Convention on Human Rights, particularly the policy on internal protection alternatives (IPAs) and the cessation of refugee status. Although decision-makers have a certain amount of discretion in granting residence outside refugee status, particularly for situations involving compound vulnerabilities, this catch-all category, which secures residence on strong humanitarian grounds, is not without shortcomings. The outcomes are heavily shaped by immigration control interests, which means that vulnerability becomes a relative consideration depending on, among other factors, the number of similarly situated cases from the same country or region. Shifts since 2015 towards more restrictive asylum and immigration policies have produced new situational vulnerabilities by making refugee status and residence permits more temporary, making it easier to return migrants to conflict-affected countries and creating barriers to inclusion in Norway for those who cannot return. Our first report concluded by

noting the need for a more systematic approach to assessing and addressing vulnerability within these recent shifts of the protection system, in which the consequences should be assessed and mitigated (Lidén et al., 2021).

This second report contributes to this research need by approaching the topic from the protection seekers' perspectives and those of people working close to them in support services. The report aims to empirically explore the impact of laws, policies and administrative practices on protection seekers. More specifically, we examine the grounds for their protection needs and concerns and whether the experience of vulnerability is shaped – or for that matter produced – by legal, policy and administrative frameworks, by centring our focus on the protection seekers' perspectives and lived experiences. The use of the term 'protection seekers' in this report includes asylum seekers, refugees who have come to Norway through resettlement programmes and victims of THB at different stages in the process (application, appeal, waiting for a new assessment, or recognized as having refugee status), as their trajectories are not linear, and they remain exposed to vulnerabilities produced by immigration and integration regulations. With the rise of temporary protection and the potential cessation of protection in Norwegian legislation, refugee status is no longer final, and the distinction between those who seek protection and those who receive it has blurred. Methodologically, we include those defined as 'vulnerable' by Norwegian authorities and by their support and provision actors. By focusing on the protection seekers' subjectivities, including the ways in which they use and challenge notions of vulnerability, we also situate these experiences within the broader contexts of their lives.

Migratory vulnerability is understood to be produced by the structuring power of the law and state responses. This power manifests differently and are experienced unevenly across contexts and bodies. Understood as such, vulnerability is not necessarily an inherent characteristic of the protection seeker but can in fact be structurally and situationally produced (Atak et al., 2018). This requires a broadening of the analytical lens to consider the notion of precariousness, which places greater weight on the production of vulnerability by law, policy and socio-economic processes and does not carry the frequent negative implications of vulnerability (Andersson & Soenneken, 2022; Atak et al., 2018; Lind, 2020). Since this report focuses on how protections seekers are also rendered vulnerable by law and policy and within specific contexts, it also relies on the analytical lens of precariousness.

The report focuses on several overarching themes that characterize the protection seekers' individual and situational vulnerabilities in relation to the Norwegian system and during the life course:

- 1) The various individual, family, community and systemic factors and their intersectional dynamics that shape vulnerability
- 2) Spatial organization and temporality in the asylum system
- 3) Personal agency for resilience.

This report consists of seven chapters, including this first introductory chapter. The second describes the methodology, data collection methods, participants in the research and extended data material. The third chapter provides the Norwegian context in terms of the asylum system and procedures, immigration regulations and welfare rights, drawing on the main findings presented in the first VULNER report (Lidén et al., 2021). The next three chapters present the main findings of this second report. In Chapter 4, we identify the main sources of vulnerabilities that protection seekers bring from their origin country and while on the move, which contribute to their lived experiences of vulnerability in Norway. In Chap-

ter 5, we discuss the lived experience of vulnerability as protection seekers in Norway. We start with the options for revealing vulnerability in the arrival and hearing processes and consider the consequences of deficiencies in those procedures. Further, we describe various aspects of life in reception centres, including the implications of their spatial organization and the temporality of staying in them. Health needs and access to health services are another key topic. The final part presents the lived experiences of resettlement in Norway for those arriving as parts of resettlement programmes. Chapter 6 discusses the implication of an increasingly restrictive migration policy, particularly the new regulations granting temporary permits and a stricter interpretation of the state obligations to human rights when granting permits on humanitarian grounds. Finally, in Chapter 7, we present our main findings and include a discussion on the systemic ambiguity of the protection procedures.

II. METHODOLOGY

The aim of this second VULNER report is to add to the empirical knowledge that addresses protection seekers' actual experiences of vulnerabilities in their ever-evolving and highly contextual nature, along with how they understand and mobilize their resources when exercising agency. We lean on ethnographic methods to give us access to thick descriptions that help convey the everyday lived experiences of migration and state obligations to and control over the protection seekers' life realities (Willen, 2007). The aim is to shed light on how the considerations, norms and interests embedded in regulations and practices on vulnerability can produce (ambiguous) outcomes for those in vulnerable situations. Our goal is an ethnographic exploration of the process of becoming vulnerable, being vulnerable and overcoming vulnerability as protection seekers.

The fieldwork of the Norwegian team largely took place in three arenas: reception centres, the institutional settings of (re)settlement in a larger city and adjusted institutions for the THB survivors. Altogether, the study includes three categories of protection seekers and three additional categories representing the institutions and NGOs that are important in their everyday lives.

1) *Protection seekers living in reception centres.* We conducted fieldwork and interviews at two reception centres, one on the outskirts of a smaller town and one in a larger city. The participants included people at reception centres had been granted residence in Norway, but whose permits were limited to a (renewable) term of one year because of uncertain identities or other reasons. We also included those who received a final rejection of their application and were having their case appealed, had stayed in the centre for years because of health or other issues or did not see any option for returning to their home countries, specifically because Norway lacks bilateral return agreements for people from these countries; mainly, these were people from Iran, Eritrea and Ethiopia. In all but one interview, we used an interpreter. We interviewed 16 people living in reception centres. Residents with one of the profiles described above were handed information sheets about the VULNER project translated into relevant languages and asked to participate by the reception centre staff. The reception centre fieldwork also included formal interviews with six staff members at the two reception centres.

2) *Resettled refugees, unaccompanied minors (UAMs) and protection seekers with irregular status settled in a larger city.* To learn more about the experiences of being resettled to or applying for asylum in Norway, along with the many challenges faced in adjusting to a new life in a larger city, we conducted fieldwork and interviews with people identified as having extra needs. We included three groups: 1) newly arrived refugees in UNHCR and other forms of resettlement programmes (International Cities of Refuge Network (ICORN), Afghans resettled August and September 2021); 2) former UAMs settled upon receiving a resident permit after applying for protection in Norway; and 3) former protection seekers with a final rejection, who stayed with family members or friends. Among this last group, some had formed a new family with a person with a residence permit. We did not need an interpreter when interviewing the UAMs. However, we did use one when conducting the seven interviews with those in resettlement programmes and for one of the interviews with a person living irregularly with family members.

The fieldwork in this arena included interviews with staff members of the resettlement and introduction programme, the child welfare unit responsible for settling and following up UAMs, the refugee health centre professionals and health institutions supporting (irregular) migrants, NGOs and private supporters for a total of 16 people. Resettled refugees were generally harder to recruit. During the COVID-19 pandemic, the risks of personal interaction with people from high-risk countries also complicated fieldwork.

3) *THB Survivors*. This category was identified and recruited through NGOs and the child welfare service. We participated in seminars and workshops with the main actors responsible for implementing policies and practices against human trafficking.¹ We conducted a separate interview with the ROSA protect,² which is responsible for following up on people 18 years of age and older who have been exposed to THB; we also conducted interviews with two legal guardians of cases including children. Two people were recruited from NGOs and interviewed about their experiences as THB survivors .

Generally, the three arenas were chosen using criteria derived from three objectives. First, to include a diversity of admissions paths to Norway (resettlement through UNHCR and other resettlement programmes vs. the asylum procedure in Norway and the specific track for THB survivors). Second, to include different application outcomes to reflect the diversity of situations that either met protection seekers' needs or added to their vulnerabilities. Third, to include different types of vulnerabilities. Generally, we had an open-minded approach regarding what people related about their lives when leaving their home countries and while they were on the move, living in precarious situations, including when living over time in a reception centre or experiencing the status of illegality. We included people categorized as belonging to vulnerable groups by the EU Directive and Norwegian Directorate of Immigration (UDI) (UAMs, elderly protection seekers, LGBTQIA+ minorities, people with other gender-related issues like pregnancy and THB victims) to explore their experiences, although the categories extended beyond these groups. Our interests were in how and when possibly unexpected sources of precariousness emerged and how different factors interact in specific ways to increasing people's worries, burden ... and resilience.³ All were asked about vulnerabilities during the asylum and resettlement procedures they underwent to obtain protection status, along with the ways in which the application outcome affected how they were currently coping with their situation.

The UDI helped us identify relevant reception centres and also formally permitted our fieldwork in these settings. For the other two settings and institutions, we made direct contact with management; all were interested in contributing to the research project. We specified the criteria for selecting participants, who were recruited by social workers that they knew well. The social workers handed out information sheets about the project, translated into the most relevant language for the protection seekers,⁴ and later explained the implication of taking part in the research. During the interviews, those living in reception centres told us that participation in the VULNER project was their first opportunity to voice their difficulties and talk about the implications of their uncertain status. Many others had specific issues they

1 The Trafficking of Human Beings [THB] unit in the Directorate of Policing [KOM], the THB unit in the Directorate of Child, Youth and Families [Bufdir], the THB consultant at the Regional Centre against violence, trauma, suicide East (RVTS East), the dedicated THB unit in the police and representatives of social and child welfare organizations and NGOs. RVTS East runs the digital platform www.menneskertilsalgs.no as a resource for health and social workers.

2 ROSA is a public agency that assists victims of human trafficking by offering a safe place to stay, consultations and support. The agency also runs a national helpline.

3 Resilience refers to the process of successfully adapting to challenging life experiences.

4 We translated the information sheet into Arabic, Amharic, Dari, English, Farsi, Sorani and Pashto.

wanted to raise in the interviews. Some interviews offered rich descriptions of people's situations before arriving in Norway. While a few people were reluctant to describe their situation in great detail, however, most were willing to describe their experiences in the hearing procedures and discuss their worries and disappointment after not being accepted and settled. Sometimes, we had to stress our limited ability as researchers to intervene and improve their situation.

Most of our cases and findings draw on interviews with migrants. We took a narrative approach to the lives of the protection seekers and their stories and meaning-making about their lives to address what was at stake for them: 'The migrants narrate their being in the world as embodied responses to and outcomes of the world of inequality, injustice and dehumanization' (Bendixsen, 2020, p. 497). However, we responded to the notion that such stories do not simply reflect the world but are constructed in specific socio-political and cultural contexts. People draw on dominant narratives to tell their stories (see, e.g., Andrews et al., 2013). We then explored how the protection seekers situated themselves in their narratives and how those narratives were addressed and situated by the dominant narratives of the immigration administration and policy. The interviews with institutional actors and NGOs elaborated on the same issues raised by the protection seekers, and gave additional information about how the regulations affected their own work, the procedure and the everyday lives of the protection seekers.

We conducted 34 interviews with 35 protection seekers and 23 interviews with 31 people working in the institutional context of the everyday lives of protection seekers; see Tables 2.1 and 2.2 for more detail on participants.

Table 2.1 *Protection seekers*

	Afghanistan	Congo	Eritrea	Ethiopia	Iran	Iraq	Syria	Others
Man	1	2	3	1	6		1	
Woman		1	3	3	1	1		2
Arrived as UAM	6		2				1	1

On the issue of class, those in resettlement programmes include both people with higher education and people who are illiterate or had a low level of education after living in refugee camps for two decades. Those interviewed in reception centres or recruited by NGOs also had a mix of backgrounds; however, some left respected positions, some had higher levels of education, and most had a decent job and about 8–10 years of education before leaving the origin country. Notably, many of the women talked about education and former jobs.

In the interviews with those living in the two reception centres and interviews with the newly resettled refugees, we used an interpreter. Because of language competence, the UAMs and THB survivors preferred not to use an interpreter.

Table 2.2 *Staff at reception centres, welfare institutions and NGOs*

Reception Centres	Introduction Programmes/ UAM Social Service	Health	NGOs
6	12	2	11

The COVID-19 pandemic had implications for both the dataset and the fieldwork. One consequence was that a third reception centre contributed to the study but ultimately had no capacity to participate because of increased COVID-19-related problems and other issues. The period for the fieldwork in the reception centres was moved from autumn 2021 to January–February 2022, and the interviews with the former UAMs and some other people were delayed or, in some cases, not conducted at all. Resettled refugees were less accessible for personal interviews, both because of the quarantine imposed by the authorities and fact that many came from high-risk areas that made face-to-face interviews difficult. There were also fewer options to make use of observations and informal interactions as part of the fieldwork. Another consequence of the data collection overlapping with the COVID-19 pandemic was closed borders and the heavy restrictions on protection seekers arriving in Norway in 2020 and 2021 (which also restricted THB). Some in resettlement programmes spoke about the additional challenges of resettling in a community when society was closed down because of the pandemic.

To extend the dataset and contextualize our empirical data, given the challenges we faced with data collection because of COVID-19 and other obstacles, we analysed 10 legal judgements (on minors and the conversion to Christianity, appeals from Eritrea and Ethiopia, etc.). Further, to understand the lived experiences of various forms of trafficking and the legal practices in cases of minors surviving THB, 12 cases before the County Social Welfare Board, 13 cases decided by the Borgarting Appeals Court and two decided by the Norwegian Supreme Court were analysed.⁵ We also drew on *Hør oss!* (Listen to us!) (Gjermundsson, 2021), a book featuring interviews with UAMs, a documentary film (four episodes) on protection seeker children facing deportation⁶ and articles featured in newspapers on the health issues of irregular migrants and expulsion cases, including mothers leaving children in Norway when they were deported. Other sources of data included media reports, a literary anthology by resettled refugees in Norway, grey literature, national statistics and background policy documents. Finally, we made use of previously published and ongoing research and data from overlapping research projects (Brekke et al., 2021, Lidén, 2022; Lidén & Salvesen, 2019; Lidén et al., 2020).

2.1. Ethical foundations

All ethical aspects of our study were reviewed and approved by the Norwegian Centre for Research Data and a data protection impact assessment was designed and signed by the Norwegian Centre for Research Data and the Institute for Social Research. We also abide with the common ethics strategy that was established for the VULNER project⁷. The informants gave their consent before and during the interviews. Each interview began by providing further information about the research and a reminder about the participant's freedom to refuse to answer any questions. To minimize any risk to protection seekers, their participation was treated anonymously, and all were assigned pseudonyms or alphanumeric codes.

⁵ This is part of the research project Children, Human Trafficking and Overlapping Forms of Exploitation (Lidén, 2022).

⁶ See [Uønsket – 1. Ikke barnas feil \(Sesong 1\) – NRK TV](#) and [Uønsket – 3. Rettssaken \(Sesong 1\) – NRK TV](#).

⁷ See <https://www.vulner.eu/106307/Ethics>

III. SETTING THE LEGAL AND BUREAUCRATIC SCENE

To contextualize this second report, we present the main findings of how ‘vulnerability’ is addressed and assessed in the legal and bureaucratic practices in Norway. As stated in the first VULNER research report, the assessment of vulnerability is not a legal obligation per se (Lidén et al., 2021). In Norway, human rights discourse is the normative centre of asylum law and policies, and the concept of vulnerability is not explicit in either legislation or in the immigration regulations, in contrast to the EU regulatory framework and the national legislation of several European countries. Instead, certain groups and people are given special attention with reference to the obligations on the state that derive from specific international conventions. Primary areas of focus include minors, gender-related issues, sexual orientation and THB victims for the purpose of prostitution. The use of human rights discourse normatively specifies obligations for individuals and groups to ensure that they receive effective protection and tailored forms of support. The normative content is specified in administrative guidance without the extensive use of the term ‘vulnerability’. Nevertheless, practitioners use the concept in a descriptive manner. The vulnerability discourse, then, is gaining traction in practice. This is particularly true for procedural adjustments and guarantees and in the context of reception conditions.

3.1. Vulnerability and protection on refugee or humanitarian grounds

Certain qualities of the Norwegian asylum system are significant for understanding how ‘vulnerability’ is dealt with. One is the *extended definition* of refugee status in The Norwegian Immigration Act of 2008 (IA). In addition to recognizing refugee status for people who meet the refugee definition established in the UNHCR 1951 Convention, as modified by the 1967 Protocol, the act extends refugee status to people for whom return presents a ‘real risk’ of torture or inhuman or degrading treatment or punishment and would thus breach Article 3 of the European Convention on Human Rights and other human rights instruments (IA §28). In addition, protection granted for humanitarian reasons *is assessed as part of the asylum procedure*. Asylum seekers who do not qualify for refugee status (IA §28) can still receive a residence permit based on ‘strong humanitarian considerations’ or ‘special connections to the realm’ (i.e., humanitarian grounds; IA §38). This paragraph is discretionary, and immigration control-related considerations are accorded significant weight in determining whether a permit is granted (Lidén et al., 2021; Liødden, 2017). People granted refugee status and humanitarian protection receive temporary residence visas, which may be converted to permanent residence permits after five years of residence if certain criteria are met.

In the *protection assessment*, the concept of vulnerability calls attention to groups at heightened risk of persecution or serious harm in a given context. Norwegian practice recognizes that the assessment of both a claimant’s credibility and the objective risks that he or she may face upon return may be affected by factors such as age, gender, marital status, mental and physical health and experience with THB or sexual violence. Many countries use practice notes and other forms of guidance to highlight specific groups exposed to serious harms, such as single women without a male network, but the level of detail differs between countries. Situations not explicitly covered may be overlooked or considered less credible.

The UDI makes the initial decision in asylum cases. If the UDI rejects an application, it can be appealed to the independent Immigration Appeals Board (UNE). If the UNE rejects the appeal, that is referred to as 'the final decision', and the rejected asylum seeker does not leave before the departure date set in the final decision, it is generally no longer considered legal to remain. However, rejected asylum seekers can continue to request a reversal (*omgjøringsbegjæring*) from the UNE. To reverse a decision, the UNE requires new pertinent information or new documentation regarding a case indicating that an individual's situation has changed significantly (e.g., that the individual has become seriously ill). However, the threshold for the UNE to reverse a case is high. All rejected people are expected to return to their home countries and are subject to deportation. However, people from certain countries like Iran, Eritrea and Ethiopia cannot be deported because of the lack of bilateral agreements with the state authorities in these countries. All applicants receive information about voluntary return programmes, including those for vulnerable people.

The protection system gives nearly no options to 'change track' to another form for permit after receiving a final rejection on refugee status or humanitarian grounds, for example to apply for family reunion, student or work permit when already arrived in Norway.

3.1.1. Restrictions: increased focus on temporality and control neglecting vulnerabilities?

Norway has twice announced a series of restrictions aimed at refugees and potential protection claimants.⁸ The restrictive policies were triggered by higher arrival numbers in 2008 and 2015, respectively, and despite a substantial drop in asylum claims after the EU–Turkey Agreement came into effect,⁹ politicians have relied on security interests, the integrity of the asylum system and the 'sustainability of the welfare state' to justify added controls. Increased resources have been mobilized more closely monitor and control of migrants and immigrants in Norway, including through the grant of temporary permits, mandatory protection reviews, intensified efforts to uncover fraud, restrictions on family reunification and deportations for those deemed to (no longer) be eligible protection.¹⁰ These measures may increase – and even produce – new forms of migration-related vulnerabilities (see Chapter 6).

8 In 2008, the Stoltenberg II Government announced 'Asylum Policy Restrictions: 13 points', which was published on 3 September 2008: <https://www.regjeringen.no/no/dokumentarkiv/stoltenberg-ii/aid/Nyheter-og-pressemeldinger/pressemeldinger/2008/innstramming-av-asylpolitikken/id525564/>. In 2015, the Norwegian Parliament reached the Asylum Agreement of 19 November 2015: <https://www.nrk.no/norge/her-er-asylavtalen-1.12662331>. The agreement was followed by the release of the Restriction II document for hearing procedures (Prop. 90 L [2015–2016], Proposed Changes to the Immigration Act, etc. [Restrictions II], 5 April 2016): <https://www.regjeringen.no/no/dokumenter/prop.-90-l-20152016/id2481758/>. The final restrictions were presented in Innst. 391 L (2015–2016), Innstilling til Stortinget fra kommunal- og forvaltningskomiteen om Endringer i utlendingsloven mv. (innstramninger II): <https://www.stortinget.no/globalassets/pdf/innstillinger/stortinget/2015-2016/inns-201516-391.pdf>.

9 Only 3,640 asylum seekers came to Norway in 2016, the lowest number in 20 years: <https://www.udi.no/statistikk-og-analyse/statistikk/asylsoknader-etter-statsborgerskap-aldersgruppe-og-kjonn-2016/>.

10 Aftenposten, 'Norge har nå den største nedgangen i asylankomster i Europa - derfor kan UDI nå bruke ressurser på å granske asyljuks', 12 January 2017: <https://www.aftenposten.no/norge/i/80B9r/norge-har-naa-den-stoerste-nedgangen-i-asylankomster-i-europa-derfor-kan-udi-naa-bruke-ressurser-paa-aa-granske-asyljuks>.

3.1.2. The resettlement programme

In addition to those who claim asylum at the border or within Norway, refugees may be admitted from third countries (§35 IA). The Norwegian resettlement quota includes only people with protection needs leading to permanent residence, and refugee status is granted to most resettled refugees. The Norwegian Parliament has established a yearly quota of refugees to be resettled directly from third countries that is based on the government's budget proposals. The Ministry of Justice and Security has, in its instructions on the topic, set out the criteria for establishing 'subquotas' for specific refugee groups and the individual factors to be taken into account.¹¹ The formal criteria for selecting subgroups include their first and foremost need for international protection and durable solutions, but also their presumed integration potential. Assessment of the refugee group and whether it consists of many refugees described by the state as vulnerable (women or girls at risk or lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual, non-binary etc [LGBTQIA+ people]), along with families with children under 18, are also given priority. In addition, the 2021 criteria prioritize Christians, Ahmadiyya Muslims and Yazidis who are the targets of religious persecution. Factors such as the host country's need for burden sharing and experiences with operational cooperation with the relevant local UNHCR office are taken into consideration. A vital concern is the capacity of the receiving municipalities to accommodate the group in question. We assess the experiences of those seen as vulnerable refugees in the resettlement process and highlight their challenges after resettling in Norway.

3.2. Vulnerability assessment and adjusted procedures

All asylum seekers crossing the Norwegian border are sent to the National Arrival Centre, which is situated near the south-eastern border.¹² The applicant undergoes the initial phases of the asylum procedure, starting with an electronic registration and registration interview by the National Police Immigration Service (PU), an information programme, a medical examination and an asylum interview conducted by UDI caseworkers.

In this initial phase, the task of identifying asylum seekers with extra needs like minors, applicants with severe health problems and THB survivors is delegated to various actors during the arrival procedure; however, standardized vulnerability assessment tools are not used. The purpose is to ensure procedural or reception accommodations and to ensure individual claims and rights. Certain procedural adjustments for those with extra needs are defined in the guidelines and circulars used by the immigration authorities in the application procedures.

11 Ministry of Justice, Circular G-15/2020: Guidelines for work with resettled refugees according to Immigration Act §35: <https://www.regjeringen.no/contentassets/47fe09b332c54f95aad990583df64da6/rundskriv-g-15-2020---retningslinjer-for-arbeidet-med-overforingsflyktninger.pdf>, para 5.

12 Refugees in resettlement schemes are settled directly into a municipality and do not stay at an arrival centre. However, the relocated asylum seekers from Moria, Greece, that Norway accepted in 2020 were located at the arrival centre to undergo arrival procedures.

3.2.1. Reception centres

Upon arrival, all asylum seekers are offered free accommodations in a reception centre.¹³ On behalf of the state, the UDI delegates the responsibility for running reception centres to for-profit and non-profit operators, which compete to run the centres in open tender calls. The UDI's requirements and guidelines for operating the asylum centres are detailed in various circulars. The reception system consists of different types of reception centres; however, most protection seekers will stay in an ordinary reception centre. The materials that reception conditions are expected to provide include 'a minimum, but adequate standard of living'.¹⁴ The centres are often located in repurposed buildings with minimum standard (closed hotels, vacant schools, barracks, etc.) because of fluctuations in arrival numbers. Customizing reception to special needs is a standard element of the role of ordinary reception centres. Reception conditions include the use of separated sections for those with demanding health problems. For certain groups, such as UAMs and THB victims, modified accommodation and support are available.

Applicants waiting for an appeal or who have received a final negative decision have the right to stay in a reception centre and will receive a reduced basic amount and fewer additional subsidies granted for the duration of their stay. Those granted international protection who are waiting in a reception centre for settlement in a municipality have the same rights as Norwegian citizens. However, those who receive a limited, one-year renewable residence permit will not be settled¹⁵ and will continue to live in a reception centre until the limitations on the permit have been lifted. Protection seekers have the right to care in the ordinary health system but under restricted conditions as defined by their asylum status.

3.3. (Re)Settlement procedures

The actors and procedures of (re)settlement are the same for refugees arriving in Norway in resettlement programmes and for inland asylum seekers granted resident permits when staying in a reception centre. The Directorate of Integration and Diversity (IMDi) is responsible for the practical work related to the settlement of protection seekers granted residence permits, whether they applied in Norway or come from UNHCR resettlement programmes. For the municipalities, the settlement of refugees is a voluntary task (IMDi, 2020). Municipalities receive state funding in the form of an integration subsidy for five years to cover extra costs in the education sector and health and welfare services. An additional subsidy is granted when settling UAMs, for whom municipalities receive state subsidies in the form of a unit price for each individual until the refugee reaches age 20. Municipalities choose how to organize service provisions to attend to their obligations in relation to the settlement of minors and may opt for different types of living arrangements (e.g., foster homes, group homes or other supervised living arrangements). Municipalities may also apply for an extra grant for (re)settling people with complex and chronic health problems that require expensive or ongoing treatment.

The municipality is responsible for ensuring the rights and obligation of protection seekers and their reunified family members aged 18 to 55 who need to acquire basic qualifications to participate in an introductory programme, as identified in the Introduction Act. The programme runs for up to three years. Refugees receive financial support while participating in the introductory programme.

¹³ The claimants are free to live in private housing, but this excludes them from the economic support received when housed in a reception centre. Because it is difficult to obtain paid employment as an asylum seeker, the few who choose to live privately most often rely on the financial support of family members or their own means.

¹⁴ (UDI RS 2008–10).

¹⁵ An exception to this rule is made for UAMs and certain families with children (see Chapter 6).

3.4. Access to health and welfare system

Protection seekers are eligible for social security and welfare benefits that are attached to their refugee status. However, in recent years, measures have been adopted to reduce the 'special rights' of refugees¹⁶ and to place additional conditions on the universal benefits for refugees and other newcomers.¹⁷ Children have access to health, education and child welfare support, irrespective of their status. Rejected applicants have reduced access to health services and social welfare benefits.

¹⁶ These are retirement and disability benefits, regardless of length of residence in Norway.

¹⁷ Introducing a five-year probationary period before receiving certain benefits, including retirement and disability payments, cash support for children and transitional support for single parents.

IV. EXPERIENCE OF VULNERABILITY PRIOR TO ARRIVAL IN NORWAY

In this chapter, we look at the lived experiences of protection seekers as told in autobiographical narratives. We are interested in how they describe their life challenges and navigate various constraints to identify the dynamics that underlie the different factors and processes of vulnerabilities in their origin country and on the journey to Europe. A wide scope is needed when examining the issue of vulnerability and what the protection seekers identify as problematic for them to handle in the situations they faced before arriving and when applying for protection in Norway. Referring to the International Organization for Migration's (IOM's) Determinants of Migrant Vulnerabilities model (2019),¹⁸ we identify factors interacting with one another on four different levels: *individual* factors relate to personal characteristics and status like age, gender, race, disability and mental and emotional health; *family* factors include the relationships and status of individuals within households; *community* factors relate to the broader sociocultural contexts of individuals and families (including the availability of social and educational institutions), ethnic relations, discrimination and harassment; and *structural* factors of vulnerability that are created by historical, economic and political conditions and are embedded in societal institutions, belief systems, the political regime and legislation. Understanding lived experience requires grasping the intersections of these factors on different levels.

First, we present cases of the lived experiences of UAMs when young age, gender and precarious family relations intertwine with political conflict, persecution and harm in the country they have left behind. A core dimension when studying the individual experiences of situated vulnerabilities in all its complexity is how agency is fundamentally relational (Fineman, 2008, 2010; Mackenzie & Stoljar, 2000). We then turn to persecution related to identification as ethnic or sexual minorities and politically initiated persecution causing harassment, harm and other forms of situational vulnerability. The last section of the chapter discusses the lived experience of vulnerability while on the move.

4.1. Age, gender and precarious family life causing vulnerabilities

In the last 10 years, Norway has received a high number of UAMs from Afghanistan, Eritrea, Somalia and Syria who have applied for protection due to war-related problems and harassment. Many leave their homes because of war-related needs for protection, as was the situation for minors from Syria. The ruptures of family relations may add to how an individual's background shapes his or her vulnerability. For some UAMs, being an orphan or lacking caring relations initiated their departure from home. While they are leaving a situation because of war and civil conflicts, the lack of family support may increase their vulnerability when on the move, as they are more dependent on contingent relationships, mastering situations on their own and sheer luck. This was the case with Hamid, who arrived in Norway in early autumn 2015. In the arrival registration with the PU, he said he was about 14 or 15 years old and belonged to Afghanistan's Hazara minority. In his interview with us, he said that his father died when he was a small child and that his mother passed away when he was about 12 years old. He stayed in his uncle's household for some months after his mother's death but faced difficult conditions, with a heavy workload and no school. He spontaneously decided to travel to Iran, joining two acquaintances from the bazaar. He went

¹⁸ This model is a tool for identifying coexisting and potentially interacting layers of vulnerability and resilience. We chose it to emphasize the intersection of these levels when describing the dynamic of contextual factors important for migrants' navigations before, during and after migration.

because of his difficult relationship with his uncle and his household and the attraction of saving money in Iran to start a new life on his own. His interview revealed details about how life was made difficult by his family's tense relations with the local Taliban commanders. In addition, when he travelled, he felt that he was treated poorly as a Hazara. The Taliban interrogated and sometimes beat his party at roadblocks. He also talked about kind people helping the group move on to their next destination. After a while, they managed to reach Tehran. He stayed in Iran for about 18 months, collecting plastic and always afraid of being deported back to Afghanistan. He then decided to spend his small savings to travel to the West, crossing the border into Turkey on foot. He worked in a tailor's workshop in Istanbul under harsh conditions; after about five months, he could afford to sail from Turkey to Greece: 'It was a very difficult time. I experienced so many bad things on the journey'.

Another case started in Sierra Leone during that country's civil war. When Mariam was very young, her mother died in that war, and an acquaintance of her mother took care of her. Mariam's relationship with her 'aunt' was always confusing; she provided care but also misery and grief. Poverty forced Mariam to contribute to the household from an early age. In her early teens, a friend of her 'aunt' sexually abused her. Later, when she turned 16, some of her aunt's acquaintances recruited her, with the backing of her aunt, to 'a good job' in Europe.

Some arrived as UAMs after leaving their families in a transit country. A family may try to secure its future when investing in the travel of one or more family members; in certain cases, splitting up the family is an attempt to address the precarious conditions that the family faces. For example, Malik arrived in Norway in early 2015. He was then 15 years old and came with his 13-year-old brother. They had left their regular lives behind, with their community and town destroyed, and stayed with their family in Lebanon for about a year. The family could only afford to send the two eldest brothers to a safer place, with the help of various smugglers. They travelled first to Turkey and then crossed the sea to Lesbos; after that, it was Athens, Germany and Norway. However, the boys' parents did not foresee the fears and problems they would face along the way. In Norway, Malik and his brother stayed in a care centre for young UAMs and started at a local school shortly after arriving. After about a year, they were granted refugee status, moved to a new city and lived in a shared flat with three other UAMs and staff and started the process of applying for family reunification with their parents and two younger siblings, who were living in precarious conditions in Lebanon.

Another case demonstrates the demanding conditions for a family in transit after fleeing civil war and trying to cope with their future. In this case, the family's precarious situation led to additional problems for their 16-year-old daughter, Sheila. Living in a migrant 'hotspot'¹⁹ with few possibilities to move on, the parents accepted a marriage deal from a person to whom they had been introduced. Her parents accepted his conditions, which included cash for the parents and the opportunity for the girl to move to Norway. The plan was to apply for asylum as a UAM and then reunite with the man, who already had a residence permit. A few days after they met, a mullah at the local mosque led a *niqa* (marriage ceremony) for Sheila and the man. Sheila's new husband paid a smuggler to organize transport to Norway. The girl left her family, hoping for the opportunity to apply for family reunification as soon as possible.

19 Migrant hotspots are places where migrants were held in camps, such as those that resulted from the EU-Turkey Agreement announced on 18 March 2016: <https://europa.eu/Uk83Xp>.

The option of using child marriage as a means to immigrate and sending minors ahead while being stuck in migrant hotspots illustrates how migration policy and border control intersect with gender, age and situational lack of agency and resources in specific ways to shape multi-layered vulnerabilities for a child. The cases of Malik, Sheila, Hamid and Mariam demonstrate how vulnerability also relates to local conduct and how a given belief system recognizes the status and position of young males and females. Sheila had few options to oppose her parents and their plan for her marriage. To send her as a UAM to Europe, like Malik and his brother, was not an option. In the case of Hamid, the challenging position of a widowed mother in Afghan society meant that her only option was to become part of her late husband's family and household. When she died, Hamid became part of his uncle's household. Because of his low status in the family, he had a hard time and was exposed to violence and a heavy workload. In the case of Mariam, long-lasting poverty, the social acceptance of the sexual exploitation of young girls for prostitution in the social networks of her aunt, and the fact that her aunt accepted it combined to make her vulnerable to trafficking. Sociocultural norms of gender and sexuality can thus legitimate the actions of both family members and traffickers.

4.2. Threats and violence against discredited minorities

Other reasons for seeking protection in Norway include facing threats and violence for belonging to a discredited ethnic, religious or LGBTQIA+ minority. Since 2014 refugees belonging to the minority Yazidi group in Iraq have been granted residence in Norway. Since 2021, Christians, Ahmadiyya Muslims and Yazidis who are being persecuted on the basis of their respective faiths have been given priority for resettlement in Norway in the UNHCR resettlement programme (Brekke et al., 2021). In our study, informants talked about persecution because of belonging to discredited minorities, including ethnic and sexual minorities. One ethnic group that is granted residence is the Uighur people in China. One couple told us that they left high-prestige jobs in China because of the worsening conditions for the Uighurs. Facing threats, they took their two small children and fled to a transit country before applying for UNHCR resettlement programmes. After some time, they were granted resettlement in Norway. For people belonging to other minorities, the option of being granted protection is not as clear. The need for protection as an ethnic minority is not necessarily a legitimate ground for being granted a permit. Their conditions as protection applicants are thoroughly assessed, and options for an internal flight alternative are considered, as was the case for an Iraqi–Iranian family. The father talked about the many problems he faced because he was a Kurd: 'I myself was born in a refugee camp in Iraq. I am a Kurd. After a few years, the authorities made us go back to Iran; we were kind of tricked. My family returned to Iran when I was six years old'. He said he had been an activist and feared reprisals from the Iranian authorities. 'My child has the same fate as me; she was born here in Norway, while [we were] living in this reception centre, six years ago. She has lived her entire life in this centre. This is unworthy; frankly, it's unfair' (M2). Our interviewee is seen as an Iraqi citizen but fears being deported to Iran if he has to return to Iraq. Belonging to an ethnic minority and involved in local political conflicts combines with a murky cross-border identity to make his position unclear, adding to his concerns and anxiety.

Informants also talked about the need for protection when belonging to a banned LGBTQIA+ minority. In his origin country, Fazel attended a network for artists; creating art also revealed his gay identity. Some members of the network soon felt threatened by the police and local authorities. When some of his closest friends were put in jail, Fazel fled to a neighbouring country. He had a difficult time, was identified

as belonging to an LGBTQIA+ network and faced harassment from the police and others. He applied for UNHCR resettlement. When waiting for his assessment in the resettlement programme, he lived under poor conditions and surveillance, with few options for making a living.

Some of our informants told us that they did not disclose the main cause of their problem when applying for asylum in Norway. They did not think that was wise or relevant for the application. One man told us that only after more than 10 years living in the reception centre with a rejection on his application did he tell his secret to the appeal board. Until then, he did not have the confidence to be open with them; he only hinted at his problem. His reasons for applying for protection, he told the immigration authorities, was joining the military in his origin country in a war that had continued for years. During military operations, he was wounded physically and mentally and was hospitalized for a while: 'All my fellow soldiers, friends, everyone was killed in the war, but I survived. I got sick from the war experiences. I was entirely destroyed'. After leaving the army, he developed severe mental problems. He felt marginalized, threatened, hounded and perceived as an odd person. The reason why he did not tell the Norwegian authorities about these experiences was that he had not really admitted that he was an LGBTQIA+ person. During all these years in Norway, he had isolated himself socially: 'I'm kind of a character, so I don't want to be with anyone. My only friend is the mirror' (M11). For some, a prolonged process to disclose their LGBTQIA+ identity created doubts and suspicion in the asylum procedures and added to his loneliness and distresses. They did not either get support from the NGOs and health centre for refugees that other persons with LGBTQIA+ identity emphasised was significant for the feeling of belonging to a new society and community.

4.3. Vulnerability related to political and private conflicts

The main groups of protection seekers in Norway come from countries with ongoing civil wars and conflicts. Over time, more than two thirds of applicants are granted residence, mainly with the status of refugees. Protection seekers may have complex reasons for needing protection that combine individual and family conditions with political, religious, cultural and social conflicts that expose them to harm in specific ways, as in the cases described above. Then, their protection needs conceal the personal costs of situational-specific precariousness that is shaped by various forms of maltreatment in their home countries. Refugees may see themselves as survivors of war and as having suffered and lost everything, but they do not necessarily see themselves as *vulnerable*. Even if anxiety and grief were part of everyday life for many, 'trauma' is not a term they use, and it is not part of their self-perceptions or definitions of the problematic realities in the initial period after arrival, as Eastmond's research on Bosnian refugees in Sweden demonstrates (2014). The implications of suffering, abuse and torture are well known from research and other forms of documentation and provide valuable insights into the demanding process of repairing one's life when others have forcefully tried to destroy it (Borgersen, 2022; Overland et al., 2014; Sveaass & Weiss, 2021). The trauma of former abuse, persecution and intrusive memories may first sink in after they have been granted residence; at that point, their mental health may worsen, increasing their need for sufficient health supports. Additional stress, such as extended periods of insecurity, worries about family members and a lack of trauma-informed treatment and care, increase the risk factors of long-lasting psychological implications of inhumane treatment and harm.

As described in Chapter 3, a substantial portion of those living in reception centres are protection seekers waiting for appeals to be acted upon or a reversal of a previous decision. In Norway, there are no option for an asylum seeker to 'change track' if not granted refugee status, or status on humanitarian grounds, as is part of the same procedure. Informants from Iran, Eritrea and Ethiopia in particular stayed in reception centres for several years, still seeing no option to return to their home countries because of their subjective understanding of their need for protection that did not meet the objective criteria in the guidelines of the immigration administration. The intersection of factors in their previous lives and their situations as protection seekers in Norway shaped their worries and concerns. This was the case of a man from Kurdish Iran in his late twenties, who said he was a member of a political party and had been politically active when he was a student. Since his asylum appeal did not lead to a change his status, he does not know what to do. He has no chance to acquire a work permit in Norway but does not see any option to return because of his subjective understanding of his case and the disturbing situation in Iran. He once planned to go to another European country, but due to the Dublin regulation,²⁰ he expected to be returned to Norway and did not take that chance. Minoo, a young Iranian woman, talked about her political engagement fighting for women's rights for several years. Minoo said that she was well known locally as a political activist: 'I was arrested, put in jail for several days and received a conviction'. When returning home from jail to her family, she was afraid her political engagement would also cause her children harm. She decided to apply for a visa and was unexpectedly successful, so she left the country on her own. Her plan was to first travel to Norway and then apply for family reunification with her children. She wanted to inform the world about the harsh political environment, the many executions without trial and the general oppression of women in Iran: 'My travel to Norway was politically motivated, to tell the world what the Iranian authorities are doing'. She showed me pictures and talked about a demonstration at which a young man died in her arms, noting that 'he was arrested based on his political stance'. She was disappointed because she was not accepted as a refugee and now worries about the two small children she left with close relatives, a concern that very much adds to her burden. She expects to apply to IOM for voluntary return, although she is afraid of returning to the unresolved political danger she left. Another Iranian woman, Alida, arrived in Norway in 2006 and has since lived in a reception centre. She said that she never married; she worked as a teacher for nearly 30 years before coming into conflict with and being maltreated by the local authorities. Her mental problems had increased, and she lacks close family members to take care of her if she returns. Her situation in the reception centre is deteriorating: 'I am afraid all the time when I am alone in my room. I can see shadows outside the window; someone is there watching me. I hear voices in my head, telling me that my life is worthless. The voice tells that you should end it. I tried twice'.

For many, the personal costs and disappointments of multiple appeals and requests and their worries about family members at home hamper their ability to recover from previous violence and current health problems. The gendered expectations of being married or child care responsibilities increase the burden and vulnerability of these two women. All three Iranian cases involve expressing political intentions to improve the rights and conditions for women or ethnic minorities, which led to conflict with and a lack of trust in the local and state authorities. The informants referred to the international discourse on human rights, with all saying that they had specifically chosen to seek protection in Norway because of the country's stand in promoting human rights internationally. They are now very disappointed about Norwegian asylum practices.

²⁰ The Dublin regulation determines which country is responsible for considering an application for protection. An asylum seeker can only have his or her application considered in one of the Dublin countries (EU countries, Norway, Iceland, Lichtenstein and Switzerland).

For some, their troubles resulting in leaving home relate more to local conflicts involving organized crime, which one married woman described as among the causes that her family left their country: 'We were well off; my husband imported goods from abroad, and his shop went well. However, some people, local mafia members in the town, wanted a deal and forced him to share with them; when he didn't want to go for the deal, they burned down the store. My brother was killed, and we had to flee'. She showed me a photo of her murdered brother on her phone. The traumatic events when they left and difficulties in reaching Norway particularly affected her three children, who have now adjusted to the Norwegian way of life at school and kindergarten and mastered the language. Nevertheless, she is worried about the implications for their further education since they have not been granted residence. Her husband is seriously depressed, inactive and cannot find a solution. She herself was injured in early childhood, and her problems in that regard have increased; she is now in constant pain. She remains in close contact with her father, who updates them on the situation in the town and tells her that they would still not be safe if they were to return.

Some, particularly those from Eritrea and Ethiopia, reported having left their country because they felt captured in a political system that offered limited options for navigating their futures: 'We had so many problems. All our children, all young people are forcibly enrolled in the military. It is so difficult to live under these conditions' (M 13). Some people's troubles increased because they were not able to meet the requirements for proving their identity and documenting their country of origin. This was the case for Rahel, a young woman who left home before being enrolled in the military. Rahel said that she had lived for her first two years of life in a town on the border between Ethiopia and Eritrea, after which her family was forced to move to the Eritrean side. She left her hometown in Eritrea after finishing secondary school because of her fear of being enrolled in the army. She moved in with an uncle in Ethiopia and started high school; however, due to her lack of an ID card, she could not continue her education: 'Some of my father's relatives helped me get an ID card and passport, and then I decided to go to Europe. I got a visa to Italy and then came to Norway, where I applied for asylum'. Because she had an ID card from Ethiopia, she was assumed to be an Ethiopian citizen and was not granted residence, contrary to what most young Eritreans experienced when facing military enrolment. Her appeal to the UNE included documents proving she was an Eritrean citizen, but they were not considered reliable, and her appeal was rejected. However, because her identity was not clarified, the Norwegian Immigration Police could not deport her. She thus remained in Norway indefinitely, even though she was no longer technically seeking asylum.

Zahra tells a similar story: 'When I finished secondary school, I was conscripted into the military. For two years, I hid in different places to avoid lifelong enrolment before I managed to flee to Sudan. That was in 2012'. In Sudan, she managed to buy a Sudanese passport in order to move on to Europe.

The authorities' harassment may also affect the lives of middle-aged people, as Isaias told us. When he was younger, he spent more than a decade in Ethiopia, building up a successful business. After being deported back to Eritrea from Ethiopia, he worked for an international NGO, but the local authorities made life difficult for him: 'They observe you, follow your every step. To work for international organizations is a type of bridging between the authorities and the local community. This borderwork is stressful, not crossing the limits defined by the authorities'. Meanwhile his children grew older: 'My son was enrolled in the military, and my eldest daughter disappeared'. After being threatened by the police several times, hiding for a while and then being injured for a short period, he left the country for the sake of his own and his family's future.

In Eritrea, the entire population and the lives of individual families are affected by the costs to society when people are forced to leave the country because of the military conscription of young people. One example is an Eritrean couple in their early 60s. When we met, they had been staying at a reception centre for 12 years. They cited two reasons for leaving their homeland. First, the authorities made it increasingly difficult to adjust to the regime and make a living. The husband had lost his job as a bus driver, which radically lowered their standard of living. They had little chance of obtaining support from their children when they became older because they had all left the country for Europe to avoid military enrolment: 'We want to stay with our children when growing old.' They therefore sold everything they had and left Eritrea to apply for asylum in a country where some of their children were living. However, they were not assessed as having a need for protection and were not granted residence.

The difficult situation they face in Eritrea is not sufficient for granting protection. This means that people past the age of military enrolment, like the older couple and Isaias, are not granted residence, although many of their children do have permits to stay.

4.4. Vulnerabilities on the move

For protection seekers, the two main forms of travelling to Norway are using smugglers to fly to Europe, typically with transit periods in a Middle Eastern country, and those arriving in Europe by crossing the Mediterranean, mainly using the eastern passage from Turkey to Greece. Most coming from the Horn of Africa paid smugglers for false ID documents and airplane tickets to Europe; however, some came by the more dangerous route of arriving in Italy by boat. They described troubles along the way, including detentions, violence and abuse. Likewise, those arriving from Turkey faced dangerous trips, as Hamid detailed:

'I arrived in Greece in a rubber boat; it was so scary. I almost died, because that, that rubber boat, six metres long, yes, we were 58 people in the boat. It was a very, very dangerous journey. In the ocean, between Greece and Turkey, more than 5,000 people have lost their lives, only because they came to Europe for a better life and to apply for protection. I was lucky, I managed; however, so many lost their lives. When I arrived in Greece, I spent a few days in the refugee camp in the middle of the island; then I managed to go to Athens, the capital. I got to know some adults on the way to Greece; some were from Afghanistan, and I went with them. I passed through many countries: Macedonia, Serbia, Hungary, Germany, 12 countries all together. I have seen so many cruel things on the road, on the run. After arriving in Norway, it comes back in my dreams, always. It is not easy to sleep. I was a very small child when I experienced these bad things.' (M12)

For some young people, safe travel was organized through a family member. For example, Ali left Afghanistan with his uncle, who also left to avoid being forced to join a local paramilitary group. Ali was only 14 when he arrived in Norway in 2015. Since the rules on family relations do not consider an uncle as part of a child's family for certain bureaucratic purposes, the uncle had no ID to testify to their close relationship, and the chances of being granted residence would be higher if Ali applied as a UAM, he and his uncle were separated, transferred to different reception centres and underwent separate asylum procedures.

When staying in the reception centre, his uncle expected to be treated as a young man from Afghanistan who did not belong to a vulnerable group and learned he would most likely not be granted refugee status in Norway but would instead be returned on an internal flight alternative. He therefore left for Paris after a short time in Norway and was granted residence in France. Ali spent two years at three reception centres, first waiting for the asylum interview and then for his application to be assessed. He was then granted residence and settled in a municipality on his own, with no support from his uncle, which he had expected when leaving his family.

Vulnerabilities increase in transit situations, in camps, hotspots or when working to save money and because of the indefinite time horizon for moving on. Protection seekers are left with few options to improve their situations and sometimes make choices that can increase family members' exposure to harm, as in the case of Sheila and Ali. To reach Norway, informants talked about journeys through various European countries. They were afraid of being stopped by border control while in transit, with the possibility of being returned to the country where their fingerprints and eventually application for asylum were registered, although most managed to cross borders without being identified. Exploitation also takes place on this part of the route; young men talked about sexual abuse and forced criminality to survive and obtain overnight stays and income when on the move in Europe.

4.5. Vulnerabilities caused by divided, transnational families

The separation of family members caused by fleeing from war and persecution, as when Minoo, the young Iranian woman, talked about leaving her children behind and when Isaias discussed leaving his wife and their youngest children behind, is an additional dimension of how an individual's background can shape vulnerability.

Although most of our informants faced problems, harassment, threats and violence before leaving their home countries – and these were among the causes for leaving – some said that they were less vulnerable upon arrival in Norway than after several years of trying to secure protection for themselves and their family members. For some, this relates specifically to their worries about transnational family relations, as Minoo talked about. Malik's case (see below) also illustrates how family relations are played out transnationally because of war and conflicts. For Malik, worries about his family take all his energy. He describes his evacuation from Afghanistan after the Taliban takeover in 2021, when he had to leave his wife and children behind: 'Physically, I'm safe, but psychologically, I'm not. My mind is with my family'. From a distance, he observe how his wife and children are not safe because of him. In his current situation, he cannot protect his family, and the process for family reunification takes time.

Transnational families face specific problems. There is a certain legal definition of 'family' in resettlement, for instance. One participant talked about a daughter who was already 18 when the family was accepted into the resettlement scheme. Another told of a parent who was not included in the permit. For example, Chantal, the mother of two disabled children, had been resettled as a quota refugee; she was worried about her eldest daughter and grandchild still living in the refugee camp. They had not been staying in the camp when Chantal conducted her interview with the authorities and therefore were not included in the group of family members selected for resettlement. Others yet said they experienced the UDI's interpretation of family members as preventing an LGBTQIA+ person from having a same-sex partner recognized, leading to concerns regarding the partner's difficult situation and future.

4.6. Concluding reflections

When describing their lived experiences, our informants told us about various forms of fear, violence, destroyed cities and other harmful events causing their departure from home. They stress relational costs, the unexpected feeling of being on their own or leaving behind someone in a precarious situation.

Vulnerability is seldom the concept they used to describe their situations. Instead, they identified certain barriers, worries and concerns as reducing their ability to act and to move forward in their lives. The personal narratives included how their *individual* positions in the family and *local* factors such as local conflicts, discrimination and harassment intertwine with *societal* factors such as political, cultural and social conflicts. Harm and persecution on different levels of society interact under specific historical conditions. For some, the main push factor was persecution and harm caused by political conflicts or ethnic or sexual harassment and violence. Broader structural factors such as persecution by a repressive state or civic authorities, legislation and immigration and border control are clearly present in their stories. The Eritreans and Ethiopians expressed how their difficulties at home intersect with age, oppressive state power and troubles related to citizenship and ID documents. The Iranian cases demonstrate the intersection of policy stances, gender, ethnic or sexual minorities and a deterioration in health. For some, poverty is an additional motivator to migrate. However, protection seekers in Norway seems to be driven less by poverty than by persecution (see Chapter 5), although most may have had mixed motivations, including seeking a safer place for their own and their children's futures. For young people, the absence of caring relations or lack of hope of improving their conditions as migrants exaggerated their decision to leave. Older parents may move because of the need for support from family members who have already left. Meanwhile, the cases of young people display how vulnerability relates to their socio-cultural position as gendered children. Gendered norms also aggravated already precarious situations for adults. Being on the move placed all involved in unexpectedly unsafe and demanding situations.

The cases of lived experience from previous lives and while in transit display the complexities shaping each person's precarious situation. Those situations and concerns go beyond personal characteristics of vulnerability and instead reveal how aspects of vulnerability on different levels intersect with each other in specific ways. Vulnerability is thus not necessarily recognizable as a clear attribute of a certain category or group.

V. VULNERABILITIES IN PROTECTION PROCEDURES

This chapter discusses the vulnerabilities related to Norway's protection procedures. We investigate the extent to which specific protection measures identify the kind of complexity of lived experience of vulnerable protection seekers and refugees. First, we explore how the informants see the asylum practices to identify vulnerabilities in the arrival and hearing procedures. We then analyse how they reflect on reception conditions; to what extent do they face additional concerns related to individual, family, community or systemic factors of vulnerability? We further explore the degree to which the protection system helps them overcome vulnerabilities or adds to the concerns, contradictions and ambiguities in their lives.

To analyse their experiences, we make use of theoretical approaches to spatial and temporary conditions of everyday life, in addition to the IOM vulnerability model discussed above. We look at the various concerns they identify in the everyday lives as protection seekers in Norway. Further, we identify how the various aspects of vulnerability intersect. Our focus is on protection seekers' lived experiences, their concerns, and what they tell us troubles them the most. We are interested in how they navigate and make sense of the conditions and asylum system that directly affect them as protection seekers. In addition to asylum seekers, we include the procedures for those identified as THB victims and those arriving in resettlement programmes. To what extent do the considerations of vulnerability of actors in the asylum system correspond with those of protection seekers?

5.1. Vulnerability assessment in protection procedures

Upon arrival as an asylum seeker, the individual undergoes an arrival procedure that includes registration of identity documents and the need for protection and a consultation with the immigration police and UDI, as described in Chapter 3. There are no explicit measures assessing vulnerabilities in the arrival procedure; however, the responsibility for recognizing special needs is integral to the ordinary registration and asylum procedure. Vulnerability is only one of many topics that is to be covered in these measures and is often a peripheral matter, given the time pressures and agents' limited expertise on complex health and welfare issues. The arrival procedure is most likely to identify and categorize people with extra needs and dedicated rights because they are UAMs or single or pregnant mothers or because they have extra needs due to physical and mental disability or other visible health problems. Less likely to be noted are those vulnerabilities that are more subtle and caused by a person's traumatic experiences of harm and abuse or the loss of or separation from important family members, as described in Chapter 4. Problems like anxiety, sleep disturbances and how trauma and health problems affect parental skills may be articulated in the asylum interview or in everyday interactions with the staff in the reception centre, who are also responsible for recognizing extra needs. One strength of the Norwegian asylum system is that several actors in the asylum procedures have the duty to identify extra needs. At the same time, this also leads to a fragmentation of information, and migrants must recount their trials to different officials. Furthermore, personal commitment and networks across professional units are vital to ensuring sufficient information flow across the institutional boundaries within the asylum procedures.

Another constraint mentioned by some informants – whether protection seekers, health professionals or NGO representatives – was the limited opportunity to obtain professional help and treatment early in the asylum procedure. The ordinary health service is responsible for following up on protection seekers' severe health problems, within the limitations of that system in terms of capacity and competence. A consultation with health specialists may be vital for documenting trauma or torture and thus supporting the information given in an asylum interview.

In times of increasing arrivals, as in 2008–2009, 2015–2016 and the spring of 2022, when Ukrainian protection seekers began arriving, the arrival procedures are delayed or streamlined and thus do not work optimally (see Appendix 2). Further, this increased pressure on the administration can lead to delays in conducting the asylum interview, a prolonged wait for the application decision and extended time spent at reception centres. Our interviews with the asylum seekers reflected these distinct arrival periods, with some UAMs reporting that vulnerabilities related to age and gender increased because of inconsistent arrival procedures.

5.1.1. Vulnerabilities caused by ruptures in the adjusted procedures

When a person identifies as a UAM, this leads to specific rights and adjusted procedures (Lidén et al., 2017). For example, a legal representative will be called before the registration interview can be carried out, the minors stay in a separate transit centre and, if 14 years old or younger, they are transferred directly to a care centre. If they are younger than 16, they start education in local schools. When arriving without holding a valid ID document, an age assessment is often required that uses the BioAge measure.²¹ In the chaotic days of 2015, with more people coming than the system could manage, the arrival processes, including the age assessment of UAMs, became more random. In an illustrative example of how age assessments can be consequential, the PU assessed Hamid's age (see Chapter 4) to be 18 or above, so he was transferred to a reception centre for adults. The staff in this centre considered him to be younger than 18, with extra care needs. They observed him staying mainly by himself, not wanting to socialize with older single men in the centre and staying close to staff members. After waiting for almost a year, Hamid had his asylum interview. He argued that he was a minor, and a new age assessment was performed some months after the interview. The age test concluded that he was likely younger than 18. He was then moved to a reception centre for UAMs and starting the introduction class at the local school, where he was assigned a representative. In the asylum decision, the UDI accepted the age he initially gave to the PU (about 15 years old), which was also the age the staff in the two reception centres, his legal representative and his teacher had all estimated. If the PU had accepted that he was 15 during the arrival consultation, he would most likely have been granted residence and been allowed to start lower secondary school as an ordinary pupil. Since he had already turned 17 before the correct decision was finally made, he was instead included in the age category that was granted a temporary permit until age 18 (the UAM limit). Once he turned 18, he was expected to return to Afghanistan within a short time limit of some weeks set by the immigration administration.

²¹ The BioAge measure is an improved version of assessing X-rays of finger bones and teeth; it was developed in 2018 by the Institute of Forensic Medicine at the University of Oslo. Medical professionals have expressed concern about how the measure is used to define exact age (Aarseth et al., 2022).

Hamid's case illustrates how inaccurate age judgments can have profound implications for the outcome of an application and care and education options. The chaotic conditions of 2015 also did not ensure that the protection seekers had access to health support. Hamid's case also demonstrates the need to obtain a second opinion *early* in the application process from people close to the minor, if possible, to confirm the age defined by the BioAge measure.

The importance of adjusted procedures to identify and consider the intersection of various forms of vulnerabilities is obvious when a person is a THB victim. In the next two cases, we stress the need for sufficient information and support when disclosing inhumane treatment and exploitation. A person's experiences and capacity impact their trust in societal institutions to expose and address harm, including the asylum system, the police and those working for voluntary organizations like NGOs. Research on refugee mental health stresses the lengthy processes of disclosure of impairment and the time it takes for people to acknowledge to themselves the kind of manipulation and damage to which they have been exposed (Montgomery, 2014; Sveaass & Weiss, 2021). The lack of rights and asylum procedures may also add to confusion and run counter to their need for help and support. Sheila (see Chapter 4), for example, was unaware of the asylum procedure as a UAM, after leaving her family in the hotspot where she had been married a few weeks before to a man living in Norway. When she arrived, her husband contacted the arrival centre, wanting her to be transferred to his home at once. In the arrival interview with the PU, the officers identified bruises on her neck and body. She first denied the violence of what she had undergone when forced to have sex with her new husband. When the PU listened to her story, accounts of coercion and exploitation raised their concerns about forced marriage and TFB. The representative informed her about the procedures and support she might need. Being a victim of THB as a minor, Sheila was placed at a child welfare 'safe house' adjusted to child victims of THB without her consent.²² She was also assigned a lawyer. The police investigated her case further and contacted her parents. After a short time, she returned to the hotspot and was reunited with her biological family.

In Mariam's case, the protection procedure was unexpected, unknown and scary. Her first contact was with a local police station, as she related:

'The first interview with the police was difficult. I was very scared, because when they said police, I thought if things don't go well, I would be put in jail. I thought that jail would be even worse than what had happened to me. I also wondered where to start talking.'

Her experience in her origin community had made her not trust the local police, so she only told the police part of her story. The police assigned her a representative before a follow-up interview, after which she was brought to the arrival centre for registration of her asylum case. She then was moved to a transit centre for minors. She felt miserable and exhausted, could not sleep and was anxious that the traffickers and the man from whom she had fled might find her. After a staff member observed her troubled state, Mariam then talked about her anxieties, disclosing some more information. The staff then took action, and the local child welfare authorities began the procedures for minors exposed to THB, moving her to a safe house. In retrospect, her reflections on the procedures are ambivalent, as being safe also meant new forms of control and coercion because she was locked in a safe house for underage THB victims, had no access to the internet or a mobile phone and was monitored day and night. She accepted these measures as the price of safety, but they also invoked problematic feelings, adding to her struggle to understand and accept the abuse and degradation to which she had been subjected.

²² Child Welfare Act §4-29.

The adjusted procedures for UAMs and for presumed THB victims are vital to deal with complex forms of vulnerabilities and have serious consequences if they do not succeed. The asylum system accounts for many divergent interests simultaneously, creating ambiguities and contradictions in how the system works. One example is the difficult conditions for those granted a 'UAM limit', which offers care until they turn 18. Because of the uncertainty in the relevant clause, minors often disappear from the care that the authorities offer in the reception centre to avoid deportation, making them more vulnerable to exploitation and extended travels. Ironically, the UAM-limited clause produces the very kind of vulnerability that procedures to combat THB were intended to solve. These cases show that (young) people are often not prepared for the paradoxes and gravity of protection procedures.

5.1.2. Vulnerabilities in hearing procedures

Although there are modified hearing procedures, guidelines and awareness of practical adjustments for those with extra needs, as we documented in the first VULNER report (Lidén et al., 2021), our informants discussed various challenges in presenting their cases. The modified hearing procedures included, for example, the choice of gender of the interviewer and interpreter when interviewing people exposed to sexual abuse, detailed guidelines on how to cope with the silence caused by past exposures to torture or abuse and administrative awareness of adjusting interviews to various categories of vulnerabilities (UAMs, those persecuted for sexual identity and survivors of THB). Still, presenting their cases was difficult. Aster, a mother of three children with an appeal pending, explained as follows: 'I told them the truth. The reasons for applying for protection are real. However, if I had more information and had the experiences that I have today, I could have expressed myself more precisely'. She lacked information about the interview setting and sufficient legal advice on how to present her case. Like many others, she also had limited knowledge of her rights and the regulations.

Some of those with an extended appeal process regretted not having told the truth during the registration and asylum interview phases. This was often because of bad advice from smugglers and/or other protection seekers. Some smugglers told them to hold back information and not explain their migration routes. As one said, 'I was tricked; the smugglers told me not to tell the truth. Change your name and so on and so on. I regretted it and felt guilty; why should it be like that? I decided then to come clean with the truth'. In addition, people they met in the arrival centre advised them not to tell their real story but to adjust it to a standard narrative. Rahel explained why she presented her case only partially during the first interview:

'When you arrive, there are so many things that confuse you. You are scared, feeling tense; then you mix up events. You receive divergent or bad advice from those who have already undergone the asylum interview. When you do not repeat the information exactly how it was in the first interview or do not include all significant details about what happened, you are in trouble. However, the uncertainty makes your story scary during the first run.' (M6)

In her initial encounter with the immigration authorities and in her asylum interview, Rahel was not aware of how important it was to talk, for example, about her experience of being abused when she was imprisoned as a student activist. One main challenge, the informants reported, was to *disclose* their concerns about, for example, rape, abuse or sexual identity. For example, one man we talked to had stayed in the reception centres for years; he said he felt safer there than in his previous life. It took him six years to send the letter to the appeal board disclosing his secret: 'Now, I have told them about my main problem; now, they will understand'.

It may be extremely distressing to talk about sexual abuse or forbidden same-sex feelings or potential first-time illegitimate relationships, as one young woman told us:

'The interview at UDI was difficult. It was very difficult to explain, you have to tell everything; where I had been and what had happened and how I felt. To go deep into the bad experiences, it was so difficult for me. They told me that if I told them all the details, I would get help; if I did not tell them, they could not help me. At first, I thought maybe they will would help me or believe me. I am a person who finds it difficult to talk to people about what happens to me. I am a person who just sits and thinks and cries, I can feel pain but don't talk to people. Then I had to sit and talk about things that I tried to forget. The woman who interviewed me tried to explain how important it was. Therefore, in the end, I was able to do it.' (M29)

These individuals do not necessarily have the words to express their experiences, only words with negative connotations. They thus have no coherent story to tell or know which parts of their intimate or private experiences to include when interviewed by the Norwegian authorities. A related issue is their confidence in translators. The translator must have advanced language skills and substantial knowledge about culturally banned practices to ensure that translations do not use pejorative terms. If not, this may increase the applicant's difficulties with disclosing additional information.

The immigration authorities need to be told a coherent story, although they are aware of the challenges in doing so. Several guidelines²³ specify certain criteria for granting credibility to the information an applicant provides about certain issues. When we discussed this topic with the representatives of the interest organization for LGBTQIA+ refugees, Queer World (*Skeiv verden*), they gave examples of expectations for a 'real story'; for example, the applicants were expected to present an 'emotional narrative' from their childhood onward. However, trauma caused by 'honour'-related violence from family members or others, for example, may paradoxically add to protection seekers' problems with presenting a 'coherent self' or a linear story about their lives.

For the immigration administration, one key challenge is to make sense of the information they receive, including how to act on vulnerabilities. The guidelines refers to obligations related to certain rights but do not address how to assess the intersection of different violations and harms. The instructions are detailed and driven by policy; for example, they discuss how to interpret the internal flight alternative in all asylum cases, without the reasonableness criterion used in IPA practice. This was a new factor that was implemented after restrictions on asylum were tightened in 2015 (Lidén et al., 2021; Schultz, 2017). Since 2016, considerations related to vulnerability that previously might have rendered an IPA 'unreasonable' are excluded from the protection assessment unless they defeat the possibility of receiving 'effective protection'. The UDI's IPA guidance does not specifically mention vulnerability as a condition to be included in an assessment. Furthermore, the assessment will be on the protection seeker's future protection needs. To ensure updated country-specific information about local conditions, the authorities rely on the Landinfo, a service of the Norwegian Country of Origin Information Centre; however, this information is more general and does not take local conditions and inconsistent practices into consideration, as some of our informants stressed. Factors shaping vulnerabilities are not a core element of what Landinfo provides. These aspects of the procedure limit the weight and status of the complex interaction of individual and situational factors producing the kind of vulnerabilities that our informants discussed.

23 See, for example, UDI 2009-006V Tiltakskort Seksuelle- og kjønnsminoriteter (<https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2009-006/udi-2009-006v/>) and UDI 2014-031 Ofre for menneskehandel i søknader om beskyttelse (<https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2014-031/>).

Another challenge involves the implications of events from a child's perspective. For example, in several cases before the court of appeal, former UAMs talked about their conversion to Christianity when they were younger.²⁴ Their abilities to explain how their faith affected them as young people, as in the case of Hamid, differ from adults. Reading these cases shows that the intersection of factors such as young age, need for care and social belonging and the dynamic of faith and the act of conversion are not thoroughly discussed or given appropriate weight. The immigration administration refers to certain standard criteria for reliable commitment in conversion cases, without reference to age and supportive networks when distinguishing real conversion from acts of convenience.

5.1.3. Insufficient legal aid

Limited access to legal advice before and under the asylum interview is among the main reasons why some asylum seekers add relevant information later in the appeal process. Several informants emphasized that access to legal advice would have helped them comprehend the importance of reporting their key concerns and exposure to harm. The challenge of informing also relates to trust: having trust in the system, the police and the immigration authorities. One man talked about language problems and miscommunication, which can add to the challenge of mastering encounters with the authorities. He illustrated this factor by telling a story about ID control when he arrived at the bus station in Oslo's city centre. He was scared because of the unexpected control and his bad relations with the police in his origin country and during his move to Europe. He became confused and did not understand the questions the police asked him. When controlling his luggage, they found his ID card, which they had requested. The police reported the case to the immigration authorities. In his appeal case, this event added to his already low credibility: 'It's like a dead end. We've entered a dead end and don't know how to move forward'.

When the UDI rejects an asylum application, an applicant who chooses to appeal the decision has the right to a lawyer and five hours of free legal aid. If submitting a request for reversal after the appeal decision, they have to cover the costs of a lawyer themselves. Not all are happy with the support they received from lawyers. Some informants experienced a lack of dedication to really understand their cases, faced long delays in responses when adding new information relevant for their case or encountered a reluctance to give additional help if the case turned out to be time consuming. As one man explained, the lawyer made an empty promise: 'I will call you, however, she never calls back.'

Minors talked about vital support from their representatives in their asylum cases, in personal support and in seemingly trivial issues. However, some learned that their representative did not follow up on their case, which put them in a difficult situation and added to their worries.

Appeal cases brought before the UNE are based on written documentation; very few are given the option to present their cases in person (Lidén et al., 2021). A child does have the right to be heard; however, being heard in the appeal case as a child in a family depends on the awareness and capacities of parents or the health service, schoolteachers, the kindergarten and lawyer, to record factors like health deterioration and the young person's attachment to the local society in written documents. Covering the cost of translating documents is also an issue cited by the informants.

24 See, e.g., LB-2019-20655, HR-2019-2344-A and LB-2020-128993.

When bringing their cases to court, protection seekers must cover the costs on their own; there are no public sources of free legal aid. Those who had their case proceed to the court received economic support from people and networks supporting them, and some court cases received legal support from NOAS, the Norwegian Organization of Asylum Seekers.

5.1.4. Indefinitely irregularized: waiting for a lasting solution

Many of our informants told us that it was hard to grasp the timeframe for the proceeding. This was exaggerated by the difficulties they faced in obtaining information about the status of their cases from the UDI. They are exposed to various forms of temporality because of the intentionally deliberate pace of the state administration (Janeja & Bandak, 2018) or their own hopes for change and new options (see e.g. Bendixsen & Eriksen, 2018). In contrast to some other European countries, Norwegian policy offers very few pathways to regularization for non-recognized protection seekers (see chapter 3). Instead, the primary way out of illegalization is assisted or forced return. Norway's deportation rates are among the highest in Europe (Statistic Europe, 2020; Van Houte & Leerkes, 2019). Still, people may overstay as irregular migrants, as the cases of the elderly couple, Isaías and Hamid showed (see also Bendixsen et al., 2015.). The continued possibility to request a reversal of the decision to the UNE or to take the case to court is only one motivator. Despite few cases being reversed, the possibility itself nurtures a certain hope for regularization. For most, the unthinkable nature of the notion of returning is the main driver. They have nothing to which to return and few options to act upon in their constrained space.

The waiting time can be viewed as a kind of existential immobility that prevents people from moving forward in life. However, temporality is always heterogenic and relational and may be amenable to alternative coping strategies (Bendixsen et al., 2015; Jacobsen & Karlsen, 2021; Karlsen, 2021). When we were doing fieldwork during the COVID-19 pandemic, the waiting period for the application procedure was relatively short (up to six months for some people) due to the small number of applicants.²⁵ For those settled in a municipality after a relatively short waiting time, health and other forms of support needs will be taken care of by the ordinary welfare service. In more complex cases and for those who have been rejected and are starting an appeal procedure, the time spent in a reception centre be longer.

Those who remain in reception centres are granted various forms of temporary residence permits (see Chapter 6) while they have their appeals pending or have received a rejection. The Norwegian PU is instructed to deport rejected asylum seekers and irregular migrants. Still, the number of people with a final rejection living in reception centres remains high. For example, in December 2021, nearly 500 of the 2,000 people living in reception centres were under a duty to leave, which means that at least four years had passed since they applied for protection (see Appendix, Table 2). Most came from countries with which Norway does not have a bilateral return agreement or had a pending appeal at the appeal board or court of appeal. Those who had been rejected received a reduced subsidy to signal that they were to leave the country. Additionally, more than 100 people stayed with either a valid but limited residence permit for refugees on grounds of uncertain identity (ID limit) or were waiting for a renewal of that limited permission. Their worries were mainly about the consequences for their children spending a substan-

²⁵ A significant percentage of people applying for protection receive refugee status; the high was 78% of cases in 2020. One reason is that the law extends refugee status to people in line with ECHR Article 3 and other human rights instruments and considers issuing a permit on humanitarian grounds to be part of the regular procedure, as clarified in Chapter 3 and in Lidén et al. (2021); see also Chapter 6.

tial part of their childhood in a reception centre and, for parents, postponed opportunities to achieve the Norwegian language skills and professional training needed to move on with their lives. These types of systemically driven factors added to their situational vulnerability.

For many of our informants who had stayed for lengthy periods in a reception centre, family conditions had changed: having a new baby with health problems, becoming a single parent or falling seriously ill themselves. These changes could all raise new concerns, but they also improved their chances of receiving a permit. Some of those with a final rejection hoped for changes in the regulations that could help them in the end. Others expressed less hope for a safe future, citing instead individual situations and vulnerability factors as among the reasons for not returning to their origin country. Some also mentioned that the political conditions for return seemed increasingly problematic.

5.2. Vulnerability shaped by reception conditions

The Norwegian asylum system connects rights as an asylum seeker to the stay in a reception centre, including access to basic economic support (see Chapter 3).²⁶ The inclusive access to housing and basic support as long as a person stays in a reception centre is a vital safety measure for protection seekers in Norway. Still, this spatial dimension of the asylum system has some contradictory implications for everyday life.²⁷ The social and geographical isolation of the reception centres may add to social barriers with regard to locals and to reduced agency overall. As one young man explained, ‘you are put in a situation where you are not permitted to do anything and have no option to do anything either. It feels like a prison’ (M3). Some reception centres consist of housing units in regular residential areas (decentralized centres). Most common, however, are centres with rooms and flats in institution-like residential buildings (centralized centres). One of the centres included in our fieldwork, situated on the outskirts of a bigger city, combines the two types, while the other is a centralized unit, with barracks near a shopping area on the outskirts of a smaller city. Both centres have 150–200 inhabitants. Single people usually have a room of their own but sharing a kitchen and bathroom. Families have a small flat of their own and sometimes share kitchen facilities with other people. The residents are responsible for their own meals and personal costs. Staff is available during business hours on weekdays.

The centres may vary somewhat in terms of material standards, available staff and organized activities. A few of our informants complained about the physical state of their centre or about how it was run. Even for those who did not voice such complaints, the many rules of the asylum system and their uncertain positions as asylum seekers added to their feelings of reduced agency and increasing their feeling of powerlessness:

‘Even though we live in an apartment, it’s temporary, and the staff decides; I don’t feel comfortable. We are under a system. We had a cat at home, which the children were very fond of. They played with her, a good hobby for them when living here. But the reception staff informed us that they do not allow pets, so we had to give it away. There are so many specific laws and regulations for our time in the reception centre, limiting our agency.’ (M1)

²⁶ The main subsidy is a *basic amount*, a monthly economic benefit (around 400 euros for adults) that is adjusted to the ages and legal status of family members. The benefit is reduced when a person’s asylum claim is rejected. Additional types of subsidies include *directly refundable additional benefits* and *additional benefits upon application* (e.g., to cover necessary medical assistance).

²⁷ This rule has been temporarily changed to allow Ukrainian refugees the option to settle on their own.

Quite a few informants started the interview by telling us bluntly, ‘we are starving.’ They reported that the basic subsidies did not cover the core costs for a family or single person. The long period of time living in poverty add to their worries. One father said, ‘we have 5–6 euro per person per day. How can we live on that, when we have no work permit?’ (M4). The reduction in the level of subsidies in spite of increasing living costs is a deliberate policy move.²⁸ For most, there is no option of getting a job while living in a reception centre, although they are entitled to a work permit. To live on basic subsidies over an extended period reduces their ability to meet their local expectations as parents. As another father told us the following:

‘We are adults; we manage to have insufficient food and no money for extra clothing. But not a child. At that age, right, when they are young, not having sufficient food, no ID and no social security number, restricting your access to various memberships, training studios. No bank account. No bus pass, restricting your movements. He only got a bus pass in the middle of the year. No new clothes and other stuff which all the other kids have. It’s distressing when the kids compare themselves to other children. His situation becomes increasingly burdensome; he faces so many problems.’ (M9)

The parents worry about the stressful situations their children face in the reception centre: ‘My children haven’t done anything to deserve these conditions; still, they experience such a challenging time for too long a period’ (M1). For single people, the challenge was loneliness, as a woman in her twenties told us: ‘If you’re a family, you can share problems and support each other. That’s a big difference.’ Another woman in her fifties explained it this way:

‘It’s hard, especially when you’re alone; then you sit and think that you don’t have a job, you can’t plan anything for your future. All the thoughts increase my concerns. Worries that one does not share with anyone. I just sit by myself and think. You worry about the family at home. Since I arrived in Norway, my mother passed away, and I have lost other family members too. We have our own traditions that I cannot follow on my own.’ (M7)

Certain guidelines and a general awareness address some forms of vulnerability and make adjustments possible when during extended stays in a reception centre. One of the two centres had an adjusted unit for people with severe health problems, with some staying in the centre’s compact unit and others in decentralized flats. Both centres have units for single women and men and for families. One centre runs a kindergarten and includes parents as additional staff on certain days of the week. At the other centre, children below school age attend neighbourhood kindergartens. The schoolchildren were enrolled in ordinary schools upon arrival. Although included in ordinary childhood institutions, their status as protection seekers was distinct.

Several of our informants had experienced moving from one reception centre to another. Because of the fluctuations in arrival of protection seekers and the tender system for those running reception centres, short contract periods can mean multiple moves to new centres for most during the application procedure.²⁹ For children, the repeated relocation means moving to new local schools or kindergartens, leaving friends behind: ‘You feel safe and accepted, and then you have to move. It’s as if the wound is being

²⁸ In 2022, these low subsidies became an issue in the media, raised by the Ukrainian refugees, their supporters and NGOs. In addition, NOAS criticized the UDI for its low level of economic support, which was making people starve [NOAS: – Lite å leve av gir økt risiko for seksuelle overgrep – NRK Norge – Oversikt over nyheter fra ulike deler av landet](#)

²⁹ In 2015, about 30,000 protection seekers applied for asylum. In 2021, 1,656 people applied. Between March and October 2022, more than 30,000 people applied, most of whom were Ukrainians granted collective protection, including a five-year permit to stay.

torn up once more. It's been very difficult' (M10). Several of our informants stated they left caring people or supportive networks behind. Those in need of medical or institutional support have to provide the information about their concerns all over again. The lived experience of the spatial dimension of reception centres, then, includes segregation, displacement, being a newcomer and remaining a stranger.

As the cases show, time and space play significant roles in how the governance of migration is deployed and experienced by protection seekers. Time and space have significant political and bureaucratic dimensions (Jacobsen & Karlsen, 2021; Janeja & Bandak, 2018). The 'temporal architecture' of the system that makes protection seekers 'wait before the state' (Jacobsen, 2021, p. 46) produces vulnerabilities and a deep sense of uncertainty related to both the present and the future. In addition, the gradual degradation of material conditions and limited opportunities for protection seekers while waiting in reception centres produced additional vulnerabilities.

5.2.1. Reception conditions for UAMs

The extra care needs of UAMs are well documented in several Norwegian and international studies (e.g., Berg & Tronstad, 2015; Lidén et al., 2013, 2017, 2020; Sønsterudbråten et al., 2018). That research emphasizes the need for dedicated relationships, extending social networks, continuity in education and comprehensive information on cultural conduct and norms and various aspects of the welfare system. The Norwegian reception conditions for UAMs follow one of two tracks. The youngest stay in a care centre run by the child welfare system, as Osman, who arrived at age 14 old from Syria, talked about: 'Soon after arriving, I started in the local school. I soon got some Norwegian friends. That helped me a lot'. He said that the support he received from the care centre staff was important for him in adjusting to the new school system, learning a new language and simply feeling safe. Still, the days in the centre with 12 children were stressful. The resources in terms of staff and material conditions, along with the welfare standards, are greater in care centres than in reception centres for UAMs who have turned 15. Additionally, the rights to education decreased after passing age at which 10 years of compulsory education would normally be completed. Once reaching 16 – the normal age for the final exam of lower secondary school – the minor starts a separate education track to finalize the compulsory education exams before entering upper secondary school. For those with only a few years of schooling, this separate schooling track may take three years or more. In times of high numbers of arrivals, their progress may be delayed because the relevant education is not offered or because the courses only start after several months. Ali, for example arrived when he has 16, and stayed in a reception centre for unaccompanied minors. His relationship to the staff was not as close as what Osman described. He was among those to emphasize how important it was that his representative told him about the need to take his education seriously. Only at the last reception centre, after having moved twice, was he offered a school course. However, most of the minors staying in this centre were granted temporary permission to stay until they turn 18 (the UAM limit). They all were miserable and had no motivation for school: 'They just woke up for meals and then went back to sleep. Since I was the only one who was 16, I thought maybe I would be granted residence. Therefore, I went to school to learn Norwegian.' When his closest friend in the centre received a negative result, both were depressed. They were afraid that the police would deport him, as they had done with some other boys living at the centre. His friend did not see any other solution than to leave for Paris, as many others had done. He therefore needed cash. Ali had saved some money to buy a mobile phone: 'I gave him all my savings, 1800 NOK [180 euro], and then he left. He left the same night. He did not tell me; he did not

say goodbye. We had a nice dinner together that evening, and then he was gone. However, later, he sent the money back'. Ali talked about ruptures in new relationships and about how important such relations can be for navigating unfamiliar conditions as a young protection seeker.

5.3. Vulnerability related to health issues

For several of our informants, health conditions were a serious concern, increasing their worries about the future. Access to health support for protection seekers relates to legal status. For asylum seekers with an application pending, basic health service is available; however, they have to negotiate with the health service to obtain access to specialists and arrange for longer-term health treatment. Those with a rejection can only access critical health support. The gravity of their condition thus becomes crucial. A child has the same rights to health treatment as every child citizen, irrespective of legal status. However, access to specialists and hospital treatment is a scarce resource in Norway. To describe the precarious situation in families where either a child or caregiver is seriously ill, we present three cases. The first is about an effort to obtain access to resources after giving birth to a child with severe health problems. The child's mother, an Ethiopian woman in her thirties, gave birth after having lived some years in Norway with a final rejection. The mother and child stayed in a decentralized reception centre, sharing a flat with two other woman-led households. Even in the boy's first year, the mother noticed his delayed development. The hospital specialist offered a diagnosis after more than a year of observation by the child health services, kindergarten staff and, on some occasions, when receiving treatment in the hospital. For the mother, coping alone with these extended care needs was challenging because of her limited language skills and knowledge of the specialist health system. She also lacked a support network, as she knew only a few people outside the reception centre. Nevertheless, the mother took an active role in searching for information. She asked the reception centre staff for the help she needed to apply for various sources of assistance. In addition, the children's health centre took an active role to ensure that her son received the necessary treatment. Furthermore, the mother obtained legal advice on how to apply for a permit on humanitarian grounds because of the boy's health problem. Still, their status as irregular migrants caused her stress, as it was always uncertain whether they would get the help they needed.

This case demonstrates the constraints on a single mother in caring for a child who is seriously ill, which adds to her anxiety and experiences of vulnerability. The case also reveals the effort required of various actors to ensure that the child received appropriate help. The parental role may be more indefinite if the child suffers from depression, trauma or more serious types of mental health problems. For example, Jonis, a 13-year-old boy, arrived with his mother when he was 11. Even before he arrived in Norway, he had mental problems, which were partly due to the situation in their origin country, and the problems became worse because of experiences of cruelty during their long journey. The uncertainty of the future increased his anxiety. The family's application for protection was rejected after his stepfather applied for protection: 'When 12 to 14 years old, they can understand the precariousness of their legal status and the probable outcome and the implication for their life prospects. It's very, very, very difficult for them'. His father added, 'now it's really serious; he has threatened suicide'. The family has had consultations with the psychiatric service for children and young people: 'He may be hospitalized'. The father stated that the family's illegal status increased his own feeling of hopelessness. When interviewing staff at the health centre for refugees, one challenge they identified in such cases is that the ordinary health system does not necessarily have adequate competence to treat traumas, including the extra challenges of language

barriers. The family sent an appeal of reversal of their asylum application because of the new situation caused by the boy's increasing health problems, even though they were aware of the high threshold for the reversal of a rejection because of health problems (see Chapter 6).

A third example reveals the implications of a parent's illness when the parent is a sole provider, as in the case of Rahel. Over a two-year period, Rahel struggled with cancer. Looking back at this period, staying in a reception centre with a temporary permit and no close relatives or friends around, she said that the difficulties for her and her young daughter seemed nearly unbearable. The treatment she received at the hospital was reasonable. However, her daughter found her weakness and helplessness scary; she felt anxiousness and despair not knowing whether her mother would recover. The local child welfare service suggested that it could take care of her daughter, but the girl's father – who lived in another part of the country and was mainly absent from the girl's upbringing – let her stay with him for a while. For the girl, this meant displacement from familiar surroundings while being in a state of anxiety about her mother's condition. Today, partly recovered, Rahel's main concern is about the implications of this demanding period for her daughter's mental and emotional development.

The three informants related their worries about their health conditions to what they understood as being in a state of vulnerability, adding to their previous worries caused by concerns and inhumane treatment before leaving home. Being single parents in a new country without close relatives added to their worries. Although a child has equal rights to health care regardless of status and cancer treatment is considered necessary health care, these people's lack of language, economic resources to spend on medications and existing knowledge of diseases and mental health all affected the practical availability of the health system and specific treatments. Their concerns and uncertainties were increased by the fact that they had lived for an extended period without permission to stay, and worries about the future added to their concerns and feeling of vulnerability. Their severe health conditions intersected not only with individual factors like gender and age and their family's relational and economic conditions but also with their legal status, access to support and how the health system assessed their health condition. All these factors increased their situational vulnerabilities.

5.4. Vulnerabilities when losing legal status

For some, living with a final rejection made the stay in a reception centre unbearable. They moved out, which meant they had no more economic support. This was the case with Isaias (see Chapter 4). He was not granted residence, partly because of inconsistencies regarding his ID and life story. After he had been in Norway for some years, his elder daughter arrived; some years later, his youngest daughter applied for protection in Norway. Both were granted residence because of the issue of forced military enrolment in Eritrea. Their father, however, continued to live in the reception centre, appealing his case and trying his case in the appeal court. After 10 years, he could no longer bear living in a reception centre: 'I had mental problems. I became traumatized when staying in the reception centre. I was an elderly man, and my cohabitants were young. Sharing my room with strangers became too much'. He moved in with his elder daughter to take part in the family life of his daughters and grandchildren. However, he found his new situation problematic; because of his undocumented status, he had no income and no access to the welfare system when he needed it: 'Living like this is very disappointing. I note that people are feeding the

birds; however, I am a human being worth nothing. I'm not recognized as a human being. It's very hurtful'. He worried about the future, as he was getting older and would need more support: 'Young people have hope; however, at my age, as I soon turn 70, it is unbearable to live like this'.

Irregular migrants have no right to social welfare and are offered only limited health care (Bendixsen et al., 2015, Lillevik & Tyldum, 2021). One driver for Isaias to move out of the reception centre was his limited access to health specialists. He had no option for regular consultations on his mental problems, such as the Health Centre for Irregular Migrants in the city to which he moved could offer him. One additional obstacle for considering necessary health care that some informants encountered was that a person with a rejected status could face costs related to critical health care. As long as they stay in a reception centre, the person has the option for reimbursement regarding specialist surgeries and medicine costs. UDI may cover these costs, however, after assessing an application in advance. The older couple from Eritrea, who both needed new glasses and diabetes treatment, were told their expenses were covered. However, uncertainty occurred relating payments for medical treatment like pregnancy control and a hospital birth. For people from outside the EU or European Economic Area (EEA) without legal status, hospitals bill for treatment. Particularly for women not staying in a reception centre, a bill of NOK 50,000 (5,000 euro) or more comes as a shock.³⁰ Since giving birth is considered acute medicine and thus free of charge, the woman has an option to apply for reimbursement from the health authorities, but this procedure is complicated and may require advice. This administrative practice evokes strong emotions in people already in distressing conditions and may impact their trust in the system about receiving acute health support when needed.

5.5. Vulnerability related to membership in sexual and gender minority groups

LGBTQIA+ people face several challenges in their country of origin, during transit and once in Norway. Still, there are certain obstacles to be recognized regarding LGBTQIA+ conditions. For some, the challenge is to disclose their identity when applying for protection, as discussed in chapter 4.2.

The organization Queer World (*Skeiv verden*) has learned that LGBTQIA+ refugees often arrive on their own, without any social networks, keep to themselves, have few visitors and show signs of deteriorating physical health. Even if the reception centre staff know something about LGBTQIA+ issues, that knowledge is often superficial, and they have little in-depth knowledge about, for example, gender verification treatment.

Another challenge for LGBTQIA+ people is integrating into the local community. Not all are (re)settled in cities where they can find people with whom to socialize. Some reported experiencing harassment, which adding to their feeling of being unsafe. This may be because of general discrimination in society towards LGBTQIA+ people; however, for some, it is even more problematic if intimidation comes from people from their home areas, because that might have consequences for their family members. Another challenge may be feeling marginalized by the social codes of being gay in LGBTQIA+ communities or in Norway more generally. An additional problem is insufficient information about their rights and knowledge about sex and sexual health. Some expressed worries about the possibility of encountering

³⁰ See, e.g., articles in the daily newspaper *Klassekampen* in spring 2021 Brandvold 2021a, 2021b; Brandvold & Olsson 2021. See [Gjeldsslave etter fødsel | Klassekampen](#), [De papirløses jordmor | Klassekampen](#)

homophobia in the health sector. Some face practical and communication problems if they apply for gender affirming treatment.³¹ All of which constitute psychosocial challenges lead to a more troublesome everyday life.

5.6. Vulnerabilities in the resettlement process

Resettlement is increasingly important as a humanitarian corridor to Norway. Because the number of asylum seekers to Norway has dropped significantly since 2015–2016, refugees resettled through the UN resettlement programme comprise an increasing share of the total number of arrivals. From only constituting about 20% of all protection seekers coming to Norway between 2010 and 2017, they have since comprised more than 50%. By January 1, 2019, approximately 38,000 resettled UN refugees lived in Norway (Statistic Norway, 2020). Numerically, the politically defined ‘quota’ of refugee resettlement has fluctuated significantly over time, but there is broad political consensus that refugee resettlement is an important and worthwhile humanitarian policy for the country to pursue.

Only a tiny fraction of the world’s refugees are resettled, so whose vulnerabilities to prioritize is a highly fraught question. The selection involves complex and cross-departmental decision chains.³² All the main actors have their own institutional interests and may want to operationalize the notion of ‘vulnerability’ in overlapping but distinct ways. On paper, and seemingly often but not necessarily always in practice, the single most important actor for resettlement in Norway is the UNHCR. Norway has its own set of selection criteria (see Brekke et al., 2021, and Lidén et al., 2021, for a discussion), such as the priority given to LGBTQIA+ individuals, but Norway also formally emphasizes UNHCR recommendations (G-15/2020).³³ Theoretically, this casts the vulnerabilities of resettled refugees as largely identified by UN staff in host states in the Global South, prior to resettlement. In practice, public officials do assess ‘integration potential’ at the time of selection, such as during and after online meetings and commissions to host states, but they also openly admit that this can be challenging given the inherently contextual nature of needing protection. Those who are vulnerable in one political, cultural and social context may not be so in another or may be vulnerable in different ways. ‘Vulnerability’ is still conceived as administratively appeased by public officials in this field rather than something that is administratively produced (Brekke et al., 2021).

It is in this light that it becomes especially relevant to examine whether and how vulnerabilities are produced during and after resettlement procedures and by resettlement itself, along with how such vulnerabilities are lived and imagined by resettlement refugees. By implication, this also complicates any form of methodological nationalism, given that the legal–bureaucratic procedure of resettlement itself stretches beyond Norway’s borders.

As noted above, studies of irregular migrants increasingly draw on temporality as an analytical lens. Research into temporalities explore the temporal entanglements, shifts and relations between multiple forms of waiting (Hage, 2018) and how those factors necessitate coping strategies (Bendixsen & Eriksen, 2018; Jacobsen & Karlsen, 2021; Karlsen, 2021). Among the resettlement refugees interviewed for this

31 Gender-affirming care, as defined by the World Health Organization, encompasses a range of social, psychological, behavioral, and medical interventions ‘designed to support and affirm an individual’s gender identity’ when it conflicts with the gender they were assigned at birth.’

32 In Norway, the Ministry of Justice and Public Security has overall responsibility for refugee resettlement and its constituent UDI has operational responsibility, but they coordinate closely with the IMDi and the Ministry of Foreign Affairs, the Ministry of Health and Care Services and NGOs with strong field experience.

33 The composition of the refugee quota is officially intended to be based on the UNHCR’s assessment ‘of which groups are in need of resettlement in Norway’ (G-15/2020, p. 2).

second VULNER research report, we encountered a sense of institutional and existential ‘waitthood’ that many refugees go through prior to the journey itself, but also frantic movement, as narrated by one LGBT+ individual:

‘There was a website. Those who were interviewed should check the website to see [if their case was in process]. Every day, I held the phone in my hand and looked at it. They will call me. Today, they will call me. Every day waiting. It was stressful.’ (M21)

Another informant, Malik, had the opposite experience of an emergency evacuation from Afghanistan after the Taliban retook power. He was already on a list compiled by the Norwegian military forces of people at special risk and eligible for resettlement through evacuation, but when they contacted him, they only gave him a GPS position for the military station:

‘But then there was chaos at the airport. Lots of people, women and children. And the entrance was behind the airport, separated by a dirty river. I was lucky to meet a Norwegian citizen by chance who knew where the military station was because otherwise I would never have managed to get there. It was so chaotic. There was a door to the station, but it was closed. You had to walk for 25 minutes through a nearby village. I thought it was scarier than the Taliban. That village is known for its insecurity. People are mugged and killed there, and there is no one in charge of law and order, especially now after the Taliban takeover.’ (M20)

The chaos had profound human costs because the frantic nature of the process also meant that the informant could not bring his family. When we spoke, he was in the process of applying for family reunification, thus transitioning into a more prolonged and uncertain state of waiting *after* resettlement in Norway. A major complication in this matter was that he needed to document a certain amount of financial stability and resources before family members could apply for reunification, but his assets had been frozen in Afghan banks, and the danger and chaos at the airport prevented him from bringing portable valuables:

Physically, I’m safe, but psychologically, I’m not. My mind is with my family. I now plan, if the family reunification does not work, to leave Norway and be with my family [in Afghanistan]. [...] Because I feel that my children will be killed, and the whole idea was for me and my family to be safe in Norway together. [...] Then, I could have planned for the future and my kids and engaged in education and working life. (M20)

Another reported no digital waitthood and no psychologically deleterious effects but had a frustrating experience with very practical implications:

‘Maybe [the UNHCR] has a problem with arranging appointments with [resettlement states]. They tried to help me. But my issue took a long time. I had to wait a long time – six to eight hours – every time I went to the UNHCR office. Maybe they lacked capacity. [...] They don’t set a specific time, so I had to spend the day there. I had to ask my employer to take the day off. This made things difficult for me. I was upset by this situation.’ (M30)

A coping mechanism for this situation was to be optimistic and take a positive outlook, by viewing vulnerability as part of the resettlement procedure. The point here is merely that seemingly trivial issues such as these are easily overshadowed by the privileged access to refugee resettlement, even if practical challenges too can be linked to the vulnerabilities of resettlement refugees.

5.7.1. Vulnerabilities after resettlement

After resettlement, 'new' forms of vulnerability may emerge. In UNHCR resettlement programmes, serious medical conditions are one criterion, and complex medical cases are expected to constitute a small part of the overall quota (Brekke et al., 2021; Lidén et al., 2021). The case of Chantal and her children reveals the personal costs and the systemic challenges of including a family with severe health complications. This woman-led family, including two children, a girl and boy, was resettled in Norway after 12 years in a refugee camp. The two children were two and four years old when they fled the rural village and crossed the border to the refugee camp in a neighbouring country. Both grew up with physical and mental disabilities. In the camp, the family experienced a number of difficulties and a lack of medical treatment. Two more children were born in the camp, but both died from disease. During the first year in Norway, the boy (now 18) moved to a care institution, while the girl (now 14) stayed with Chantal and attended a school for children with severe health problems and disabilities. For Chantal and for her two children, adjustment to the new social and institutional contexts and the new language caused a great deal of frustration. Chantal said that she spent most of her time on extended care needs and getting the help and support that she and each of her children needed. This burden hindered her progress in the introduction programme. At the same time, participation in the programme was important for her to acquire the skills and knowledge she would need to cope with the health and welfare system. The help she receives from a social worker is vital for coping with everyday tasks.

Adjustment to a new and very different society, without the language skills and knowledge of what that new society expects of them is experienced as abrupt. This does not exclude the highly-skilled. For one experienced professional, a positive and future-oriented perspective was hard to maintain after resettlement in Norway:

'My impression of us refugees who come from poor to rich countries is that integration is slow. Everything changed for us. I'm surprised. I have to learn again. I'm not satisfied with my knowledge, my education. I cannot match the skill level of my professional peers here.' (M30)

His coping strategy was to plan, but again he was surprised by the lack of emphasis on planning among the public officials who provide follow-up: 'I asked the counsellor to help me make a plan. But they don't have a plan to reach goals'. From his perspective, the lack of planning was an important shortcoming in the municipal procedures. Deskilling, the informant went on to say, combined with poor Norwegian language skills left him vulnerable. Going through a language course did little to help in this regard:

'It's boring. Monotonous. All refugees in the class have different situations. It's not one size fits all. I have higher education, speak English and have more than a decade of professional experience. Then, you have other refugees with only a minimum of language skills who feel insecure, lonely and frustrated. The activities are not adjusted for everyone. We need something attuned to our needs.' (M30)

Although too skilled to benefit fully from a language course designed for people without his level of education, he also lacked enough marketable skills to enter the labour market. Having sent more than 70 customized job applications without a positive reply, he reported uncertainty about the future and feeling a lack of agency: 'When you go somewhere, you need to recreate yourself'. Other informants also met obstacles when trying to get a job. For example, Fazel, a young man who came to Norway on a sponsored resettlement programme for artists, faced problems landing permanent work. After resettlement, his main challenge was to receive credit for his skills as a filmmaker and make use of his talents. He felt

discriminated against when being acknowledged for doing a good job when offered an internship, but he was never considered for a permanent job. He felt that the language issue might have added to the slow process of being accepted on equal terms, even though he speaks English well. The dynamics of misrecognition and discrimination may have a particular kind of impact on this category of protection seekers. Another informant talked about the problems she faced when having her working skills and education accepted. Lina entered the UNHCR resettlement programme with a medical degree and several years of work as a doctor. The first barrier was her slow progress in the Norwegian language course, where most participants had nearly no education. To speed up that process, she used additional sources to learn the language. After ending the course, she wanted to move to a nearby city to attend university courses to make further progress in Norwegian and then have her education certified, but the resettlement system did not allow her to move to another city.

The second barrier for Lina was the procedures for certifying the medical education of people from outside the EU or EEA. Lina described her many efforts to provide the correct documentation, translated into Norwegian, stating all the subjects included in her education, with the number of hours dedicated to each subject area. She also needed a certificate showing relevant work experience obtained after graduation, including the content and number of clinical internships. To communicate with the health authorities in the country she left caused problems. When she did receive the documents, she was told to send them to ECMG Certification in the United States³⁴ and waited an extra year to have them returned: 'Then, when my application was rejected by the Norwegian health authorities, I nearly gave up'. She received advice to take a one-year course in the university's faculty of medicine to cover the extra subjects she needed; however, they had no such courses for those not following the standard track. Her only option was to take a final medical exam that included all six years of this demanding educational programme. This track did not include access to internships in the various medical subjects of the kind that ordinary students have as a matter of course. The fee for taking the exam is 50,000 NOK (5,000 euro); if one fails, the fee has to be paid again. Lina explained how much effort it takes to prepare for the final exam when working as an auxiliary nurse to save money to pay the exam fee. She has always been dedicated to her work as a doctor and spent a great deal of time preparing for her exams. She was concerned that, as time continued to pass, her medical skills would fade. She was always tired, which affected her capacity to follow up with her children. 'The deskilling of refugees is disgracing', she said.

Refugee resettlement is intended to provide especially vulnerable refugees with support. Most of the vulnerabilities sketched out here, however, are administratively induced. Although the new IA anticipates a speedy mapping of the refugee's competencies to tailor an appropriate career plan, there are many obstacles to obtaining access to relevant jobs. Still, high-skilled refugees are placed in positions that limit their ability to make use of their capacities because of a lack of flexibility and tailored tracks to update and adjust their competencies. The procedures for resettlement, integration and family reunification all interacted and combined to produce new vulnerabilities and contexts in which they are lived and narrated. These administratively produced vulnerabilities add to their difficult position. These findings are not solely related to resettlement programmes. The next chapter examines administratively produced vulnerabilities that affect asylum seekers.

³⁴ The standard for evaluating the qualifications of international medical graduates.

5.7. Concluding reflections

This chapter discusses the extent to which the protection measures directed towards vulnerable protection seekers identify the forms of complexity and concerns that the seekers see as troubling their daily lives. In the Norwegian system, vulnerability in the arrival procedure is mainly understood by the notion of extra needs. More invisible persecution-related wounds and trauma are less likely to be identified and subject to follow-up. The dedicated rights and adjusted procedures for certain groups such as UAMs and THB victims are vital for the care and support these people need. The cases described shed light on the serious implications for vulnerable people when these adjusted procedures fail. Furthermore, adjusted hearing procedures are essential for the option to present complex cases. The informants ask for more legal advice and information, and the option to elaborate their asylum case over time once they are better able to remember and disclose more details. When listening to the detailed descriptions of certain experiences and the conditions modelling their worries and precariousness, the factors go beyond the groups and situations that international and national instruments such as EU directives and Norwegian immigration measures identify as the most vulnerable. The administrative understanding of why a person ends up in a vulnerable situation does not necessarily reflect what that person emphasizes and sees as their main challenge. We find a need to improve the arrival and hearing procedures, which in our case are exemplified by the need for better routines on second opinions on age assessment, dedicated representatives, better access to legal aid early in the application process and case workers who are better informed about the intersection of various factors of vulnerabilities.

A striking finding is the lived experiences of the many paradoxes of humanitarian objectives and control interests. The Norwegian asylum system recognizes the state's obligations to fulfil rights under international conventions and have orderly well-functioning and fast track asylum procedures that grant residence to those in need for protection, along with a speedy practice of returning those without protection needs. However, periods with high numbers of arrivals and the messy reality of international migration and a lack of bilateral agreements combine to create inconsistent and disorder for both protection seekers and the system.

We have discussed some of that system's spatial and temporary implications. One controlling aspect is related to space; basic support is restricted to those staying in a reception centre, where their everyday lives are governed by detailed rules and regulations and offer limited room for agency. Their civil rights are restricted; they have limited options to land a job, learn the language and access legal or other forms of advice. For those staying in reception centres for an extended period, a decline in health is common and for many, their asylum status reduces the treatments available. Their lack of resources and agency and their spatial segregation reduce their options for resilience. Temporally, this chapter has shed light on ruptures in the procedures, the timing of information and its effects on credibility, prolonged waiting times and insecurity of residence. The many moves from one reception to another add to their feeling of unpredictability and being uprooted. Their individual conditions and family lives change, adding to their vulnerability. We also see how resettlement itself raises new forms of administrative challenges after settling in Norway in the form of wait times that interfere with their coping mechanisms, and creating unexpected problems. As we discuss in the next chapter, there are few options to change protection tracks and act upon such problems.

VII. VULNERABILITIES AND MIGRATION POLICIES

The review of the protection procedure in the previous chapter displays how the Norwegian migration policy identifies extra needs but also shapes ambivalence or even contradiction in the way the system meets and acts upon protection seekers' migratory vulnerability. Human rights discourse, and administrative practices based on guidelines emphasize the state's obligations under international conventions and ensure a pragmatic approach to supporting those with extra needs. Vulnerability assessment as the main tool for identifying protection needs is not included in the regulations. At a general level, system seems designed to set a high threshold for granting protection on humanitarian grounds.

This chapter goes further into various aspects of how migration legislation and policies can increase vulnerability for protection seekers at different stages of the process. Migration control in Norway, as elsewhere, is both reflective and constitutive of the political, bureaucratic and social divide between insiders and outsiders. The Norwegian state with its relatively expansive welfare regime offers considerable life chances and insurance to its citizens. However, border control and migration policy produce vulnerability among those living on the margins of the state and society while seeking to negotiate membership. It may well be universally valid that border control exacerbate vulnerabilities among outsiders, but it is less clear how migration policies and vulnerabilities are interconnected beyond this simple observation. We thus focus on the protection seekers' experiences of the stricter migration policies that Norway announced in 2015, including the increased use of temporary permits and more restrictions on the practice of granting permits on humanitarian grounds (see Chapter 3).³⁵ First, we discuss three types of clauses to see how the 'temporary turn' in the regulations increased the doubts and worries of protection seekers, limiting their agency and delaying their opportunity for a new start to improve their life conditions. In the second part, we discuss the practices of granting protection on humanitarian grounds, first in cases related to serious medical conditions and second for THB victims, and examine how the policy guidance and dynamics of THB procedures shape unexpected forms of vulnerability. Lastly, we discuss some implications of temporality on the later stages of protection procedures.

6.1. Vulnerabilities shaped by the temporary turn in Norway's immigration legislation

As in many other Western countries, we find a temporary turn in refugee protection in Norway over the last decade (Schultz, 2022). This means an increased use of direct and indirect measures that reduce the safety previously associated with individualized refugee status. As we show below, such measures are used in various parts of the procedure of becoming a new citizen, including the expansion of temporary permits and increased obstacles to accessing permanent residence and citizenship. Temporality clauses increase the differentiation of rights within the same protection tracks and categories of protection seekers (Brekke et al., 2019; Schultz, 2022). To better understand the implications of indecisive inclusion/ex-

35 In 2015, the Norwegian Parliament reached the Asylum Agreement of 19 November 2015: <https://www.nrk.no/norge/her-er-asylavtalen-1.12662331>. That agreement was followed up by releasing the Restriction II document for hearing procedures, Prop. 90 L (2015–2016), Proposed Changes to the Immigration Act, etc (Restrictions II), 5 April 2016: <https://www.regjeringen.no/no/dokumenter/prop.-90-l-20152016/id2481758/>. The final restrictions were presented in Innst. 391 L (2015–2016), Innstilling til Stortinget fra kommunal- og forvaltningskomiteen om Endringer i utlendingsloven mv. (innstramminger II): <https://www.stortinget.no/globalassets/pdf/innstillinger/stortinget/2015-2016/inns-201516-391.pdf>.

clusion situations, we present some examples of how the lived experiences of protection seekers address various dimensions of vulnerability, including how systemic factors intersect with personal characteristics such as age and gender, along with family life, health and the resources available to bolster resilience.

6.1.1. Vulnerability for UAMs when turning 18

The CRC is incorporated into the Norwegian IA and into all Norwegian legislation concerning children. Still, children, particularly those who are ‘coming of age’ are met with inconsistent practices and differentiated standards of reception conditions, as detailed above. This is also the case with the UAM limit clause discussed in Chapter 5. Generally, ‘coming of age’ implies becoming more mature and capable. The implicit rationale of the UAM limit clause, which holds that age-related vulnerability simply ‘expires’ when one turns 18, does not correspond to lived life.

The UAM limit is problematic for most minors and for social workers. The permit exposes a certain form of temporality: waiting for an expiry date and living with the possibility of displacement in the near future (Jacobsen & Karlsen, 2021). The implication for the minor is additional worry and the lack of opportunity to recover from previous impairments and vulnerabilities. Ali, for example, talked about anxiety among his co-residents at the centre who had been granted a temporal stay until they turned 18. Several minors between 16 and 18 who had already been granted a UAM limit or expected that outcome, simply disappeared from the reception centres. Most fled to other European countries where they hoped to obtain a better assessment of their asylum case or where it was easier to live as an irregular migrant and avoid deportation (NOAS, 2017; Valenta & Garvik, 2019). The UAM limit increased anxiety and exposed minors to new forms of troubles and exploitative relationships long before turning they turned 18.

The provision to grant a *limited* permit that expires at the age of 18³⁶ was introduced in 2009 but was scarcely used until 2016.³⁷ Since then, even if a minor qualifies for residence, if they are over 16 years old at the time of the UDI’s decision, the caseworker may determine whether a UAM-limited permit should be granted. It may not be renewed, meaning that, upon reaching 18, the former UAM is required to leave Norway.

Granting a non-renewable UAM permit increases stress, sleeping problems and low enthusiasm for schoolwork, as has been well documented in a number of studies (see, e.g., Berg & Tronstad, 2015; Lidén et al., 2013; Sønsterudbråten et al., 2018; Valenta & Garvik, 2019). This was also the case for Hamid (see Chapter 5). After being transferred to a UAM reception centre and having the option to attend school, he quickly improved his language skills. He worked hard at school to pass the exam needed to start upper secondary school. However, after being granted the UAM-limited permit, concerns about his future increased: ‘I got so depressed. I have experienced so much harm in my life, and now I have no rights.’ His efforts to pass the exam and start secondary school were in vain, because he will be excluded from finishing his last secondary school years once he turns 18: ‘I just want to go to school like every young person my age does. Why is this damaging for society? We are all human beings. But I had bad luck; I was born in a war zone. That was not my choice – to be born there.’ For those granted the UAM limit status, coming of age can mean feeling undeserving.

36 Immigration Regulations §8-8.

37 In 2016, new restrictions were put into place due to the Norwegian Parliament’s Asylum Agreement of 7 November 2015. <https://www.stortinget.no/globalassets/pdf/innstillinger/stortinget/2015-2016/inns-201516-391.pdf>.

Another example of the implication of UAM limit is the revocation case of Mustafa, as widely reported in the news. In 2008, the Hasan family came from Jordan and applied for asylum in Norway. In 2012, the immigration authorities believed that his mother had provided incorrect information. Five years later, the court of appeal concluded that the family were Jordanian citizens and not stateless Palestinians, contrary to what their mother claimed. Their temporary residence permit was then rejected. In 2017, the mother and a daughter left the country. Mustafa and his one-year-old brother remained because they were already under the care of the child welfare services. His brother was granted residence based on strong humanitarian considerations, while Mustafa, according to the UNE, was not entitled to a residence permit. In 2020, when he turned 18, he received a final decision that he would have to leave the country in a short time. He then was in his second year of upper secondary school, and deadline to leave was during his exam period:

‘What I really hope is that I get rid of the feeling of being empty. I’ve never known where to be in a month or a year. [...] My whole life, I felt like I’ve been treated like a case. I’ve lost my childhood, I’ve lost my sister, my mother, and myself. How can I get out of this in good shape?’³⁸

Mustafa appealed the decision ordering him to leave the country, first to the UNE and then to the Oslo District Court. The case raises the question of setting the threshold to identify when the attachment to Norway is so long-lasting and strong that revocation is contrary to Norwegian law. The court stated in 2021 that the UNE had not taken sufficient account of Mustafa’s attachment to Norway after 14 years. The UNE then assessed the case again and in February 2022, Mustafa was granted a permit to stay.

The immigration authorities have argued that the main purpose of the UAM limit provision is to *prevent* other children without need for protection (save for a lack of adequate care in their origin country) from being sent to Norway, perhaps for economic reasons (Lidén, 2019).³⁹ However, the preventive intention to reduce the vulnerability of unaccompanied child migrants has profound implications for a young protection seeker’s life and agency to improve his or her skills and resilience, of which the cases of Hamid and Mustafa are but two examples.

6.1.2. Vulnerabilities produced by unresolved status: parents of a child refugee

During our fieldwork, we came across several families with the peculiar situation of unresolved status caused by the fact that one child had been granted a permit to stay, but the parents and the (male or healthy) siblings had not. Instead, they had to apply for family reunification with the child who had been granted a permit. The parents told us that one barrier for them was to save money to pay for the application fee for each family member. Living in a reception with mainly basic subsidies, the ability to save NOK 7,800 (800 euro) for each person was a major challenge. One Iraqi family of five who arrived in Norway in 2015 managed to pay the application fee after two years of saving and were now awaiting a decision. They first received a rejection of their application; then, during their appeal, which occurred after their youngest daughter was born, their daughter received a permit to stay because of the fear of female genital mutilation (FGM) if they returned to their place of origin, where FGM was practiced. After some time, the father managed to obtain a job as a cleaner in a construction plant, which increased their ability to save money. However, this period of forced savings meant that they had to live on very little for another two years, even after several years in the reception centre on scarce subsidies: ‘This is particularly hard

38 See [Uønsket – 1. Ikke barnas feil \(Sesong 1\) – NRK TV](#) and [Uønsket – 3. Rettssaken \(Sesong 1\) – NRK TV](#).

39 See Rundskriv om ikrafttredelse av ny utlendinglov og utlendingsforskrift fra 1. januar 2010, A-63/2009 Vedlegg 8: www.regjeringen.no/contentassets/291203ab61134f17bf22bef8586ede70/vedlegg8.pdf.

for my nine-year-old son, not having the stuff that all the other kids have', his mother, Aster, said. She also worries about her youngest son, who was born with a heart disease and had been hospitalized several times. She described how her everyday concerns related to health, parenting, the lack of stability in her children's lives, their economic problems and prolonged periods of insecurity had harmed her health: 'I struggled a lot mentally until I got help. We moved from one reception centre to another, and we did not have a residence permit. I still feel stressed and fragile'. The prolonged stay in the reception centre then increased their concerns and worries for a period of years. Aster longed for a new start and to create a home, start an ordinary family life and to recover from the health problems affecting her and her son. The prolonged stay had also delayed her aspiration to be educated as a nurse: 'I only dare do the everyday chores. I'm trying to keep busy with things all the time, not thinking too much'.

Another case involves Rahel, a single mother (see Chapter 4), and her six-year-old daughter who received a residence permit justified by the risk of FGM if returned. For the previous two years, Rahel had been severely ill. Because of her status and illness, her opportunities to learn Norwegian and land a job were profoundly limited. Her ability to save money for the fee for family reunification with her daughter was limited, partly because of her medicine and treatment costs. These two cases indicate that the practices of family reunification rules may implicate gender differences as well, with an extra burden on single mothers.

The current instructions to apply for family reunification with a child who had a permit to stay were introduced in 2011. In most cases we examined, a daughter was granted refugee status because of the fear of FGM if returned to their home area. In such cases, family members are granted a one-year temporary permit and expected to apply for family reunification.⁴⁰ The family stays in a reception centre until the decision is made, and the administrative time for such applications is generally long; the typical wait is about 20 months. This means that the family continues to stay in a reception centre for 3–5 additional years – if they can afford to pay the fee. In this period, they have no right to attend the introduction programme or be granted social security numbers and permanent ID cards.

In December 2021, the UNE held a grand chamber meeting on a similar case, which concluded that the UNE's interpretation of the regulation since 2011 was neither accurate nor sensible.⁴¹ They decided that the future procedure for family members will be to grant a permit on the basis of humanitarian grounds.⁴² There are no statistics on how many families were affected by several years of the UNE misreading this regulation.

In addition to the increased stress and difficulties caused by the temporary permit practices, the case also demonstrates the possibility of altering regulations. The many changes in rules make the future less clear. Such changes have usually occurred because of stricter practices imposed by legislation or by stricter interpretations of existing regulations; however, the immigration authorities' re-examination of a paragraph can also improve the rights of the protection seekers, which is what happened with the UNE grand appeal board.

40 The option to stay in Norway when applying for family reunification is an exception to the ordinary family reunification rules, which hold that family members who apply for reunification with a person in Norway must apply from a Norwegian embassy abroad.

41 The case was a Nigerian single mother with a daughter who had been granted refugee status because of the fear of FGM if she returned to Nigeria.

42 [Storemnd desember 2021: Oppholdstillatelse etter §38 der barn har fått selvstendig beskyttelse - Utlendingsnemnda \(UNE\)](#).

6.1.3. Permanent protection, but limited rights

Another form of limited residence permit is granted on the grounds of uncertain identity (the 'ID limit'). Refugees granted protection but lacking valid ID documentation are expected to obtain valid documents within a year. Most people with this ID limit remain in reception facilities and are excluded from the introduction programme and Norwegian language instruction, although they have a residence permit that provides the basis for permanent citizenship.

Several families we interviewed in the reception centres lacked ID documents and had stayed in centres for years trying to gain valid documents. One father told us about the obstacles he faced to obtain those documents, including a trip to Germany to obtain a passport from his country's embassy. Although he made use of the option to apply to UDI in advance to cover the costs, the extended waiting period and unexpected increase in the fee when he arrived at the embassy increased the costs. Because he had income as a cleaner, he was able to cover the cost. However, very few people in the reception centres had been to get a job and thus extra income. This added to prolonged stays, perpetual worries and delayed starts for improving their ability to obtain skilled work when settling after receiving the ID documents. Another concern that some informants raised was that their temporary permits did not provide the basis for five years before gaining permanent residence or four years before applying for family reunification. Their status also caused barriers to banking services, obtaining a driver's licence or travelling abroad. Other negative consequences documented in studies on ID limits are poorer mental health, motivation and a lack of ability to provide care for children (NOAS et al., 2020a, 2020b). Not all are able to prove their identities to the satisfaction of authorities, meaning that they reside for years with significant limits on their ability to participate in the Norwegian society.

A formal ID is important for protection seekers because it is a precondition for electronic ID and thus access to a plethora of public services. That protection seekers, including the recent arrivals of Ukrainian asylum seekers following the Russian invasion, suffer from strict criteria and a slow bureaucratic process in this regard is widely reported in the media.⁴³ There are also frequent media reports of complaints and calls for action from other state institutions that are not directly involved in migration control. For instance, the Director General of the Norwegian Tax Administration has criticised the legislation for making it excessively difficult to issue ID papers to refugees and asylum seekers.⁴⁴ The Financial Supervisory Authority of Norway has urged banks to lower their threshold for offering basic financial products and services on account that these 'are prerequisites for fully taking part, financially and socially, in society (...); and called for more 'financial inclusion of refugees'.⁴⁵

43 See, for instance, <https://www.nrk.no/norge/vant-over-staten-flyktninger-ma-fa-id-kort-1.13375960>; <https://www.vg.no/nyheter/innenriks/i/PoBaqp/de-som-henter-ukrainske-flyktninger-kan-bli-straftet-saa-grotesk>

44 <https://www.dagbladet.no/nyheter/asylsokere-far-ikke-id-kort/76050023>

45 <https://www.finanstilsynet.no/nyhetsarkiv/nyheter/2022/finansstilsynet-forventer-at-det-legges-til-rette-for-finansiell-inkluderer-av-flyktninger/>

6.2. A messy legal landscape with enduring uncertainties

As the interpretation of the clause on family reunification with a child granted residence has recently changed, the ID limits were also modified to adjust to the vulnerability of protection seekers. The recent change to the rule on the ID limit means that UAMs and families with children have an exception to the rule about continuing their stay in a reception centre.⁴⁶ Nevertheless, several of the families with ID limits that we interviewed in the reception centres had stayed in one or another centre for years for a variety of reasons.⁴⁷ This increased doubt about what the rules actually meant. The recent changes in rules and the various type of temporary permits add to a feeling of unpredictability and create a messy legal landscape. For example, when mapping the situation for UAMs newly settled in a local community, we interviewed a 16-year-old Afghan boy who was granted a residence permit with an ID limit. He shared a flat with three other minors and staff and attended the language course for newly arrived migrants. The staff expressed concern about his condition. He could not sleep at night, had several anxiety attacks and felt exhausted, all of which they attributed to his worries about the future. The staff repeatedly explained that his resident permit was permanent; he only had to obtain a passport. He would get help from his legal guardian to apply for the cost for the trip to the embassy. Still, he did not believe that he would not be deported; he did not trust the system or the words of the staff. From his stay in reception centres, he, like Ali, had learned about those deported after turning 18 and those who had left the centres for France and Germany to avoid deportation. Their anxiety and all the deportations had evoked strong emotions in him over time, and he simply could not get rid of his doubts.

Changes initiated in regulations are often the result of engagement by professionals, NGOs or the general public to reduce the vulnerability of protection seekers by referring to human rights and the negotiation between humanitarian concerns and control interests.⁴⁸ NOAS, for example, conducted a legal analysis of ‘the October children’ (UAM from Afghanistan arriving in 2015) living with UAM limits (Lidén et al., 2021; NOAS, 2017) and documented the implications for children when staying in the reception centre with ID limits or other forms of limited permits (NOAS et al., 2020b).

Another example of a politically initiated solution involves elderly people staying for an extended period in reception centres with a final rejection. In 2021, a residence permit was granted under certain conditions as a one-time solution for former asylum seekers who had long stays in Norway.⁴⁹ The condition was a minimum of 16 years in Norway and a total age and length of residence of at least 65 years. These conditions express the ambiguity between humanitarian concerns and control interests. About 50 people are expected to meet these conditions. None of the informants we interviewed was eligible for this amnesty; they expected that they would have to wait several more years for another one-time solution.

46 The decision to extend the rights and duties established in the introduction programme to UAMs and families with children was made in 2018. See Norwegian Parliament, Changes to the Introduction Act (families with children and unaccompanied minors with limited residence permits, Prop. 89 L (2017–2018), Innst. 333 L (2017–2018), Lovvedtak 83 (2017–2018): <https://www.stortinget.no/nn/Saker-og-publikasjoner/Saker/Sak/?p=72333>.

47 One cause for delay in settlement is that the permit does not provide a basis for permanent residence, so municipalities do not receive support grants, which are an important financial incentive.

48 Mustafa's case is one example of broad public engagement leading to an improved evaluation of the legal status of ‘the best interest of the child assessment’ in revocation cases (Lillevik et al., 2022).

49 Tidligere asylsøkere med lang oppholdstid kan be om å få oppholdstillatelse - UDI, Forskrift om endringer i utlendingsforskriften (engangsløsning) [forskrift-om-endringer-i-utlendingsforskriften15279771.pdf](https://www.regjeringen.no/forskrift-om-endringer-i-utlendingsforskriften15279771.pdf) (regjeringen.no).

Temporary measures are used in various parts of the procedure to become a new citizen, including the expansion of temporary permits and increased obstacles to accessing *permanent* residence and citizenship. One example is the clause that establishes heightened criteria for language proficiency and civic knowledge, which increases the challenges for protection seekers with a *limited* capacity to follow the expected progress in the introduction programme. This may be due to the severe health problems that people exposed to torture may face or an extra care burden, as Chantel talked about, or delays in their ability to take part in the introduction programme, as was the case for Aster and Rahel. Another example is that the Norwegian Parliament, in late 2020, passed a resolution expanding the residence requirement for a permanent residence permit from three to five years but *only* for refugees and humanitarian protection holders and their families. This measure increased the number of people with insecure legal status for indefinite periods of time. The regulation creates a separate system of (fewer) rights for protection seekers admitted to Norway. Stricter regulations also meant new barriers to family reunification, and new clauses since 2016 provide for the cessation of refugee status, even after several years of citizenship (Brekke et al., 2018, 2019; Schultz, 2022). These policy-initiated restrictions add systemic-related precariousness to those who have already faced persecution and other health, family and gender- or age-related forms of vulnerability.

6.3. Vulnerability and humanitarian exceptionalism

The vulnerabilities resulting from Norway's migration policy also emerge from balancing humanitarian considerations and immigration control. As Ticktin (2006, 2014) concludes in her analysis on humanitarian exceptionalism in France, the suffering body is recognized as morally legitimate, exceptional and worthy of support. To be granted their rights, refugees must foreground their illnesses, scars and traumas. These concerns may be more closely related to discretion, when the implications of the state's obligations are interpreted in light of health issues that lead to complex conditions. These practices often end up in bureaucratic procedures that give recognition to certain kinds of people and injuries but not others and are caused by certain politically and historically specific priorities and reasoning (Fassin, 2012). We therefore ask, how vulnerability is related to how 'illness, scars and trauma' are assessed and given weight in the Norwegian clause on granting permits on humanitarian grounds? To what extent are humanitarian conditions legitimate to support without further consideration, or do the new restrictions related to various forms of temporality and concerns about immigration interests also restrict the final decisions in such cases?

Some of the cases already discussed display changes in a person's life that open a window for humanitarian exceptionalism when requiring a reversal from the UNE or a new assessment of their application from the UDI. Such changes may relate to giving birth to a child, which may change their status, as when a daughter will be exposed to FGM if returned, or if a child suffers from serious medical conditions. The clauses may have unintended implications; a temporary permit may extend their stay and result in a child developing a deep attachment to Norwegian society. When assessing the best interests of the child, that attachment counts in favour of a permanent stay. However, the UDI may downgrade the best interests assessment for control interests when making the decision about a specific permit on humanitarian grounds. The legal landscape of humanitarian exceptionalism associated with 'the suffering body' thus faces a variety of contradictions in terms of migration policy interests and rights. In this section, two different forms of exceptional permits related to severe forms and intersections of bodily and other forms of vulnerabilities are discussed: permits granted because of serious medical conditions, and specific clauses and procedures for the THB survivors.

6.3.1. Serious medical conditions

In Norway, health-related problems of asylum seekers cannot, in general, be the basis for granting refugee status. However, ‘compelling health circumstances’ may serve as the basis for residence on humanitarian grounds.⁵⁰ When the need for medical treatment is temporary because it is caused by a disease or injury that can be healed within a fairly short period, a time-limited permit may be given.⁵¹ A permit caused by serious medical conditions may also be granted permanently. In Chapter 5, we presented cases of serious medical conditions in which families requested a reversal of their rejection from the UNE because of a child’s health condition. In addition, a parent’s illness can create concerns, especially when that parent is a single provider, as in the case of Rahel, who struggled with cancer. The documentation of a diagnosis, including the option for documenting psychiatric diagnoses and trauma-related treatment, is vital to the assessment of the situational or more permanent attribute of an individual’s health problem. As noted above, access to specialist consultations and treatment may be an obstacle. Furthermore, the dedication of the reception centre staff and local health workers and their communication with the key actors in the protection process is vital for documenting the conditions of family members affected by serious illness. An additional issue is the competence of caseworkers and immigration authorities to assess the documentation of severe health issues.

In practice, the threshold for a permit granted on ‘compelling health circumstances’ is extremely high.⁵² A UDI guideline used in the protection procedures specifies that ‘serious psychological disorders’ including schizophrenia, paranoid psychosis and serious forms of bipolar disorder may provide the basis for a permit on humanitarian grounds. However, ‘less serious disorders’ like depression, compulsive disorders and ordinary forms of post-traumatic stress disorder would normally not result in a permit to stay but could lead to a temporary permit.⁵³ The guideline also states that suicide attempts can be relevant, but only if they are connected to a psychiatric diagnosis and not ‘only’ to depression stemming from the person’s uncertain immigration status.⁵⁴ These health conditions are common among protection seekers and are viewed as related to migration. The rationale, then, is that such health conditions are imposed by their actions and apply to many people, which increases the need to limit such permits due to control interests. Greater flexibility is given to psychological problems connected to past persecution (see also Lidén et al., 2021; Schultz, 2022).

The humanitarian exceptions relate to the intersection of severe health issues, and the decision to grant a permit on the basis of health is largely at the discretion of the UDI. In the assessment, health conditions are combined with weights given to other vulnerability factors on the *individual* level, such as age and gender, and specific *family* conditions, such as the quality of care that would be available if the family were returned to the country of origin. *Community* factors increasing vulnerability, such as a lack of access to health institutions or a caring network, practices of discrimination against people with disabilities and the like are included in the reasonability assessment of returning a person with severe health problems. The discretion also includes *systemic* factors, such as state obligations related to international conventions; for example, cases involving a child must include a ‘child’s best interests’ assessment and the child’s attachment to Norway as vital considerations, and those considerations must appear in the decision document. Still, the guidelines set a high threshold for balancing humanitarian considerations

⁵⁰ See IA §38-3.

⁵¹ This is in accordance with §38 para 5.

⁵² See UDI 2013-020 (Health issues in asylum cases) para 2: <https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2013020/>.

⁵³ UDI, 2013-020, Health issues in asylum cases, para 4.2.

⁵⁴ UDI, 2013-020, Helseanførsler i asylsaker, para 4.2.

and immigration control. This includes the instruction that gives less weight to the ‘child’s best interests’ than to other (control-driven) considerations. There are no systematically evaluated or publicly communicated accounts of how the intersection of various forms of health-related vulnerabilities are assessed or how practices and outcomes change over time. This may cast light on how concerns and immigration interests affect the final outcomes of humanitarian exceptionalism. This could offer insights into how the balance between humanitarian considerations and immigration control adjusts to different migration policy regimes.

6.3.2. Exploitation and THB: a separate vulnerability assessment track

The Norwegian authorities are obliged to support victims of THB. However, it is not clear to what extent legitimate humanitarian conditions affect residence permit decisions in THB cases or whether restrictive migration policies are dominant when assessing vulnerability factors in such cases? Two paragraphs in the IA address the THB victims: a (non-renewable) *reflection period* of six months⁵⁵ and a one-year (renewable) permit once the police have started criminal proceedings in a THB case, which is known as the *witness residence permit*.⁵⁶ They represent a certain form of temporary humanitarian exceptionalism and include a set of criteria, as defined in guidelines, used by the UDI when deciding whether to grant such permits (UDI RS 2014–031).⁵⁷ A permanent stay is only achieved when an ordinary asylum procedure is being carried out. Claimants who have established that they are THB victims are assessed, like other claimants, according to their future risk of persecution, including the possible risk of repercussions and the risk of being trafficked again. Decisions on claims from certain countries, such as Nigeria, often canvass the possibility of return to an IPA. If the person is not seen to have protection needs, the assessment of his or her need for *humanitarian* protection, attached to whether ‘the foreign national has been a victim of human trafficking’, will be assessed.⁵⁸ As discussed in the first VULNER report (Lidén et al., 2021), inclusion or exclusion of specific factors of vulnerability in discretionary asylum cases differ and are applied inconsistently, even among claims from the same country. In some cases, an aggravated instance of THB, health problems and the probable situation upon return combine to justify a humanitarian permit. However, in other cases, immigration control considerations were deemed to carry more weight.

We have measured how these legal conditions attend to the diversity of vulnerability factors in practice; there is a dynamic of exploitative relations in various cases and the actors involved in identifying and following up on THB cases. We present two cases that proceeded to court before and during the fieldwork to shed light on the legitimization of humanitarian exceptionalism. The first case involves two young men in their early 20s; both were formerly UAMs. A well-situated person misused his position and the young men’s trust, dependence and generally vulnerable situations (irregular status and disability, respectively) for sexual exploitation. He made them believe he was in a position to improve their marginal situations; for the young man with irregular status, he arranged a permit for him to stay and a place to live, while for the man who already had a permit, he threatened to withdraw that permit to ensure that the man did not disclose the exploitative behaviour.⁵⁹ The second case involves two young women who – through force, violence and abuse – were exploited in prostitution by two men (brothers) and two women (the brothers’ mother and a former girlfriend of one brother), all from Romania. The young women came from poor living conditions and were recruited by the two brothers, each of whom professed romantic intentions; one

55 See UDI 2014-031. The reflection permit is non-renewable and does not form the basis for a permanent right to stay. <https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2013031/>.

56 <https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2013-014/> Section 4.

57 See UDI 2013-031 (*Witness residence permit*): <https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2013031/>.

58 Section §38 para 2 d.

59 TNHER-2018-194021-2, 2019-07-03.

approach was made in a bar, and the other was made on Facebook. One of girls was only 16 when she met the man but turned 18 when travelling to Norway to move in with her 'lover'. The other expected to get a job when moving to join the man in Oslo. Both assumed they had a romantic relationship with the men. While travelling to Norway, the young women were deprived of their ID cards and had no ability to communicate with family and friends. The brothers advertised their sexual services on the internet and also handled contact with customers and setting prices; they would greet customers to take their money when they arrived. Neither of the women who had been trafficked by this group received any income from prostitution. They could hardly speak any words in English or Norwegian. They had no opportunity to communicate with people or to leave the flat on their own.⁶⁰ The investigation of the case began with a request from the Romanian police, who were following up a missing person report from one girl's father.⁶¹

These cases display how 'bodily' emotional and sexual exploitation and abuse intersect with many factors of vulnerabilities. Personal and relational characteristics (young, disabled, lonely, lovers), living conditions (poor, homeless, lacking a steady income) and situational circumstances (no language skills, lacking money, deprived of contact with other people including family members, controlled, threatened) combined with abusive relationships and humiliating actions limited people's capacity to ask for help and their ability to leave the exploitative situations.

Different actors are responsible for identifying and following up with the victims. In previous chapters, we describe the lived experience of two minors exposed to THB, one related to sexual exploitation and one related to child marriage during migration. We also described how the child welfare service and police are the main actors in charge of following up on THB cases involving minors. The main actors in a THB case concerning an adult are the police, NGOs and the welfare service. Norway has not yet implemented a national referral mechanism, despite some efforts in recent years to establish a special team that could improve victim assistance and reform the recovery and reflection period.⁶² This lack of a uniform policy results in inconsistent practices and uncertainty when giving assistance to those exploited in prostitution or the (illegal) labour market (see also Bjelland, 2019; Brunovskis, 2019; Brunovskis & Ødegård, 2021; Jahnsen, 2014). As a result, some victims may not have access to assistance measures, free legal aid and other rights afforded to THB victims. In THB cases, the immediate need for a permit to stay when identified as a THB victim and the need to be present when the investigation of the misconduct takes place are both vital issues. A person must apply for a reflection period and the witness residence permit. In the two cases detailed above, only the young man with irregular status was subject to these avenues. The other man had a Norwegian passport, and the two Romanian women stayed legally for three months as citizens of an EU country and then chose to return to the origin country. One barrier that many face is that the administrative process for granting a reflection period is slow, which means that a person may live without the ID number needed for a bank account or access to ordinary health system. This may be precarious for traumatized people or for those who give birth, which was an example mentioned by the NGO interviewees.

The purpose of the one-year permit, the witness residence permit, is to facilitate the criminal prosecution of human traffickers. The close connection between access to assistance and police investigations has been criticized. If a case is (re)qualified as a lesser offence, THB victims may be deprived of access to legal aid, special investigative measures, the witness residence permit and their rights to assistance (Group of

60 Oslo tingrett TOSL-2021-84158, 2021-12-07.

61 The four perpetrators received prison sentences, under the penal THB provision, of three to four and a half years.

62 In 2017–2018, the Ministry of Justice conducted a project with the aim of improving victim assistance; that process continued in 2020 when a working group led by the National Police Directorate was tasked, inter alia, with developing a proposal for a national referral mechanism. However, no decisions have been made on these issues.

Experts on Action against Trafficking in Human Beings, 2022, 07:29). Most often, a case is (re)qualified or dismissed because of the police's lack of capacity or qualification to investigate THB issues, resulting in insufficient evidence for the case to proceed. Then, if the police drop the case, the THB victim's options for protection is scant. When returning to the asylum track, those from Nigeria do not receive protection (Paasche & Skilbred, 2017; Paasche et al., 2018; Plambech, 2014).

One additional problem for access to the identification and support system is when potential victims are deported without THB screening. This may include people under the Dublin regulation or those with an expired visa or no travel documents (Bjelland, 2019). On several occasions, ROSA has reported that a person representing the organization has been denied access to presumed victims in deportation detention. Thus, they were unable to check for THB indicators because the individual in question had to leave Norway within 48 hours.⁶³ Organizations supporting prostitutes are aware of these problems, and argue for ensuring them sufficient identity procedure. They experience that lack of trust not being deported add to their doubts about the system.

Most often, the practice of humanitarian exception for THB victims leads to a temporary permit. Studies on THB in Norway have found that when applying for asylum, citizens of a country with a high number of applicants in the same situation have to meet a high threshold for obtaining a permanent residence permit. This was the case between 2010 and 2018, when there were many THB-related asylum applicants from Nigeria (Lidén et al., 2021; Paasche & Skilbrei, 2017; Paasche et al., 2018), and underlines the significance of immigration control interests in such cases. As noted, the decision in these cases states that the possibility of re-trafficking if returned could be solved by an IPA. For minors, a gendered bias seems to be present, with the intersection of being a minor, a girl and sexually exploited (mainly from West Africa) as opposed to a minor, a male and involved in drug crimes (mainly from North Africa) possibly leading to different application outcomes (Lidén & Salvesen, 2016; Tyldum et al., 2015). The intersection of various factors of lived vulnerabilities caused by exploitation and migration, as the cases presented above show, has been identified but is not necessarily given decisive weight in THB asylum decisions.

6.4. Concluding reflections

This chapter reviews the protection seekers' experiences of the more restrictive migration policy that Norway announced in 2015, particularly the increased use of temporary permits and a tightening of the practice of granting permits on humanitarian grounds. The heightened use of these measures makes residence permits conditional. The immigration authorities have the opportunity to limit, re-examine or withdraw permits, which produces new forms of vulnerability. These instructions have powerful impacts on the protection seekers' lived experiences and shaping additional forms of uncertainty for these people. This includes limited time and resources to recover from previous harm. The protection seekers experience various shades of temporality, such as ruptures in the procedures, the muddled waiting times of a number of administrative processes, insecurity of residence and waiting for an 'expiry date'. The policies on vulnerable minors seek to reduce vulnerability before flight to prevent them from travelling but exacerbate their vulnerability after they flee. We also see how feelings of insecurity produced by the rules are not necessarily the intention, but protective measures are not necessarily followed through in practice. The failed application of more protective policies may also destabilize all those fearing that the

⁶³ See, e.g., <https://www.aftenposten.no/oslo/i/Kyo85M/oslo-politiet-faar-refs-for-aa-avdekke-for-faa-saker-om-menneskehandel>. Pro Sentret, Another year of COVID-19: A follow-up report on the handling of the pandemic and people who sell sex in Norway and the Nordic countries, 2021.

rules will include them. Another key finding is that the procedures do not necessarily ensure the documentation and communication of trauma and health problems between the various actors involved in the Norwegian agencies involved in the process. We also find paradoxes in the practice of humanitarian exceptionalism; for example, many paragraphs are not written in a way to emphasize multiple factors of bodily harm or the intersection of migratory vulnerabilities. In the case of children, the regulation stresses the child's best interests and concerns about being a UAM while referring to the CRC. Still, these concerns can be set aside in the interests of border control.

What is noteworthy with the stricter regulations after 2015 is that they more often target those with permits on humanitarian grounds or those in vulnerable situations. This is because their factors of vulnerability related to 'illness, scars and trauma' and other forms of precariousness have increased in the migration context. The result is that many continue to live on the margins of society, giving them few options for agency and resilience. At the same time, changes in policy, often as the result of NGOs and professionals highlighting the vulnerabilities factors under certain migratory conditions (endurance of trauma, UAMs going missing, the implication of temporality on childhood, elderly people with final rejections) may result in new and more inclusive clauses and practices. This incremental adjustment in certain categories, however, does not change the conditions for those facing related forms and intersections of vulnerabilities and may be achieved at the expense of attention to other kinds of precarious conditions imposed by the stricter migration policy.

We therefore find a need for more a systematic examination of the lived experience of vulnerability imposed by stricter migration policies, including the age- and gender-specific implications of the various clauses and how these restrictions may be counterproductive for the lived experience of protection and ensuring inclusion and citizenship.

The analyses above illustrate the humanitarian rationale in the notion of vulnerability as it seeks to 'identify, assess, measure, compare, monitor, and address vulnerability' but deploys it unevenly through institutions and programmes (Sözer, 2020, p. 2164). The contemporary humanitarian regime renders *the most vulnerable*, rather than all migrants, in need of protection. While this is not necessarily problematic, the apparently depoliticized legal-bureaucratic labelling of 'deserving migrants' as 'vulnerable' may be seen as turning vulnerability into a means to govern (some) migrants by limiting their agency, choices and opportunities (Brown, 2016, Brown et al., 2017; Sözer, 2020).

VII. CONCLUSION

This report is based on qualitative research investigating the understanding and lived experiences of vulnerability among asylum seekers and resettled refugees in Norway. We have included those expected to be in a vulnerable position due to age, health and other factors shaping their vulnerabilities, including LGBTQIA + minorities and people identified as victims of human trafficking. The protection seekers' narratives, however, exposed several additional aspects of vulnerability related to their status and conditions as protection seekers. We thus ask how different individual, family, community and structural factors of vulnerabilities intersect, how they are acknowledged, and how they emerge in their situations as protection seekers.

Some vulnerabilities are more easily detected and accommodated than others

The arrival procedure identifies and categorizes people with extra needs and dedicated rights. In times of increasing arrivals, the arrival procedures are delayed or streamlined to be speedier and therefore do not work optimally. One key finding is the need for adequate processes, even in periods with numerous arrivals. We have documented the personal costs of procedural ruptures, when the adjusted procedural conditions does not work, such as age assessments or reception conditions for UAMs. We also see the need for improvement in the adjusted procedures, such as including second opinions in age assessments and improved reception standards for the eldest minors. We also identify gaps in the measures for identifying and supporting THB victims and the need for a national referral mechanism to ensure sufficient support in all cases and a broad approach to how vulnerability factors interact in trafficking cases.

In the Norwegian arrival procedures, there is no explicit measure assessing vulnerabilities; however, the responsibility to recognize *special needs* is an integral part of the ordinary registration and asylum procedure. Vulnerability assessment is specified in guidelines, ensuring accommodated hearing procedures and reception conditions for those with extra needs. The identification of needs are mainly based on visible personal characteristics such as age, gender and disability. Thus, vulnerability is understood as an individual characteristic rather than a product of circumstances. The assessments are less likely to identify the intersection of various individual, family and structural factors, such as the vulnerability of a traumatized child in a family, whether that family is intact or transnationally divided. The need for improved measures of vulnerability assessment relates to *specialists* and *measures* to identify harm, trauma and persecution that are difficult to disclose, ensuring access to competent health specialists following up on trauma and torture and the routine of communicating and documenting harm between the relevant actors. Vulnerability may increase after arrival, and there is a need for measures and good practices for including information and giving legal aid later in the protection procedures.

To guarantee procedural justice, there are accommodated hearing procedures related to age, such as a child hearing procedure and ensuring that a representative is present for UAMs, to gender (the choice of gender of the interpreter) and certain guidelines about interviewing and following up those with trauma, LGBTQIA + minorities and THB victims. Despite the fact that Norway has adjusted asylum procedures for those with extra needs, many vulnerabilities remain under the radar. Our informants revealed several barriers to presenting their case and to disclosing problematic events from their previous lives. They lack enough information about hearing procedures to grasp the legal rationale used in an assessment. They ask for more legal advice early in the procedure and improved interpreters' skills when disclosing difficult

and deeply personal experiences. They stress that the implications of slow administrative procedures, insufficient information and never knowing when they would receive an answer add to their feelings of a lack of agency.

While we did not interview Ukrainian protection seekers in this study, their case illustrates the room of manoeuvre that immigration authorities actually have, and the relatively more favourable treatment of Ukrainians illustrates how some vulnerabilities are more easily detected and accommodated than others.

Vulnerability is produced temporally and spatially at reception centres

The Norwegian asylum system relates rights as an asylum seeker, including access to basic economic support, to staying at a reception centre. The broad access to housing and support for all protection seekers, independent of status, guarantees basic needs. Accommodated reception conditions are available – and vital – for UAMs, THB victims and for certain individuals with severe health needs. However, the reception conditions produce distress for our informants related to the spatial and temporary dimension when staying for an extended period in reception centres. They find the *segregation* marked by such centres challenging and limiting social networking, access to information, the ability to learn the language and get a job. They also face limitations in accessing health specialists and treatment. The conditions limiting their rights and resources increase with *extended stays* in centres, either because of prolonged procedures or because of application status and outcomes. Temporary permits, such as ID-limits, although granting permission to stay for a certain amount of time, also extend the period of uncertainty and waiting for the normalization of life. For children, the period of precariousness comprises a vital part of their childhood and can have implications for their present and future wellbeing. The low level of subsidies means *living in poverty over time*, with serious implications for children. The informants also stressed the many *moves* from one reception centre to another, increasing their feelings of instability and being uprooted. The reception conditions thus add significantly to their worries and everyday concerns for their children, their health and the future, in addition to existing concerns and vulnerability factors.

Vulnerability factors intersect

In Norwegian asylum procedures, the concept of ‘vulnerability’ is not frequently used or mobilized in asylum decisions. Instead, legal modification for categories such as children, gender-related abuse and harm, sexual minorities and THB victims are addressed in reference to human rights. Nevertheless, the social workers readily acknowledge certain protection seekers as especially ‘vulnerable’. They emphasize more than one aspect placing the person in a vulnerable situation and stress the intersection of a range of factors that increase their vulnerability. The informants representing the protection seekers, however, did not use ‘vulnerability’ to describe their own situations; instead, they detailed the various concerns and worries of their everyday lives and the events and situations that led to their departure, along with those that occurred in transit. Many factors relate to their individual status and family situation and to local and structural aspects of the community they left (harassment, violence from police, military groups, gang or others, the implication of ethnic and other minority status on everyday life, etc.). Further, migration-related harm and the legal and social conditions of protection seekers add to their concerns. This intersection of broader individual and structural factors takes the individuals’ perspectives as a starting point to better identify their complex social positions. We find a need to improve the acknowledgement of the intersection of these various factors of vulnerability, not least when appraising a permit on humanitarian conditions and the reasonability of return via IPA. This is also vital in any ‘child’s best interests’ assessment.

Uncertain legal status create uncertain futures

The main group of protection seekers arriving in Norway come from countries with ongoing civil wars, and many are granted residence. Still, many protection seekers were less vulnerable upon arrival in Norway than after some years trying to secure protection. One reason relates to a stricter migration policy, initiated in 2015, causing increased use of temporary permits and restrictions on the practice of granting permits on humanitarian grounds. The immigration authorities have the opportunity to limit, re-examine or withdraw permits, producing new forms of vulnerability. We also find paradoxes in the practice, particularly on humanitarian exceptionalism, resulting in prioritizing immigration control interests ahead of undisputed vulnerabilities. Current policies regarding granting UAMs temporary permits to stay have been widely criticized for rendering them more vulnerable to physical and mental harm and further exploitation. These clauses and instructions can have profound impacts on the protection seekers' lived experiences and create additional forms of uncertainty and harm.

Some protection seekers learn that their worries about the family conditions, health problems or personal conflicts do not meet the type and level of persecution envisaged by Norwegian legislation. To overstay the expired date of return set by the Norwegian immigration authorities after receiving a final rejection initiates new concerns for those who see no option to return. We find that one key challenge for the UDI is to move beyond the criteria in guidelines and facts presented by the Norwegian Country of Origin Information Centre to see the implications of what is documented and related.

UNHCR resettlement programmes stand out

Refugee resettlement involves vulnerability at multiple levels of governance. Eligibility for resettlement as 'the most vulnerable' is determined at the level of the UN and at the national level, and vulnerability is then addressed, with varying degrees of success, at the local level. Our informants on resettlement, draw attention to administrative procedures adding to their vulnerabilities both before and after arriving in Norway. A holistic analysis of their vulnerabilities need to take this into account and go beyond the analytical unit of the nation state. The slow procedures of family reunion, the lack of adjusted tracks of language learning, the difficult administrative procedures to get their education recognised, are but some of the problems they face, and the highly-skilled are not excepted.

Facilitating resilience

Resilience refers to the process of successfully adapting to challenging life experiences. We have emphasized structures that are counterproductive to the ability to mobilize resources to better navigate the concerns and improve the life conditions of protection seekers. For instance, a prolonged stay at the reception centre after granted residence without valid ID documents (ID limits) delays the onset of the introduction program and limits the agency and ability of refugees seeking to start their new lives.

One striking feature of the Norwegian protection system is the near absence of civil actors and NGOs in its organization. There are very few interest organisations for protection seekers at reception centres in Norway, and their capacity to offer information and support, including legal advice, early in the asylum procedure, is therefore limited. As one informant told us: 'This is the first time someone has asked about our situation as protection seekers'. Many others thanked for the opportunity to be interviewed and to tell us about their life.

BIBLIOGRAPHY

- Aarseth, S., Sund, T., Müller, L. S. O., & Bring, J. (2022, August 9). Erroneous age assessment of young asylum seekers/Feil I aldersvurdering av unge asylsøkere. *Tidsskrift for den norske legeförening*. <https://doi.org/10.4045/tidsskr.22.0307>
- Andersson, M. A., & Soenneken, D. (2022). Locating the concept of vulnerability in Canada's refugee politics at home and abroad. *Laws*, 11(2), Article 25. <https://doi.org/10.3390/laws11020025>
- Andrews, M., Squire, C., & Tamboukou, M. (2013). *Doing narrative research*. Policy Press.
- Atak, I., Nakache, D., Guild, E., & Crépeau, F. (2018). 'Migrants in vulnerable situations' and the Global Compact for Safe Orderly and Regular Migration. Queen Mary University of London, School of Law Legal Studies Research Paper No. 273/2018. <https://ssrn.com/abstract=3124392>
- Baumgärtel, M. (2020). *Demanding rights: Europe's supranational courts and the dilemma of migrant vulnerability*. Cambridge University Press.
- Bendixsen, S. (2020). Existential displacement: Health care and embodied un/belonging of irregular migrants in Norway. *Culture, Medicine, and Psychiatry*, 44, 479–500. <https://doi.org/10.1007/s11013-020-09677-3>
- Bendixsen, S., & Eriksen, G. T. (2018). Time and the other: Waiting and hope among irregular migrants. In M. K. Janeja & A. Bandak (Eds.), *Ethnographies of waiting* (pp. 87–112). Routledge.
- Bendixen, S. K., Jacobsen C. K., & Søvig, K. H. (Eds.). (2015). *Eksepsjonell velferd? Irregulære migranter i det norske velferdssamfunnet*. Gyldendal Juridisk.
- Berg, B., & Tronstad, K. R. (Eds.). (2015). *Levekår for barn i asylsøkerfasen* [The living conditions of asylum-seeking children in Norway]. NTNU Samfunnsforskning AS.
- Bjelland, H. F. (2019). *Facing complexity: Police officers' reasoning and response to human trafficking* [Doctoral dissertation, University of Oslo]. <https://www.duo.uio.no/handle/10852/66381>
- Brekke, J.-P., Birkvad, S. R., & Erdal, M. B. (2019). *Losing the right to stay: Revocation of immigrant residence permits and citizenship in Norway. Experiences and effects*. Institutt for samfunnsforskning. <http://hdl.handle.net/11250/2599967>
- Brekke, J.-P., Grønningsæter, A. G., & Larsen, K. M. (2018). *Tilbakekall: Rettssikkerhet og kontroll ved tilbakekall av tillatelser etter søknad om beskyttelse*. Institutt for samfunnsforskning. <http://hdl.handle.net/11250/2500937>
- Brekke, J.-P., Paasche, E., Espegren, A., & Sandvik, K. B. (2021). *Selection criteria in refugee resettlement. Balancing vulnerability and future integration in eight resettlement countries*. Institutt for samfunnsforskning. <https://hdl.handle.net/11250/2758744>
- Brown, K. (2016). *Vulnerability and young people*. Bristol: Policy Press.
- Brown, K., Ecclestone, K., & Emmel, N. (2017). The many faces of vulnerability. *Social Policy and Society*, 16(3), 497–510.
- Brunovskis, A. (2019). *Illuminating and blinding: The searchlight effect of human trafficking policies on anti-trafficking practice* [Doctoral dissertation, University of Oslo]. <https://www.duo.uio.no/handle/10852/70679>
- Brunovskis, A., & Ødegård, A. M. (2021). *Menneskehandel i arbeidslivet*. Fafo-rapport 2019:35. FAFO. <https://www.fafo.no/images/pub/2019/20732.pdf>
- Eastmond, M. (2014). Refugee trauma as mobilising metaphor: Policy and practice in the integration of refugees in Sweden. In G. Overland, E. Guribye, & B. Lie (Eds), *Nordic work with traumatised refugees: Do we really care?* (pp. 14–29). Cambridge Scholars Publishing.
- Fassin, D. (2012). *Humanitarian reason: A moral history of the present*. University of California Press.
- Fineman, M. (2008). The vulnerable subject: Anchoring equality in the human conditions. *Yale Journal of Law and Feminism*, 20(1), 1–23. <http://hdl.handle.net/20.500.13051/6993>

- Fineman, M. (2010). The vulnerable subject and the responsive state. *Emory Law Journal*, 60(2), 251–276. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/emlj60&div=10&id=&page=>
- Freedman, J. (2019). The uses and abuses of ‘vulnerability’ in EU asylum and refugee protection: Protecting women or reducing autonomy? *Papeles del CEIC*. <https://doi.org/10.1387/pceic.19525>
- Gjermundsson, O.-E. (2021) *Hør oss! Om enslige barn på flukt*. Kolofon forlag.
- Group of Experts on Action against Trafficking in Human Beings. (2022). *Evaluation report Norway, third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings*. Council of Europe. <https://rm.coe.int/greta-third-evaluation-report-on-norway/1680a6ce66>
- Hage, G. (2005). A not so multi-sited ethnography of a not so imagined community.. *Anthropological Theory*, 5(1), 463–475.
- IMDi. (2020). *Statlige virkemidler ved bosetting av flyktninger med særlige behov*. Rapport. IMDi.
- Ippolito, F. (2020). *Understanding vulnerability in international human rights law*. Editoriale Scientifica.
- International Organization for Migration (IOM). (2019). *IOM handbook on protection and assistance to migrants vulnerable to violence, exploitation and abuse*. <https://publications.iom.int/books/iom-handbook-migrants-vulnerable-violence-exploitation-and-abuse>
- Jacobsen, C. (2021). ‘They said wait, wait – and I waited’: The power chronographies of waiting for asylum in Marseille, France. In C. M. Jacobsen, M.A. Karlsen, & S. Khosravi (Eds.), *Waiting and the temporalities of irregular migration* (pp. 40–56). Taylor and Francis.
- Jacobsen, C., & Karlsen M. A. (2021). Introduction: Unpacking the temporalities of irregular migration. In C. M. Jacobsen, M. A. Karlsen, & S. Khosravi (Eds.), *Waiting and the temporalities of irregular migration* (pp. 1–19). Taylor and Francis.
- Jahnsen, S. Ø. (2014). *Menneskehandel og tvangsarbeid. En forstudie om gråsoneproblematikk innenfor innsatsområdet arbeidsmarkeds kriminalitet*. PHS Forskning 2014: 3. Politihøgskolen. <http://hdl.handle.net/11250/224860>
- Janeja, M. K., & Bandak, A. (Eds.). (2018). *Ethnographies of waiting*. Routledge
- Justisdepartementet. (2022, January 24). *Terskelen for utvisning i saker som berører barn. En utredning av forholdsmessighetsvurderingen med særlig henblikk på barnets beste i saker der en av foreldrene blir utvist som følge av brudd på utlendingsloven*. <https://www.regjeringen.no/no/dokumenter/terskelen-for-utvisning-i-saker-som-berorer-barn/id2900353/>
- Karlsen, M. A. (2021). Waiting out the condition of illegality in Norway. In C. M. Jacobsen, M. A. Karlsen, & S. Khosravi (Eds.), *Waiting and the temporalities of irregular migration* (pp. 113–130). Taylor and Francis.
- Leboeuf, L. (2022). The juridification of ‘vulnerability’ through EU asylum law: The quest for bridging the gap between the law and asylum applicants’ experiences. *Laws*, 11, Article 45. <https://doi.org/10.3390/laws11030045>
- Lidén, H. (2019). Asylum. In M. Langford, M. Skivenes, & K. H. Søvig (Eds.), *Children’s rights in Norway: An implementation paradox?* (pp. 332–360). Universitetsforlaget. <https://doi.org/10.18261/9788215031415-2019-12>
- Lidén, H. (2022). *Barn, menneskehandel og nærliggende utnyttingsområder* [Children, Human trafficking and overlapping forms of exploitation] ISF Report 2022: 10. Institutt for samfunnsforskning. <https://hdl.handle.net/11250/3025855>
- Lidén, H., Aasen, B., Seeberg, M. L., & Staver, A. B. (2020). *Fra bosetting til voksenliv: Den kommunale tjenestekjeden for enslige mindreårige flyktninger*. Institutt for samfunnsforskning. <https://hdl.handle.net/11250/2641091>
- Lidén, H., Eide, K., Hidle, K., Nilsen, A. C. E., & Wærdahl, R. (2013). *Levekår i mottak for enslige mindreårige asylsøkere*. Institutt for samfunnsforskning. <http://hdl.handle.net/11250/177431>
- Lidén, H., & Salvesen, C. H. (2019). Ways into and out of exploitation: Unaccompanied minors and human trafficking. In I. Kulu-Glasgow, M. Smit, & I. Sirkeci (Eds.), *Unaccompanied children: From migration to integration* (pp. 51–69). Transnational Press London.

- Lidén, H., Schultz, J., Paasche, E., & Wessmann, H. (2021). *Vulnerable protection seekers in Norway: Regulations, practices, and challenges*. VULNER Research Report 1. https://www.vulner.eu/79583/VULNER_WP5_Report_1.pdf
- Lidén, H., Stang, E. G., & Eide, K. (2017). The gap between legal protection, good intentions and political restrictions: Unaccompanied minors in Norway. *Social Work & Society*, 15(1). <https://hdl.handle.net/10642/5450>
- Lillevik, R., & Tyldum, G. (2021). *Irregulær bistand. En kartlegging av norske storbyers møter med irregulære migranter*. Fafo-rapport 2021:15. FAFO. <https://www.fafo.no/zoo-publikasjoner/fafo-rapporter/ir-regulaer-bistand>
- Lillevik, R., Weiss, N., & Dinari, C. (2022). *Om høring av barn i utvisningssaker*. Fafo-rapport 22:16. FAFO. <https://www.fafo.no/zoo-publikasjoner/fafo-rapporter/om-horing-av-barn-i-utvisningssaker>
- Lind, J. (2020). *The politics of undocumented migrant childhoods: Agency, rights, vulnerability* [Doctoral dissertation, Malmö University]. <http://mau.diva-portal.org/smash/record.jsf?pid=diva2%3A1463771&dswid=8095>
- Liødden, T. M. (2017). *The burdens of discretion: Managing uncertainty in the asylum bureaucracy* [Doctoral dissertation, University of Oslo].
- Mackenzie, C., & Stoljar, N. (2000). *Relational autonomy: Feminist perspectives on autonomy, agency, and the social self*. Oxford University Press.
- Montgomery, E. (2014) Consequences of torture and organized violence among children and youth from the Middle East. In G. Overland, E. Guribye, & B. Lie (Eds.), *Nordic work with traumatised refugees: Do we really care?* Cambridge Scholars Publishing.
- NOAS Norsk organisasjon for asylsøkere, Redd Barna, & Fellesorganisasjonen. (2017). *En gjennomgang av midlertidig opphold til enslige mindreårige asylsøkere*. NOAS. http://www.noas.no/wp-content/uploads/2017/10/EMA-notat_web.pdf
- NOAS Norsk organisasjon for asylsøkere, Redd Barna, & Norsk Folkehjelp (2020a). «Hvert år må jeg søke på nytt» *Enslige mindreårige som får begrenset oppholdstillatelse fordi de ikke kan legge frem pass som dokumentasjon på identitet*. NOAS. https://www.noas.no/wp-content/uploads/2020/05/NOAS_Lengev%C3%A6rende-barn_rapport_WEB.pdf
- NOAS Norsk organisasjon for asylsøkere, Redd Barna, & Norsk Folkehjelp. (2020b). *Med livet på vent: Erfaringer fra lengeværende barnefamilier med begrensede oppholdstillatelser*. NOAS. https://www.noas.no/wp-content/uploads/2020/05/NOAS_Lengev%C3%A6rende-barn_rapport_WEB.pdf
- Overland, G., Guribye, E., & Lie, B. (Eds.). (2014). *Nordic work with traumatised refugees: Do we really care?* Cambridge Scholars Publishing.
- Paasche, E., & Skilbrei, M.-L. (2017). Gendered vulnerability and return migration. *Temida*, 20, 149–166. <http://urn.nb.no/URN:NBN:no-63817>
- Paasche, E., Skilbrei, M.-L., & Plambech, S. (2018). Vulnerable here or there? Examining the vulnerability of victims of human trafficking before and after return. *Anti-Trafficking Review*, 10, 34–51. https://gaatw.org/ATR/Anti-TraffickingReview_issue10.pdf
- Plambech, S. (2014). Between ‘victims’ and ‘criminals’: Rescue, deportation, and everyday violence among Nigerian migrants. *Social Politics*, 21(3), 382–402. <https://doi.org/10.1093/sp/jxu021>
- Sandberg, K. (2021). Incorporating the CRC in Norway. In U. Kilkelly, L. Lundy, & B. Byrne (Eds.), *Incorporating the UN Convention on the Rights of the Child into National Law* (pp. 231–260). Intersentia.
- Schultz, J. (2017). *The internal flight alternative in Norway: The law and practice with respect to Afghan families and unaccompanied asylum-seeking children*. United Nations High Commissioner for Refugees. <https://www.unhcr.org/neu/wp-content/uploads/sites/15/2017/11/SchultzIFAStudyJune2017-1.pdf>
- Schultz, J. (2019). *The internal protection alternative in refugee law*. Brill Nijhoff.
- Schultz, J. (2022). *The temporary turn in Norwegian asylum law and practice*. CHR Michelsen Institute. <https://www.cmi.no/publications/8445-the-temporary-turn-in-norwegian-asylum-law-and-practice>

- Sveaass, N., & Weiss, N. (2021). *Torture victims in the Norwegian asylum procedure*. Fafo-rapport 2021:18. FAFO. <https://www.fafo.no/zoo-publikasjoner/summaries/torture-victims-in-the-norwegian-asylum-process>
- Sønsterudbråten, S., Tyldum, G., & Raundalen, M. (2018). *Et trygt sted å vente. Omsorgspraksiser på asylmottak for enslige mindreårige*. Fafo-rapport 2018:05. FAFO. <https://www.fafo.no/zoo-publikasjoner/fafo-rapporter/et-trygt-sted-a-vente>
- Sözer, H. (2020). Humanitarianism with a neo-liberal face: Vulnerability intervention as vulnerability redistribution. *Journal of Ethnic and Migration Studies*, 46(11), 2163–2180. <https://doi.org/10.1080/1369183X.2019.1573661>
- Ticktin, M. (2006). Where ethics and politics meet: The violence of humanitarianism in France. *American Ethnologist*, 33(1), 33–49. <https://doi.org/10.1525/ae.2006.33.1.33>
- Tyldum, G., Lidén, H., Skilbrei, M.-L., Dalseng, C. F., & Takvam, K. K. (2015). *Ikke våre barn. Identifisering og oppfølging av mindreårige ofre for menneskehandel i Norge*. Fafo-rapport 2015:45. FAFO. <https://www.fafo.no/zoo-publikasjoner/fafo-rapporter/ikke-vare-barn>
- Utlendingsdirektoratet. (2008). UDI 2008-031 Krav til innkvarteringstilbud i ordinære asylmottak. Rundskriv UDI. <https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2008-031/>
- Utlendingsdirektoratet. (2013). UDI 2013-020 Helseanførsler i asylsaker. Rundskriv UDI. <https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2013020/>
- Utlendingsdirektoratet. (2014). UDI 2014-031 Ofre for menneskehandel i søknader om beskyttelse. Rundskriv UDI. <https://www.udiregelverk.no/rettskilder/udi-retningslinjer/udi-2014-031/>
- United Nations High Commissioner for Refugees (UNHCR). (2018). *UNCHR projected global resettlement needs 2018*. <https://www.unhcr.org/protection/resettlement/593a88f27/unhcr-projected-global-resettlement-needs-2018.html>
- Valenta, M., & Garvik, M. (2019). Enslige mindreårige asylsøkere: Opplevelser og mestring av midlertidighet. *Tidsskrift for samfunnsforskning*, 22(2), 126–145. <https://doi.org/10.18261/issn.2464-3076-2019-02-03>
- Van Houte, M., & Leerkes, A. (2019). *Dealing with (non-)deportability: A comparative policy analysis of the post-entry migration enforcement regimes of Western European countries*. Maastricht University/ UNU-Merit. <https://www.merit.unu.edu/publications/uploads/1560863056.pdf>
- Willen, S. (2007). Toward a critical phenomenology of 'illegality': State power, criminalization, and abjectivity among undocumented migrant workers in Tel Aviv, Israel. *International Migration*, 45(3), 8–38. <https://doi.org/10.1111/j.1468-2435.2007.00409.x>

VULNER



The VULNER consortium consists of 9 academic partners from 6 different countries.

