



Protect

The Right to International Protection

WP4 Policy briefing on vulnerability
and field level governance of
international protection



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WP4 POLICY BRIEFING ON VULNERABILITY AND FIELD LEVEL GOVERNANCE OF INTERNATIONAL PROTECTION

Vulnerability functions as a governance tool in the reception of people on the move with problematic implications for field level governance of legal and social protection.

Recommendations

- **‘Vulnerability’ is increasingly propagated, but also contested, within recent policy frameworks dealing with migration and international protection.** The concept has the malleability to emphasise either individual, situational or the structural grounds for disadvantage. ‘Vulnerability’ has mainly taken root in policies in ways that downplay structural dimensions, whereas migrants and civil society actors involved in field level governance have mobilized the notion to draw attention to how inadequacies in the reception system such as failure to provide legal assistance and basic needs as well as practices of border surveillance and return policies are exposing people to harm and making them more vulnerable.
- **Different conceptions of vulnerability are often used in implicit and arbitrary ways in policy documents, including the Global Compacts, and in field level governance.** Attempts at ‘fixing’ the vulnerability label by creating new taxonomies and categories of vulnerability, or by twisting the terminology by using terms such as ‘specific needs’ or ‘in a situation of vulnerability’ in policy documents do not necessarily solve dilemmas related to vulnerability governance on the ground. In fact, such attempts have rather contributed to fragmenting and narrowing the scope of the vulnerability label and who gets to be included.
- **Although the language of vulnerability gestures to caring approaches, the operationalization of a vulnerability approach in the reception of people on the move tends towards selective rather than additional assistance.** Various hierarchical vulnerability classifications implemented in different contexts serve as filtering and excluding mechanisms, which often favour ‘obvious’ or ‘essentialising’ characteristics. Attempts at creating more flexible approaches that respond to migrants’ diverse needs and complex positionalities, must therefore first address how the need for a ‘vulnerability approach’ within the current protection framework is tied to states denying or limiting migrants and asylum seekers’ access to legal and social protection in the first place.
- **A broad range of actors, including diverse civil society organizations, play an important role in providing legal and social assistance to people on the move.** However, the tendency towards outsourcing or ‘marketizing’ the reception of migrants, and as such to a juridification and contractualization of the role of CSOs, fundamentally structures the opportunities for and functioning of collaboration on the ground, and as such the way vulnerability is deployed. When vulnerability becomes a commodity for CSO to sustain their own organisational existence, it can weaken their advocacy role.

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