



# Revisiting the “Imperative of Categories”: Women at Risk in Resettlement Practice

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## ABSTRACT

Refugee “women at risk” (WaR) have been prioritized since the late 1980s as candidates for third-country resettlement. Drawing on Macklin (1995), this article interrogates the logic and consequences of the WaR category. Through the lens of Norwegian practice, it shows how restrictive interpretations of UNHCR’s criteria and securitized resettlement processes reinforce a culture of disbelief and a focus on non-state protection by men. The application of WaR incentivizes family separation and perpetuates essentialist ideas about women’s vulnerabilities. While a broader category for gender-based risks can moderate WaR’s exclusionary effects, it similarly contributes to legitimizing harmful border regimes.

## KEYWORDS

“women at risk”; resettlement; categorization; gender; vulnerability; protection; Norway

## RÉSUMÉ

Depuis la fin des années 1980, les « femmes dans les situations à risque » (AWR) réfugiées sont considérées comme des candidates privilégiées à la réinstallation dans des pays tiers. Inspiré de Macklin (1995), cet article interroge la logique et les conséquences de la catégorie des femmes dans les situations à risque. À travers le cas de la Norvège, cet article montre comment les interprétations restrictives des critères du HCR et les processus de réinstallation sécurisés renforcent une culture de méfiance et une focalisation sur la protection non étatique assurée par les hommes. Le recours à la demande à cette catégorie encourage la séparation des familles et perpétue des pensées essentialistes sur la vulnérabilité des femmes. Bien qu’une catégorie plus large pour les risques liés au genre peut atténuer les effets d’exclusion de la catégorie AWR, elle contribue également à légitimer des régimes frontaliers préjudiciables.

This contribution addresses “women at risk” (WaR) as a prioritized category for the purpose of third-country resettlement. Resettlement is designed to offer the most vulnerable refugees in their countries of asylum the possibility of permanent stay in a third country (Kneebone & Macklin, 2021).<sup>1</sup> Despite the fact that 2.4 million refugees are deemed to be in need of resettlement, only a tiny fraction receive it (UNHCR, 2025). This is because,

as is often pointed out, resettlement is not a legal obligation for states (De Boer & Zieck, 2020). States that engage in resettlement have discretion to choose how many people will benefit and whom to prioritize among UNHCR’s submissions. These are selected according to UNHCR’s assessment of their resettlement needs within the following categories: legal and physical protection needs, survivors of violence and torture, medical

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<sup>1</sup> UNHCR has been ambivalent and careful when it comes to “vulnerability,” using it strategically in some documents while emphasizing protection needs in its policies. The **Resettlement Handbook** refers to both: “Refugees are identified as being in need of resettlement when they are at risk in the country of asylum or have specific protection needs or vulnerabilities for which resettlement is assessed as the most appropriate durable solution” (UNHCR, 2023, “3. The Resettlement Submission Categories”).

needs, women and girls at risk, children and adolescents at risk, family reunification, and people with a "lack of foreseeable alternative durable solutions" (UNHCR, 2023, s. 3.9). Resettlement states often limit their programs to particular profiles and/or impose additional inclusion requirements. These can relate to skills, education, language, family structure, religion, or other factors mapping onto assumptions about the person's integration potential (Brekke et al., 2021; UNHCR, 2023).

Thus, the ideal resettlement candidate is shaped by humanitarian and moral arguments, as well as economic, security, and cultural ones as resettlement countries screen for a good "fit." In a competitive protection environment, female refugees are deemed especially deserving of compassion and care (Suter, this issue; Ticktin, 2011). On the one hand, they face disproportionate threats of gender-based violence, structural marginalization, and complications from pregnancy and childbirth (Baines, 2017; Freedman, 2019). On the other, they are associated with apolitical caregiving roles that pose fewer security concerns. Women are deemed to be **at risk** but not **a risk** to the resettlement state (Welfens, 2023, p. 1113). In public discourse, this framing serves securitized border narratives in which female refugees waiting in camps are juxtaposed with "spontaneously" arriving males seeking asylum (Hyndman & Giles, 2011; Turner, 2015).

Extensive literature focuses on the use of vulnerability categories in migration and asylum governance (Flegar, 2018; Gilodi et al., 2024; LeBoeuf et al., 2024; Moreno-Lax & Vavoula, 2024) and how they create hierarchies of deservingness between refugee groups (Sözer, 2019). When it comes to women in particular, scholars have pointed out that vulnerability discourse can be stigmatizing, patronizing, and essentializing

(Peroni & Timmer, 2013, p. 1085; see also Freedman, 2019; Fulu, 2007). Categories like WaR risk generalizing women's diverse experiences, incentivizing them to "act a particular 'script' in order to be 'saved'" (Crawley, 2022, p. 368; see also Ticktin, 2011). They also reinforce colonial stereotypes that women from the Global South are de facto victims of patriarchal systems of oppression (Abu-Lughod, 2002; Otto, 2016; Valji, 2001), unable to survive without the support of male family members (Edwards, 2010). This focus on the intimate sphere diverts attention from the externalization and containment policies of Global North states that produce migrant precarity and more specifically intensify protection risks to women (Crawley, 2022).

Gender-based categories aimed at women marginalize the protection problems faced by men, including those related to gender (Sözer, 2021; Turner, 2019). At the same time, they may hamper the recognition of women's protection needs in non-gendered categories. As Macklin (1995, p. 260) explains, women-only categories may "create and sustain the stereotype that men 'own' the categories of oppression that are not explicitly 'gendrified.'" In the resettlement context, designation as WaR may obscure how sexual assault can constitute torture (its own resettlement category) and impede survivors' rights to rehabilitation and redress (see the United Nations [UN], [1984] Convention Against Torture, art. 14). A focus on WaR may also deflect attention from the interaction of gender and legal/physical protection needs exacerbated by the lack of identity papers or by partnered women's bureaucratic invisibility in many refugee settings.

In addition to these theoretical insights, empirical work on resettlement has illuminated certain consequences of this catego-

rization for the lives of refugees. First, it shows how refugees navigate and “perform” UNHCR’s criteria to enhance their chance for resettlement (Jansen, 2008; Menetrier, 2021; Sandvik, 2009). It also examines the exclusionary effects on men of prioritizing women (Welfens & Bekyol, 2021). And finally, scholars have exposed the problems that refugees and particularly women face following resettlement. Among other things, these relate to the lack of family (financial and emotional) support, and insufficient psychosocial and medical care (Bartolomei et al., 2014; Bhattacharyya et al., 2021; Manderson et al., 1998; McGee, 2018; Mefford, 2020; UNHCR, 2013). As Manderson et al. (1998) succinctly explain in their study of the Australian resettlement program, “the influence of gender on the process of re-settlement is not reflected in programmes or policy once women arrive” (pp. 267–268). However, there is little knowledge about the selection process itself, either at the level of UNHCR referrals or how resettlement states receiving these referrals make their decisions (see Introduction, this issue). This contribution focuses on the latter, analyzing how Norwegian resettlement authorities select “women at risk” for their resettlement program. The question I address is the following: How does state-level decision making engage with UNHCR’s criteria, and how does this shape access to protection for refugee women?

To structure the analysis, I take inspiration from Audrey Macklin’s seminal article, “Refugee Women and the Imperative of Categories”, (1995). This piece was written in response to challenges women faced in gaining recognition of their refugee status under the Refugee Convention,<sup>2</sup> including

when the risk of violence stemmed from intimate partners instead of the state. Taking the groundbreaking Canadian gender guidelines as her point of departure (Immigration and Refugee Board of Canada, 1993), she asked: Does reinterpreting existing criteria for refugee status in a gender-sensitive way (as the guidelines encouraged) ensure recognition of women’s asylum claims more consistently than the alternative tactic advocated by some scholars at the time, namely, to introduce sex or gender as a distinct protected ground for refugee status? For the “explicit category” approach to be persuasive, Macklin argued that two conditions must be met. First, a gender-specific category must protect more gender-based claims than existing grounds do. Second, the “perils ... of reinterpretation” must be greater than those posed by adding a new category (Macklin, 1995, p. 258). In other words, any conclusion concerning which approach is preferable must compare the theoretical and practical implications of both.

Adapting Macklin’s framing of categories to the resettlement context, the relevant questions are as follows: First, does the WaR category address protection needs that are not covered by other resettlement categories? Is it **necessary** to make women’s protection needs legible? And second, what are the benefits and risks of the WaR category **in practice**? What are the perils of reinterpreting women’s protection needs through non-gendered categories?

The analysis that follows is based on research conducted in 2023–2024. It draws on policy documents produced by UNHCR and Norwegian authorities and bureaucrats; interviews with UNHCR staff (in Libya, Uganda, Rwanda, Geneva) and Norwegian resettlement actors (the Immigration Directorate [UDI], the Integration Directorate [IMDi], and the Norwegian police); and 93 anonymized

<sup>2</sup>The 1951 Convention Relating to the Status of Refugees (Refugee Convention) defines a **refugee** as someone outside their country of origin with a well-founded fear of persecution on account of race, nationality, religion, political opinion or social group (UN, 1951, art. 1A(2)).

case files from UDI, including the original screening documents for refugee candidates from three selection missions to Lebanon, Romania (to interview evacuees from Libya), and Rwanda.

The interviews and the analysis of case files adhere to the ethical guidelines of the National Committee for Research Ethics in the Social Sciences and the Humanities and received formal approval from the Norwegian Data Protection Authority, including a Data Protection Impact Assessment. The case files included 30 cases from Lebanon (Syrian nationals, with a female primary resettlement applicant [PRA] in 5 cases), 42 from Rwanda (Congolese nationals, with a female PRA in 34 cases), and 21 from Libya (Sudanese, S. Sudanese, Yemeni, Eritrean, etc., with a female PRA in 11 cases). From the pre-selection notes, it was not clear what categories UNHCR relied on to submit the case, and the original referrals were not available to confirm. However, UDI caseworkers noted for each case whether it involved any of the priority groups under Norway's resettlement scheme: WaR, families with children, and LGBTQI+ individuals.

In 50 of the 93 cases, the PRA was female, with 38 of these considered by Norwegian authorities to be a WaR.

Finally, I also draw on observation notes from post-interview meetings among UDI, IMDi, and police representatives participating in the resettlement missions, at which they discussed their interactions and findings.

To analyze how state actors engage with UNHCR categories, it is helpful to understand the rationale and inclusion criteria of these categories. Therefore, to situate the Norwegian case, the following section reviews the evolution of the WaR category in UNHCR's resettlement history from its origins to its current personal scope.

## EVOLUTION OF THE WAR CATEGORY

From the late 1970s, increasing attention to gender-related persecution and risk began to challenge the presumed neutrality not only of international (refugee) law but also of humanitarian action (Baines, 2017; Indra, 1987; Valji, 2001). The Copenhagen Declaration of 1980, marking the midpoint of the UN's Decade for Women (1975–1985), emphasized the particularity of refugee women's protection needs and called on UNHCR to identify and address them through specialized programs (UN General Assembly, 2020). In 1989, UNHCR established an Office of the Senior Coordinator for Refugee Women, which issued a Policy on Refugee Women a year later. The main source of vulnerability in refugee settings was understood to be the breakdown of the family and subsequent lack of male protection—not the practices of asylum state governments or humanitarian actors (Baines, 2017, p. 26). Over time, as the following discussion explains, the rationale for engaging with WaR has evolved, as has the category's personal scope. While early policy guidance required the absence of male protection as a condition for inclusion, and framed WaR as a group facing distinct sets of harms, the category is now meant to cover any protection issues facing women and girls.

### Introduction of the WaR Submissions Category

The two-decade long resettlement program in Southeast Asia following the Vietnam War (1975–1995) discredited resettlement among many UNHCR staff who believed that the program created a pull factor for people leaving home for economic or social reasons. This experience, combined with frustration with resettlement states' increasingly restrictive asylum policies, motivated UNHCR to refocus the program on "vulnerable groups," people in "urgent or emergency situations," and

“compelling” protection cases” (Kneebone & Macklin, 2021, p. 1088). The WaR category was introduced in 1988 as one such “vulnerable group”.<sup>3</sup>

At the field level, a lack of awareness and skills among UNHCR staff regarding gender-based threats and difficulties faced by displaced women in accessing UNHCR or its implementing partners meant that fewer women in need of resettlement were presented as potential candidates. The disproportionately few resettled women also related to policies on the resettlement state side, including (a) the restrictive way in which some states interpreted the criteria for status under the 1951 Refugee Convention (e.g., by not recognizing non-state actors of persecution or gendered types of persecution); and (b) requirements regarding integration potential, health status, and family size. These favoured candidates with formal schooling, language skills, and job experience, many of whom were men (Boyd, 1999). Thus, the introduction of a special category like WaR and its uptake in the domestic programs of major resettlement states (including Canada as the pioneer in 1988, followed by Australia in 1989) aimed to compensate for male-dominated resettlement outcomes. Not only would protection and assistance staff be encouraged to present women as resettlement candidates, but resettlement states would facilitate their admissions, for example, by exempting WaR from integration requirements (Spencer-Nimmons, 1994).

### Early Conceptualization and Implementation of WaR

The first Resettlement Guidelines from 1990 introduced a distinction between protection needs and vulnerability. **Protection needs**

<sup>3</sup>The first references to WaR are found in UNHCHR ExCom Conclusion no. 54 (1988), followed by no. 60 (1989), no. 64 (1990), and no. 95 (1998) (Kneebone & Macklin, 2021, p. 1008, fn68).

focused on immediate risks such as refoulement or threats to physical security, “analogous to that foreseen in the definition of refugee and rendering asylum untenable” (UNHCR, 1991, s. 3). These were considered particularly compelling because of the immediacy of need and because, conceptually, they produce double refugeehood: The person faces risks of persecution or serious harm in the state of origin as well as the putative state of asylum. **Vulnerability** referred to WaR, victims of violence or torture, medical cases, and “longstayers” (i.e., long-term refugees) who had been unable to integrate locally. These were more difficult to consistently apply, in part because resettlement states had already developed their own programs for vulnerable groups. According to an evaluation of UNHCR’s resettlement activities from 1994, there is

confusion among field staff faced with the task of identifying cases and making recommendations for resettlement, over what constitutes sufficient weight of need and evidence to qualify a refugee as a vulnerable case. There is even greater confusion over why, and when, a refugee classified as vulnerable might need resettlement. Furthermore, the primary criterion of a valid refugee claim is sometimes overlooked.

(Fredriksson & Mougne, 1994, p. 25)

The authors recommended that UNHCR produce a handbook to clarify relevant aspects of refugee law and resettlement policy, underlining “the need for international protection as the primary criterion” for all resettlement cases, including for vulnerable groups (Fredriksson & Mougne, 1994, p. 31).

### Refinement of the WaR Submissions Category (Handbooks 1997–2023)

The 1997 Handbook situates women’s protection needs in human rights terms, but it also assumes that the presence of an adult male companion would alleviate risk. WaR included women who

are single heads of families or are accompanied by an adult male who is unable to support and assume the role of the head of the family. They may suffer from a wide range of problems including expulsion, refoulement and other security threats, sexual harassment, violence, abuse, torture and different forms of exploitation. Additional problems such women face could derive from persecution as well as from particular hardships sustained either in their country of origin, during their flight or in their country of asylum.

(UNHCR, 1997, s. 4.5.3).

The rationale for WaR, according to this edition of the Handbook, was threefold: (a) to ensure protection and assistance (including prioritized processing and accelerated departure) to refugee women who were particularly at risk in their country of refuge; (b) to facilitate resettlement for refugee women who did not meet "general selection criteria of resettlement countries" (s. 4.5.5); and (c) to ensure specialized follow-up and support post-resettlement with a view to "successful socio-economic integration and self-sufficiency" (s. 4.5.5). Thus, the WaR category provided a hook for including previously invisible or ineligible groups. By the Handbook's next iteration in 2004, the WaR category was no longer justified on the grounds that women would not qualify under other resettlement categories. Instead, while women could be submitted on alternative grounds, "the complexity of their individual situations and/or the particular nature of their protection needs" justified retention of a specialized category (UNHCR, 2004, s. 4.5).

The 2011 Handbook reinforced the definition from 2004, putting emphasis on the absence of male protection as a condition for WaR eligibility:

UNHCR considers as a woman at risk or a girl at risk those women or girls who have protection problems particular to their gender, and **lack effective** protection normally provided by male family members. ... [WaR may be] single heads of families,

unaccompanied girls or women, or together with their male (or female) family members.

(UNHCR, 2011, s. 6.5)

At the same time, protection issues related to gender, including rape, survival sex, forced marriage, and trafficking, were highlighted within non-gendered submissions categories like legal and physical protection needs (s. 6.2.3) and survivors of violence and torture (s. 6.3).

The most recent iteration of the Handbook (UNHCR, 2023) provides a notably broader and more flexible interpretation of "women and girls at risk." In this guidance, WaR are those who

- face protection risks in the country of asylum; and/or
- have specific needs arising from past persecution/ violence that cannot be addressed in the country of asylum; and/or
- live in circumstances of severe hardship resulting in exposure to exploitation and abuse; and/or
- are at increased risk due to the lack of family, community or state protection. (UNHCR, 2023, s. 3.4)

Importantly, the lack of (male) protection is no longer a requirement. Nor does the risk need faced by a WaR need to be gender specific. WaR covers anyone with "protection problems that are made worse by the fact that she is a woman [or girl]" (UNHCR staff, Libya). Despite internal debates about whether WaR should be retained given its overlap with other criteria (e.g., legal and/or physical protection risks), its exclusionary effects on men, and the narrow way it is often interpreted, the drafters concluded that it still offers a useful lens for focusing on women's needs and telling their stories (interviews with UNHCR staff, Geneva and Nairobi, August and September 2023). For example, being identified as a WaR may give more traction to the case of a young adult

woman whose parents and minor siblings are being resettled and would face problems due to being left behind in the camp.

## FROM THEORY TO PRACTICE: THE APPLICATION OF WAR

Despite the conceptual integration of gender in UNHCR's resettlement policies, the specific WaR category remains important in practice. In 2023, WaR referrals accounted for 17.2% of UNHCR's resettlement submissions, behind the categories of legal and physical protection needs (42.6% of total submissions), medical needs, and survivors of torture and violence (18.4% each) (UNHCR, 2025, p. 17). Over a quarter of non-Syrian resettlement submissions to Europe in 2020 were categorized as women at risk (26%), behind survivors of torture and violence (41%) (UNHCR Regional Bureau for Europe, 2021). WaR, meanwhile, is a prioritized profile for most resettlement states (UNHCR, 2023), and it features on the list of common eligibility criteria in the European Union's (2024) Resettlement and Humanitarian Admissions Framework (EU, 2024; UNHCR, 2023). Women have also been the exclusive beneficiaries of some humanitarian admissions programs, including a relocation program for Afghan female human rights defenders (Sandvik et al., 2023) and Yezidi survivors of violence (McGee, 2018). In a global context where resettlement spaces are in chronically short supply, and subject to unpredictable cuts, the incentive to distinguish and prioritize according to well-established criteria remains strong.

Given the continued resonance of the WaR categorization, it is important to examine what happens in the translation from UNHCR policy to states' selection practices. How do states' criteria related to cultural, economic, or security "fit" interact with protection needs to determine access to resettlement for women? In the following sections, I con-

sider how the Norwegian case sheds light on this question.

## Identifying Candidates in the Norwegian Resettlement Scheme

Norway has resettled refugees on an ad hoc basis since the end of the Second World War, introducing a formal program with a yearly quota during the 1970s (UNHCR, 2004). Early beneficiaries of the program came from Vietnam, Iran, and Iraq; in recent decades, the countries with the highest representation are Syria, Afghanistan, and the Democratic Republic of the Congo (Utne & Strøm, 2020). The Norwegian parliament, the Storting, decides the size of the resettlement quota each year. Until recently, it was 3,000 persons per year (Kvalø et al., 2023), but this number was cut to 2,000 in 2023, 1,000 in 2024, and finally to only 200 in 2025 (Norwegian Ministry of Justice and Security [MoJ], 2024). This downward trend was justified by reference to the high numbers of mainly Ukrainian refugees who arrived during this time and the resulting pressure on municipal resources. To qualify for resettlement, refugees must (a) meet the criteria for refugee protection under the Norwegian Immigration Act of 2008, and (b) have an established need for resettlement. In addition, three individual profiles are prioritized: families with children under age 18; WaR; and, since 2020, LGBTQI+ persons (MoJ, 2020; Utlendingsdirektoratet [UDI], 2016). These priorities are set by the Ministry of Justice and Security, which also decides which countries and refugee groups should be the focus of the year's resettlement activities. Although the candidate's "integration potential" is no longer a formal consideration, the portfolio as a whole should be balanced to avoid too many cases with special needs requiring intensive follow-up at the municipal level (Brekke et al., 2021). It is also obvious that despite the absence of

"integration criteria," the prioritized profiles are coded with assumptions about members' potential fit in Norwegian society. Like single women, LGBTQI+ refugees are not expected to apply for family reunification; nor do they, in the words of one politician, "usually blow themselves up" (*Finansavisen*, 2015, qtd. in *Grønningsæter*, 2024, p. 3). Young children, meanwhile, are assumed to grow into good citizens (*Brekke et al.*, 2021).

As in other countries, the WaR profile ('*ut-satte kvinner*' in Norwegian) was introduced in Norway to compensate for the gender imbalance in the resettlement caseload. Until the late 2000s, fewer women were resettled than men (*Aalandslid*, 2008), in part at least because of the narrow way in which gender-based harms were assessed in claims to asylum (*Holth*, 2004). This meant many women were excluded from resettlement for failing to meet the threshold requirement of qualifying for refugee status. Since 2008, however, Norway has applied a "women's perspective" ('*kvinneperspektiv*' in Norwegian) in its resettlement program (*Norwegian Ministry of Labour and Social Inclusion*, 2008; *UDI*, 2016).<sup>4</sup> For a number of years, this meant that 15% of all resettled refugees should fall into the WaR category, and 55% of the total resettlement places should be allocated to women and girls (see also *UNHCR*, 2004, with updated country chapters in 2009). There is no longer a fixed quota for WaR, but the percentage of women resettled since 2008 has hovered between 50 and 60 (*Kvalø et al.*, 2023).<sup>5</sup> Because no hierarchy exists between groups, there is no benefit for a woman to be identified by Norwegian

authorities as a WaR compared to a member of a family with children or a LGBTQI+ person. Women presented as WaR by UNHCR may be processed in any of the three Norwegian priority categories with no implications for their chance at resettlement.

The in-country selection process involves representatives from the UDI, the IMDi, and, since 2016, the Norwegian police. UDI's mandate is to confirm that candidates submitted by UNHCR are (a) eligible for refugee status under Norwegian law and (b) members of a prioritized group for resettlement. IMDi's role is to identify special needs of relevance to settlement prospects and to ensure follow-up when required by law (i.e., for victims of trafficking or forced marriage). And finally, the police identify potential security risks and control claims regarding the refugee's identity: family ties, place of origin, ethnic group, civil status, and so on.

The current resettlement policy reflects a close alignment between the processing of in-land asylum claims and resettlement candidates. Resettlement candidates must qualify as "refugees" under section 28 of the Immigration Act (which includes refugees who meet the criteria of the 1951 Refugee Convention and/or are protected from removal to a real risk of torture or inhumane and/or degrading treatment under art. 3 of the European Convention on Human Rights). Resettlement cases are subject to the same credibility assessments as applicants seeking protection in Norway (*MoJ*, 2020). In addition to the regular grounds for exclusion from refugee status, when there is reason to believe the candidate is a security threat or has committed a serious crime, additional grounds covering "unsuitable behavior and attitude" exclude those with views that conflict with Norway's commitment to gender equality, for example, support for forced marriage or female genital mutilation (*UNHCR*, 2023).

<sup>4</sup>Norway is known for its commitment to gender equality and to eradicating violence against women, not only nationally but also as explicit dimensions of its foreign and development policies (*Holst & Teigen*, 2021).

<sup>5</sup>According to a UDI resettlement officer, UDI requested the removal of specific targets because they created operational challenges "to the fair and just assessment of cases" (personal correspondence, September 2024).

### *Civil Status as a Proxy for Protection Needs*

Although UDI’s internal guidance (2016) recognizes that women may be vulnerable within the family group, resettlement practice reinforces the traditional idea that a woman at risk is either single or clearly lacking the protection of any male companions.<sup>6</sup> In the 50 cases submitted by UNHCR that had a female listed as the primary resettlement applicant (PRA), there were only two ‘women at risk’ who had partners. This interpretation excludes women whose risks are unrelated to their male networks or who face persecution from their own partners or families. For example, one candidate had escaped a violent forced marriage, survived multiple rapes while imprisoned in Libya, and feared retribution from her family, ex-husband, and former in-laws should she return to her home country. She was not considered a WaR because she had remarried, but she was resettled as part of a family with children. This case illustrates the capacity of gender-neutral categories to accommodate women with gender-related resettlement needs. However, women at risk from their **current** partner face exclusion altogether because in Norwegian practice, domestic abusers (and other criminals) cannot be resettled (UDI, 2016). The “solution” in such a case would be for the woman to leave her husband and be resubmitted for resettlement later.

This restrictive interpretation of WaR as “single women” illustrates how the **intention** of categorization—to ensure engagement by UNHCR and resettlement states with women’s lived experiences—is compromised

by the narrow scope of national categories. It is also frustrated by the respective mandates of different resettlement actors. As noted, UDI’s role, with support from the police, is to confirm the candidate’s qualification for refugee status (often through “place of origin” checks) and membership in a prioritized resettlement group. It tends to recognize resettlement needs on grounds that are objectively verifiable. In the case of the divorced (and remarried) survivor of rape and forced marriage, refugee status was established on account of her ethnicity rather than the more specific threats she faced from her ex-husband. Thus, her history of gender-based violence was bureaucratically erased at both steps of the resettlement process—in the verification of refugee status as well as in the labelling of her resettlement needs. While this may not have mattered to the outcome of her case, and indeed it may have aligned with her own preferences, it does illustrate how women’s protection needs are prone to erasure **despite** the existence of sex and gender-based categories. This invisibility is reinforced by a lack of voice in the interview process with UDI, which, as described in the next section, prioritizes speaking to men as a potential security risk.

### *Women (and Men) as Risk?*

A primary concern for UDI and the Norwegian police is to control the risks that refugees pose to the resettlement state: to security, to national values, and to the legitimacy of the asylum institute itself. For families with children, UDI typically interviews the male “head of household” to rule out grounds for exclusion from refugee status (e.g., because of war crimes or terrorist links), even if his partner was submitted as the PRA because of her own resettlement needs. When UDI does interview women who are part of a larger family unit, the purpose

<sup>6</sup>It should be noted that this research took place just as UNHCR’s new guidance was published. Therefore, Norwegian authorities may reconsider the scope of their profile. The “single woman” condition is, however, well entrenched in many states’ policies. In Australia, for example, WaR must not be living with any male persons over the age of 18 and are barred from sponsoring a spouse or de facto partner for 5 years post resettlement (UNHCR, 2023).

is often to clarify whether she holds beliefs deemed to conflict with Norwegian values (for example support for female genital mutilation, which is unlawful in Norway).

For women submitted as WaR, the focus in resettlement missions on verifying her civil status is partly motivated by an interest in avoiding applications for family reunification by unknown (male) family members. These are processed through local embassies, which are perceived to be less strongly positioned to screen for security risks. A quarter of the submissions to Norway from Libya were refused due to questions about the whereabouts of a WaR's partner.<sup>7</sup> If a relationship developed *after* submission as a WaR, and the candidate was open about it herself, UDI may suggest resubmitting the case as a family (if there are children). This of course involves a substantial delay in resettlement. However, as one UDI staff member said, "Sometimes the woman has held back information [about a partner], ... this puts other things in doubt." A candidate deemed untrustworthy may be denied resettlement even if her protection needs have evolved or were never related to her relationship status. The "single woman" requirement reveals not only the failure of static categories to capture lived experiences but also how even categories intended to amplify women's stories can become focal points for suspicion. The securitization of resettlement practice, including the involvement of the police in resettlement missions, cultivates a culture of disbelief that treats women's claims as less credible (Stepnitz, 2023).

## Information and Power Asymmetries

The heightened review of refugees' civil status sits uneasily with the fact that resettlement procedures and criteria are notoriously obscure (see De Boer & Zieck, 2020; Menetrier, 2021). The message sent is that states and UNHCR may lack transparency and accountability, but refugees must always be truthful and open. The regularity with which civil status arose as a topic for control in the WaR cases submitted to Norway suggests that popular understandings of either UNHCR's criteria or the way it is interpreted in resettlement states exclude women with partners. Therefore, some women may present themselves as single to enhance chances of resettlement even though families with children have equal priority.

Information asymmetry relates not only to selection criteria but also to the opportunities provided in post-resettlement life. While resettlement has traditionally resulted in permanent residence either immediately or within a predictable period, this is no longer the case in some resettlement states. In Norway, for example, resettled refugees are granted a 5-year temporary permit, after which they must fulfill certain conditions to receive permanent residence. Because these include a language test and an income requirement, single heads of households and others with high care obligations struggle to qualify; they may even lose eligibility if they accept public support (Schultz & Nakache, 2024). Without permanent residence, citizenship remains out of reach, limiting cross-border mobility and prolonging separation from family abroad. These factors make it even more critical to communicate the possibility of resettlement as a family group and the fact that resettlement may not guarantee citizenship in the resettlement country.

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<sup>7</sup>Since resettlement missions for refugees in Libya took place at the Emergency Transit Centre in Romania, extra care was taken to ensure that transferred refugees were likely to qualify for resettlement; in other settings, these candidates would have been interviewed to see if a reasonable explanation existed for the new information.

## CONCLUSION

In a world in which the remote possibility of resettlement is leveraged to deny the right to seek asylum, and gendered “vulnerabilities” are instrumentalized to serve racialized and securitized narratives, the use of **any** categories to prioritize protection needs is necessarily a fraught exercise. All categories inevitably inscribe essentialist and static ideas about people’s lived experiences, and efforts to justify them risk depoliticizing the border regimes that produce and exacerbate resettlement needs. To paraphrase [Macklin \(1995\)](#), there is an unresolved tension between deconstructing gender (and gender categories) in the theoretical domain and using them strategically in the real world. Given the entrenchment of “women at risk” as a prioritized group in states’ practices, it is worth trying to understand what this category does with a view to limiting harms. The question, then, is a narrow one, but still relevant. Are gender or sex-based categories imperative to making women’s protection needs legible?

The WaR category has historically been limited to women and girls whose protection needs are understood to stem from the absence of male protection—for example female heads of household or widows with no adult sons. There is a trenchant critique in refugee scholarship of how women’s protection needs go unrecognized in asylum claims because decision-makers either undervalue men as a source of harm or overvalue them as a source of protection ([Peroni, 2018](#); [Querton, 2022](#)). This has also been the case in resettlement. However, UNHCR guidance has evolved, incorporating gender-based protection concerns more explicitly into the “non-gendered” resettlement categories and expanding WaR to include any female refugee who has experienced or faces a risk of violence, discrimi-

nation, exploitation, or other serious harms. Even though it no longer captures a distinct set of concerns, the WaR category is still seen as useful, if perhaps not imperative, to frame the most compelling case for women’s protection needs in a highly competitive resettlement environment.

However, the drawbacks of this category become clear through its application by resettlement states. As the Norwegian case shows, a narrow interpretation of WaR’s scope is reinforced by the securitization of the resettlement process, with exclusionary effects for single and partnered women alike. Because WaR categorization is limited to women without a male network, the selection process is dominated by a need to verify their civil status. Any indication that a woman is no longer or has never been single puts her general credibility in question. This reinforces the culture of disbelief, a widely recognized obstacle to the recognition of women’s needs for protection. Women who do have partners, including survivors of sexual violence, are not only disqualified from WaR, but they are also generally not interviewed by the immigration authorities unless there are specific concerns, typically related to their views on practices (such as FGM) which are unlawful in Norway.

No matter what states’ actual policies are, the history and existence of the WaR category in the context of limited mobility options and poor information in the camp setting reinforces the idea that only female-headed households may qualify. This incentivizes some women to withhold information about a husband, father, or brother, or even separate from them, with long-term consequences following resettlement. Without the support of their families, single heads of households may struggle to meet the income and language skill requirements that some states impose for permanent residence

and citizenship. This underscores the importance of transparency in the resettlement process to maximize the limited agency refugees have to define their own needs. States also have a clear imperative to, at a minimum, widen their interpretation of WaR in line with UNHCR guidance.

A broader category such as "gender-based risks" might help contain some of the essentializing and marginalizing effects of WaR by creating distance from the legacy of "women without men" and by drawing attention to risks faced by people with different gender identities. In the end, however, the remedial potential of any new category is undermined not least by the limited supply of resettlement places. Further, there is a significant risk that tinkering with a broken system may further legitimize it, drawing attention away from the violent bordering policies that exacerbate resettlement needs.

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