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Analyzing Vulnerability in Canadian Refugee Resettlement

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Executive Summary

This paper seeks to address how states use ‘vulnerability’ to select a small percentage of refugees from the millions worldwide for resettlement programs. Across asylum and resettlement contexts, vulnerability functions as a mechanism for categorization and prioritization. In asylum systems, it helps identify individuals requiring procedural accommodation or enhanced protection, whereas in resettlement, it assumes a more consequential role: distinguishing among millions of recognized refugees competing for a limited number of resettlement spaces. However, the very concept that underpins this prioritization, “vulnerability”, remains fluid, contested, and deeply shaped by institutional discretion. While vulnerability is invoked to justify procedural accommodation and enhanced protection, its changing definition and application significantly influence who ultimately gains access to one of the rarest durable solutions.

This study examines how vulnerability is defined and operationalized within UNHCR and Canada’s refugee resettlement system, and the extent to which these definitions reflect evolving policy priorities and discretionary decision-making. Specifically, it examines:

- (1) How is vulnerability defined and operationalized at UNHCR and within Canada's refugee resettlement programs?
- (2) To what extent do these definitions reflect evolving policy priorities, institutional discretion, and the role of UNHCR?

Drawing on legal frameworks, policy instruments, and secondary literature, vulnerability is framed not merely as a humanitarian descriptor but as a governing tool embedded within selection processes. The aim is to clarify how vulnerability functions as both a selection criterion and a site of political interpretation in both UNHCR and Canadian resettlement practices.

The analysis demonstrates three interrelated dynamics. First, vulnerability is both individualized and situational, but in practice, it often becomes codified into standardized indicators. Second, Canadian resettlement procedures incorporate humanitarian criteria alongside admissibility screening and, in certain contexts, implicit integration considerations. Third, vulnerability

assessments are influenced by temporal and geopolitical moments, meaning that definitions of “most vulnerable” shift in response to policy agendas and external crises.

Vulnerability therefore operates at the intersection of protection and selectivity. While it enables targeted assistance for those facing acute risk, its ambiguity and discretionary application risk producing ‘hierarchies of deservingness’ (Reynolds and Hyndman, 2026). Ensuring fairness and coherence in refugee resettlement requires greater transparency and conceptual clarity in how vulnerability is defined, interpreted, and operationalized.

Introduction

The boundaries between legal frameworks, policy instruments, and state behavior are often blurred. States may adopt either broad or narrow interpretations of key terms or criteria, sometimes applying expansive definitions to include more individuals, and at other times narrowing the scope so significantly that few, if any, qualify. These shifts are often shaped by evolving policy goals and political priorities. Importantly, the interpretation and application of such terms are not limited to states alone; international organizations – such as the United Nations High Commissioner for Refugees, or UNHCR – also play a central role in shaping their meaning and use. At the intersection of these actors, divergent interpretations frequently emerge, resulting in both overlaps and tensions in how criteria are defined and operationalized.

A term or set of criteria that comprise "vulnerability" should not be seen as having a fixed definition but rather as dynamic and changing in response to geographical and temporal conditions. Refugee resettlement and determining who is qualified for it are two crucial areas where state behavior and interpretation appear to affect results. Put differently, states establish a set of criteria or an agenda for admission under resettlement programs, and agencies like the UNHCR suggest instances that fit both their own mandate and the requirements of the receiving state. This contextual dynamic may show up in state behavior and operational procedures in addition to legal frameworks.

Asylum and refugee policy reflect a broader humanitarian trend that emphasizes vulnerability. In the context of asylum, an asylum seeker or refugee claimant is a person whose refugee status has not yet been determined, and therefore it cannot be said with certainty whether

they are a refugee (Canadian Council for Refugees 2025). Within this system, vulnerability functions as a practical, legal tool for categorizing individuals within the asylum-seeking population even if it is not the legal basis of asylum decisions (Mendola and Pera 2021: 112). In contrast, vulnerability is key to the refugee resettlement process, serving as the basis for identifying refugees with specific protection needs.

Refugee resettlement is approached as both a long-term solution and a targeted protection strategy (Mendola and Pera 2021: 111–12). It plays a critical role in identifying specific needs, prioritizing case processing, and allocating support resources. Within public discourse and UNHCR parlance, vulnerability serves as a rationale for establishing targeted protection for specific refugee groups considered particularly at risk, including but not limited to children, survivors of trafficking and gender-based violence, and individuals from gender and sexual minority communities (Leboeuf 2021: 8). Consequently, the concept of vulnerability plays a critical role in refugee resettlement processes, often guiding the prioritization of individuals or groups for protection and support (Freedman and Santana de Andrade 2024: 179).

How vulnerability is defined and applied, however, can significantly impact outcomes. Despite its importance, the application of the concept of vulnerability is not without challenges. Definitions and assessments of vulnerability can substantially influence resettlement outcomes. For instance, refugees who demonstrate resilience or develop supportive networks might be inadvertently overlooked, as selection criteria frequently favor those categorized as more vulnerable based on limited or rigid parameters. For example, in a refugee camp in Kenya, a man facing repeated attacks due to his minority status was approved for urgent resettlement. But when UNHCR saw that his wife had a Kenyan ID, they assumed he was integrated into Kenyan society

and canceled his approval, despite ongoing risks that forced him to leave the UNHCR compound (Ikanda 2019).

Critical examination of vulnerability assessments is necessary to ensure that resettlement policies remain equitable, effective, and responsive to refugees' genuine protection needs (Ikanda 2019). Thus, at the core of humanitarian efforts, vulnerability plays an essential role in shaping responses to refugee situations, serving as a key factor in deciding which individuals are prioritized for protection and assistance. This centrality underscores dual significance of vulnerability: it recognizes heightened risks faced by forcibly displaced persons and prompts authorities to adopt appropriate measures to mitigate these risks. The concept acknowledges that refugees face varying degrees of exposure to human rights violations and that certain individuals, such as unaccompanied children (UNHCR 2025a) or members of the LGBTQI+ community (UNHCR 2025a), may require more immediate or specialized interventions.

1. Challenges and Implications of Vulnerability Definitions

The term vulnerability lacks clarity and uniformity across contexts, often referring simultaneously to legal status and personal characteristics. While vulnerability assessments can help tailor protection to those with specific needs, it also risks being exclusionary (Hruschka and Leboeuf 2019: 2). For instance, a recurring yet underexamined concern is that applicants for resettlement who have personal relationships with potential sponsors in safe third countries, such as extended family members or acquaintances, may be treated as less credible or less deserving of protection. The assumption in these cases is that family-linked resettlement and protection is somehow less urgent or legitimate. A similar dynamic can affect cases involving named individuals, including human rights defenders, who are identified and put forward by sponsors. Knowledge and

familiarity of the applicant to the sponsor, whether personal or through identification, may in practice undermine perceptions of need or legitimacy, even when all applicants must still meet Canada's refugee eligibility requirements to be recognized as a protected person or refugee (Reynolds and Hyndman forthcoming: 193).

Similarly, the assumption that UNHCR referrals are more pressing protection cases than separated family members has been increasingly challenged. Such an assumption overlooks the significant emotional, social, and economic hardships that prolonged family separation can cause, including heightened physical danger, psychological distress, weakened support networks, and financial instability (Reynolds and Hyndman forthcoming: 199). Even the intentions and preferences of states are subject to change, influencing how such concepts are defined and applied.

Refugees and asylum seekers are vulnerable in different ways, depending on their individual circumstances and the context in which they have been displaced. Emphasis on certain categories may limit access to rights only to those labeled as “vulnerable,” despite the broader reality of shared hardship across all displaced persons (Hruschka and Leboeuf 2019: 2). These selections and decisions about what constitute ‘vulnerability’ prompt a critical examination of how it is conceptualized and operationalized by actors. This is particularly an issue when eligibility for refugee protection is influenced by codified assumptions about inherent or categorical vulnerability.

There are two main approaches to understanding vulnerability (Welfens and Bekyol 2021: 2). The first approach considers certain groups as inherently more vulnerable than others, often emphasizing structural conditions. In this view, vulnerability is seen as a fixed attribute assigned

to particular groups, such as women and children, who are frequently categorized as universally vulnerable regardless of context (Welfens and Bekyol 2021: 2; Pankhurst 1984; Enloe 1993).

The second approach argues that vulnerability is situational and dynamic. According to this perspective, any individual, regardless of gender or age, can become vulnerable depending on the specific circumstances they face. This view highlights the causes of vulnerability as rooted in the context and situation rather than in the identity of the person (Welfens and Bekyol 2021: 2; Mackenzie, Rogers and Dodds 2014; Cohn 2014).

In the context of humanitarian work and forced displacement, vulnerability is often treated as a category used to determine eligibility for certain procedures, benefits, or protection measures. However, there is no single, universally accepted definition of vulnerability. The term remains contested and context-dependent, varying across different policies and geographic settings (Welfens and Bekyol 2021: 2).

For refugee decision-makers, identifying vulnerability is defined in legal terms, and asylum seekers are adjudicated as vulnerable based on the country's conditions, evidence of risk and exposure to violence, and credibility. For refugee resettlement, a discretionary humanitarian program of the Canadian state, those selected must meet vulnerability criteria identified by UNHCR or by the government itself. The focus in this paper is on refugee resettlement where decision-making is not conducted by the Immigration and Refugee Board for asylum seekers, but a range of players that include the UNHCR, Canadian government representatives at visa posts abroad as well as in Canada, and sponsors based in Canadian communities must decide *who* will be resettled from the large pool of eligible refugees.

In protection and resettlement decision-making, vulnerability has become a key interpretive lens that informs both risk assessment and the state's corresponding responsibilities. It is both a recognition of the risks involved in the migration process, such as the consequences of being denied protection, and a prompt for state authorities to take appropriate action, whether in terms of procedures or actual support measures (Purkey 2022: 4). Underlying these decisions is an evolving understanding of what constitutes vulnerability.

Vulnerability may be defined by inherent personal characteristics that are considered intrinsic to the individual, such as age, health status, or disability, sexual and gender identity. It can also result from external, context-specific factors that affect broader groups, including linguistic barriers, ethnic identity, or socio-cultural background (Leboeuf et al. 2024: 122).

Relying too heavily on standardized vulnerability criteria can overlook the messier realities that individuals face. While indicators like age, gender, or health conditions help identify urgent protection needs, practitioners stress the importance of flexibility to ensure less visible but serious vulnerabilities are not excluded. A more adaptive, case-by-case approach is often necessary.

This finding suggests that “vulnerability assessment” functions as a tool that informs protection responses and operational decision-making, while allowing for both case-by-case discretion and recurring patterns across contexts.

2. Operationalization and Prioritization of Vulnerability in Resettlement

Resettlement is a collaborative process involving multiple stakeholders with varying levels of influence across different sectors. At its core, resettlement programs are coordinated between three main actors: the country of asylum, UNHCR, and the resettlement country. In some cases,

additional actors such as voluntary private sponsors and civil society partners may also be involved. UNHCR's primary role in countries of asylum is to identify and refer individuals most in need of protection and durable solutions, including resettlement. However, in practice, this task is shaped not only by UNHCR's protection mandate but also by the political and policy considerations of both the host country and potential resettlement states (Welfens and Bekyol 2021: 4). Understanding how different parties determine and apply vulnerability criteria is critical.

Individuals undergoing selection in the resettlement process are already recognized as refugees, meaning their well-founded fear of persecution has been established, and they possess a certain degree of vulnerability and legal status. However, when authorities like UNHCR assess these individuals for resettlement opportunities, the selection process focuses on identifying and prioritizing those deemed to be in the most at risk.

In 2024, out of the 36.8 million refugees under UNHCR's mandate, only 188,800 were able to access resettlement (UNHCR 2025b). While this was the highest figure in over four decades, it was still a very small fraction of the global refugee population (UNHCR 2025b). UNHCR underscores that resettlement is intended primarily for those considered the "most vulnerable," thereby reinforcing the idea that not all recognized refugees will qualify, but rather those facing exceptional protection risks or hardship (Freedman and Santana de Andrade 2024: 103).

The notion of vulnerability is a critical yet contested element in asylum, migration, and resettlement policies. A key challenge is understanding how the category of "most vulnerable" is interpreted and operationalized by UNHCR and individual states. While vulnerability is widely

used to guide protection and resettlement decisions, the criteria and assessment methods remain unclear and often inconsistent.

This analysis thus raises the question of how the concept of vulnerability is applied in resettlement processes. While it is rooted in humanitarian principles, its use in practice varies across institutions like UNHCR and countries such as Canada. Since the criteria and methods for assessing vulnerability are not always clearly defined, the following sections explore how different policies and approaches shape its interpretation and implementation.

3. UNHCR Approach to Vulnerability and Its Resettlement Procedures

According to the Projected Global Resettlement Needs 2025 report issued by UNHCR, it is estimated that approximately 2.9 million refugees will require resettlement in 2025 (UNHCR 2025c: 5). Not only is this figure part of the broader population of 36.8 million refugees under UNHCR's mandate (UNHCR 2025b), but it is likely that only a small proportion of these 2.9 million refugees will be resettled. Many countries participate in resettlement programs, and Canada has emerged as one of the leading contributors to UNHCR's global resettlement efforts, playing a significant role in shaping international resettlement practices and standards (IRCC 2025: 23; IRCC 2024: 20). Based on data provided by IRCC, from January 2015 to March 2025, Canada admitted 334,695 refugees through various immigration categories for resettlement (Government of Canada 2025).

The central issue that this paper seeks to address is how certain individuals, out of the millions of refugees and people in need of protection worldwide, are chosen for states' resettlement programs. According to the UNHCR Resettlement Handbook, "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 2025a).” Based on this definition, we infer that UNHCR considers three main factors when identifying individuals for resettlement: (1) risk in the country of asylum, (2) specific protection needs, and (3) vulnerabilities. UNHCR has employed the term vulnerable in a substantive way to prioritize certain groups or individuals for assistance and resettlement (Purkey 2022: 3), including survivors of violence and torture, women and girls at risk, unaccompanied and separated children, elderly refugees, and individuals with serious medical needs (UNHCR 2025a).

3.1. Vulnerability-based criteria in UNHCR’s Resettlement Handbook

The preface of the UNHCR Resettlement Handbook states that:

Resettlement is a process that offers refugees the possibility to rebuild their lives in a third country and to become fully participating members of a society in which they can settle permanently. It remains an invaluable and life-changing protection response for refugees facing acute risks – survivors of violence and torture, members of minority groups, LGBTQI+ persons, women, older persons and children at risk, political activists and others. (UNHCR 2025a)

The first interpretation of this preface could be that resettlement prioritizes refugees who are in "acute risk" situations, including survivors of violence and torture, members of minority groups, LGBTQI+ individuals, women, older persons, children at risk, and political activists, while those who do not fall within these recognized vulnerability categories may be excluded from consideration. To qualify for resettlement, refugees must be recognized as especially vulnerable (Schneider 2021: 3).

In refugee resettlement and admission policies, UNHCR’s “resettlement submission categories” serve as a primary framework for identifying individuals considered vulnerable or with specific protection needs (Welfens and Bekyol 2021: 2). These categories, which are reflected in part 3.2 of the UNHCR Resettlement Handbook as submission categories (UNHCR 2025a), ensure

that UNHCR applies "rule-based, vulnerability-focused resettlement criteria" (Garnier 2016: 66). The Handbook emphasizes the importance of applying these categories accurately and consistently to ensure that all refugees in need of resettlement receive appropriate attention. When categories are applied inconsistently or perceived as arbitrary, refugees who believe they meet the criteria but are overlooked in the selection process may experience frustration. In some cases, this can generate tension or aggression within refugee communities where competition for limited resettlement spots is already high. UNHCR also firmly rejects the use of 'integration potential', such as educational background or other perceived advantages, as a criterion for identifying resettlement needs or submitting cases to prospective host countries (Westerby 2020). Although UNHCR's criteria associate vulnerability in part with specific social groups, their application also requires context-sensitive interpretation and prioritization (Welfens and Bekyol 2021).

Refugees may be considered for resettlement if they meet at least one of several vulnerability-based criteria. These include legal and/or physical protection needs in the country of asylum such as the risk of refoulement or other threats to their safety. Women and girls, particularly those who have experienced or are vulnerable to gender-based violence, are also prioritized. Children and adolescents at risk may be resettled when it is determined to be in their best interests¹. The category of survivors of violence and/or torture applies when returning to their home country

¹ The concept of a child's best interests, derived from the Convention on the Rights of the Child, aims to ensure the holistic development and full enjoyment of children's rights. In the resettlement context, this principle is operationalized through Best Interests Assessments (BIA) and Best Interests Determinations (BID), which are key protection processes conducted or supervised by specialized child protection professionals. While not all children at risk require a formal BIA or BID before resettlement processing, for instance, a child with a disability who is well supported by a caregiver, for some children at risk, such an assessment is necessary before proceeding. These processes are guided by UNHCR's Best Interests Procedure Guidelines (BIP) (UNHCR 2025a: 3.5).

or remaining in the host country could lead to further traumatization or increased danger, especially where appropriate treatment is not available. Refugees with critical medical needs, including those requiring life-saving care that is not accessible in the country of asylum, are also eligible.

The need for restoring family unity is considered on paper, but in practice, only nuclear families are reunited (Reynolds and Hyndman, 2026). Private refugee sponsorship in Canada exceeded government-assisted refugee resettlement in 2024, in part because private sponsorship allows sponsors to identify and name particular people who are refugees in need of protection who also happen to be extended family members or part of ethnonational communities known to the sponsors (Reynolds and Hyndman, 2026).

Finally, a lack of foreseeable alternative durable solutions is also considered by UNHCR when selecting refugees for resettlement. This final category refers to circumstances in which neither voluntary return to the country of origin nor local integration in the host country is a viable option (Schneider 2021: 13). UNHCR also provides details of each category in the handbook to provide better understanding and clarity.

According to the Resettlement Handbook, all resettlement cases must include a minimum of two submission categories. The primary submission category should reflect the most accurate and relevant description of the protection risks or vulnerabilities affecting any of the case members, not only the Principal Applicant. The secondary submission category serves to further reinforce the case by providing an opportunity to highlight additional or intersecting protection concerns, thereby strengthening the overall justification for resettlement (UNHCR 2025a). UNHCR does *not* define a vulnerable person or the concept of vulnerability in its Resettlement Handbook. Instead,

it links resettlement to “protection needs” (Government of Canada 2006) and “protection risks” and categorizes these conditions into the above categories (UNHCR 2025a).

3.2. Vulnerability in UNHCR’s Specific Needs Codes (SNCs)

UNHCR’s primary role in asylum countries is to identify and refer individuals most in need of resettlement to third countries. Internally, the UNHCR resettlement procedure typically involves three stages: an initial pre-assessment (often including a phone screening), a comprehensive in-person interview, and the formal submission of cases to potential receiving countries (Welfens and Bekyol 2021: 4). In this regard, UNHCR follows its own rules and criteria, the selection priorities of resettlement countries (Lindsay 2017: 24–26), and the regulations of the country of first asylum where the refugee is temporarily housed (UNHCR 2025a).

UNHCR manages its cases based on its interviews conducted and registered data in accordance with its case management database. Registration interviews are a fundamental protection activity during which personal data is collected, and individuals’ “specific needs” are identified, referred, and addressed. These interviews also serve as a central component of identity management, enabling UNHCR to maintain an accurate understanding of its populations of concern. A well-conducted registration interview ensures the complete and precise recording of personal information, which supports the ongoing tracking of biographical and identity-related changes through continuous registration. To standardize the identification of particular risks, vulnerabilities, or conditions, UNHCR uses Specific Needs Codes (SNCs) (UNHCR 2009; UNHCR 2025d). These codes correspond to a defined list of characteristics or situations that may require targeted protection interventions. SNCs are the exclusive tool for documenting specific needs in the proGres system, UNHCR's centralized, web-based registration and case management application used for individual registration, protection case management, and documentation,

(UNHCR 2025d). Moreover, the document titled "Guidance on the Use of Standardized Specific Needs Codes" clarifies that multiple vulnerabilities may be applied to an individual at the time of registration. Although the document title refers consistently to "specific needs," it is noteworthy that within the text itself the term "vulnerabilities" is also used, suggesting that specific needs are understood as indicators or expressions of an individual's vulnerability and that the two terms are treated as broadly equivalent (UNHCR 2025d). The document defines 11 main categories for SNCs including: 1. Child at risk; 2. Unaccompanied or separated child; 3. Woman at risk; 4. Older person at risk; 5. Single parent or caregiver; 6. Disability; 7. Serious medical condition; 8. Family unity; 9. Specific legal and physical protection needs; 10. Torture; and 11. Sexual and gender-based violence.

Thus, specific needs play a crucial role in identifying protection concerns, risks, and vulnerabilities that directly influence resettlement decisions. Three closely related elements shape the selection process: specific needs, protection needs, and the overall vulnerability of refugees or forcibly displaced and stateless persons (FDSPs). Based on the mechanisms and procedures in place, it can be interpreted that specific needs often serve as indicators of an individual's protection risks or vulnerabilities. However, in practice, the terms are sometimes used interchangeably implying that a person's specific needs may be treated as equivalent to their vulnerability, even though the two are not always identical in scope or meaning.

4. Vulnerability in Canada's Instruments and Procedures

Resettlement processes are highly selective, involving resource-intensive procedures undertaken by multiple stakeholders to identify and prioritize the most vulnerable individuals (Schneider 2021: 3). This close relationship between vulnerability and selectivity also shapes the view of

resettlement as a form of international responsibility-sharing. However, framing resettlement predominantly as a mechanism for international solidarity and responsibility-sharing presents certain challenges (Schneider 2021), especially since it is wholly discretionary on the part of states.

Resettlement countries apply their own selection criteria alongside UNHCR's vulnerability-based submission categories, which are typically grouped into "program-level criteria" and "non-Convention criteria" (Schneider 2021: 13). Program-level criteria reflect each country's capacity and resources to accommodate and support refugees. For instance, in 1988, growing attention was given to the specific needs of refugee women, with transnational advocacy networks urging countries like Canada to uphold their humanitarian obligations. In response, Canada launched a pilot initiative known as the Women at Risk program, which aimed to improve the resettlement of refugee women using a mix of private and government sponsorship (Spencer-Nimmons 1994: 14). The program sought to address the needs of refugee women who were considered particularly vulnerable, particularly those without family connections or the protection of a male partner (Klassen 2022: 4).

Since then, Canada has demonstrated various approaches to defining and applying the concept of vulnerability in its refugee resettlement priorities. In 2018, the Canadian government responded to the Yazidi genocide in northern Iraq by prioritizing and resettling over 1,200 Yazidi women and girls, recognizing their extreme vulnerability as survivors of mass violence (Pyrmandsa et al. 2025: 236). This was again seen in Immigration, Refugees and Citizenship Canada's (IRCC) 2020–2021 Departmental Plan where the government launched a pilot initiative in 2020 aimed at resettling and protecting vulnerable individuals from Central America, specifically women, children, and LGBTQI+ persons who were facing heightened risks due to

gang-related violence and discriminatory policies in their countries of origin (Government of Canada 2020).

5. Vulnerability in Canada's Refugee Resettlement: Between Protection and Policy Discretion

Canada's refugee resettlement system is guided by Canadian law, namely the Immigration and Refugee Protection Act (IRPA), domestic decisions about global politics and related human displacement from violence abroad, and criteria outlined in global policies such as UNHCR's guidelines. These criteria are not precisely defined, nor do they provide explicit examples or detailed indicators. Refugees considered most vulnerable in one place or period may not necessarily be viewed the same way in another.

For instance, the resettlement of Syrian refugees to Canada between 2015 and 2016 was guided by specific vulnerability criteria, as discussed during the Standing Senate Committee on Human Rights proceedings (Standing Senate Committee on Human Rights 2016). According to the explanations provided by government officials, Canada explicitly requested that the UNHCR prioritizes refugees who met vulnerability indicators that were internationally recognized and regularly agreed upon in Geneva. At that time, Canada particularly emphasized resettling families with either single or dual parents, women at heightened risk, survivors of sexual violence, LGBTQI+ individuals, particularly gay men facing severe persecution in the region, survivors of violence and torture, refugees facing forced return or detention, and individuals with significant medical vulnerabilities. These groups represented approximately 10% of the total Syrian refugee population registered by UNHCR, primarily located in Turkey, Lebanon, and Jordan, and clearly

reflected Canada's deliberate strategy to assist those considered most critically vulnerable (Standing Senate Committee on Human Rights 2016).

Canada generally processes refugee resettlement applications in line with its national immigration targets and planning framework (UNHCR 2022a: 4). In Canada's immigration and refugee system, the term "vulnerability" is used often but rarely defined, meaning that decision-makers in policy spheres can mention vulnerability without having to seriously consider its impact (Kaga, Nakache et al. 2021).

As discussed earlier in relation to vulnerability-focused selection criteria, Canada maintains flexibility to expedite cases based on specific ministerial commitments or recognized vulnerabilities identified by visa offices or partner organizations, such as UNHCR (UNHCR 2022a: 4). In practice, this flexibility means prioritizing refugees whose circumstances involve severe and immediate risks that are in line with UNHCR's vulnerability criteria and Canada's humanitarian commitments. Such prioritized groups include:

- Refugees submitted through urgent protection programs or as emergency referrals by UNHCR, highlighting situations where life or fundamental rights are in immediate jeopardy
- Refugees at imminent risk of detention or refoulement, emphasizing compliance with international legal obligations
- Women and girls facing heightened risks, aligning with global humanitarian standards regarding gender-based vulnerability
- Human rights defenders, reflecting broader international solidarity and Canada's commitment to protecting individuals targeted for their advocacy (UNHCR 2022a)

UNHCR holds the primary responsibility of ensuring the selection of the most vulnerable refugees for government-assisted refugee (GAR) resettlement. However, its staff is also instructed to consider the selection criteria and admission priorities of resettlement countries when identifying appropriate countries, to increase the likelihood of acceptance by those resettlement countries (Schneider 2021: 13; Spencer-Nimmons 1994: 15). The Canadian Government, for example, used its own prima facie definition of refugee – not UNHCR’s refugee status determination (RSD) - to designate thousands of Syrians as eligible for refugee resettlement in 2015 and 2016.

The question remains, how do authorities, their regulations, and scholars apply the notion of vulnerability to select individuals for resettlement? Refugees are by definition vulnerable, yet a hierarchical categorization of vulnerability exists within resettlement practices (European Court of Human Rights 2011: para. 251).

Within the Canadian government, Immigration, Refugees and Citizenship Canada (IRCC), Immigration and Refugee Board (IRB), and Canada Border Services Agency (CBSA) each use the concept differently based on their departmental role, which leads to confusion and inconsistent application across the broader system (Kaga, Nakache et al. 2021: 26). For example, IRCC focuses on physical danger when selecting refugees from abroad and may give vulnerable applicants more flexibility. As such, refugee claims made in Canada do not receive the same consideration unless an individual officer chooses to do so (Kaga, Nakache et al. 2021). A review of the Immigration and Refugee Protection Act (IRPA) and its accompanying regulations, Immigration and Refugee Protection Regulations (IRPR), reveals that the term “vulnerable” is explicitly mentioned only once, under Section 138 of the IRPR. This single reference appears solely in the context of Canada’s overseas refugee resettlement program and is tied to specific eligibility criteria for resettlement.

Section 138 provides definitions for two related but distinct categories: individuals in “urgent need of protection” and those considered “vulnerable.” The former refers to cases where the individual faces an immediate threat to life, liberty, or physical safety and is at risk of being killed, tortured, sexually assaulted, arbitrarily imprisoned, or forcibly returned to danger (Canada 2002: s. 138). The latter, “vulnerable”, refers to those whose personal circumstances create a heightened risk to physical safety compared to other protection applicants, thereby justifying priority in resettlement (Canada 2002).

Based on these definitions and in accordance with federal policies, resettled refugees are individuals identified as particularly vulnerable while still outside Canada and selected for relocation through one of three main pathways: Government-Assisted Refugees (GARs), Privately Sponsored Refugees (PSRs), or Blended Visa Office-Referred (BVOR) refugees, a hybrid model that combines elements of both public and private sponsorship (Hyndman 2024: 95). Once identified, they are screened by the Canadian government to assess their admissibility. If deemed eligible, they are granted permanent resident status upon arrival in Canada (Hyndman 2024). Resettlement is not a legal right, but a discretionary protection mechanism exercised by the Canadian state. In Canada, all resettlement cases are determined by immigration and visa officers from IRCC with GARs and BVORs referred to Canada by UNHCR.

This means individuals cannot apply for resettlement directly to IRCC (Kaga, Nakache et al. 2021: 20). As for the PSR Program, sponsors may identify specific individuals, households, friends, or human rights defenders who meet Canada’s refugee definition and choose to support their resettlement in Canada, or they may select from the same list of UNHCR referrals for GARs and BVORs. For each of these three pathways, all candidates are required to participate in an interview conducted by an IRCC officer to assess whether they meet the eligibility criteria (Kaga,

Nakache et al. 2021). This assessment, which may be conducted with the assistance of an interpreter, includes a medical examination, security clearance, and may include an evaluation of the applicant's ability to successfully establish themselves in Canada (Kaga, Nakache et al. 2021).

5.1. Canadian Selection Criteria for Resettlement

Canada relies heavily on UNHCR's identification and referral process for GARs and BVORs, which prioritizes individuals based on urgent protection needs and vulnerability profiles.

Vulnerability is identified in order to make accommodations for individuals who might not otherwise meet standard eligibility criteria, enabling resettlement actors to align their specific needs with the services and resources available (Kaga, Nakache et al. 2021: 30–31). Aside from occasional accelerated processing or waivers of certain requirements, there is limited institutional attention to how vulnerabilities may affect a refugee's ability to effectively engage in the interview process, particularly regarding their perceived credibility (Theriault 2021: 200-201). This lack of procedural sensitivity can ultimately hinder the resettlement prospects of applicants whose disabilities or trauma may affect how they communicate their stories.

In Canada's refugee resettlement process, applicants must pass admissibility checks to ensure they do not pose risks to public safety, security, or health. This includes security screening for involvement in terrorism, war crimes, or organized crime, with biometric data collected from individuals aged 14 to 79. While refugees are not required to submit police certificates from their home countries, they must still demonstrate they are not criminally inadmissible (UNHCR 2022a: 3).

Medical examinations are also required to detect public health threats like tuberculosis. However, unlike other immigration streams, refugees are not excluded for health reasons due to fact that the healthcare systems in their country or origin or asylum may be experiencing strains or

shortages. This reflects Canada's balanced approach, prioritizing national interest while maintaining a strong humanitarian commitment (UNHCR 2022a).

Another factor impacting selection within private sponsorship may be the size of the family. While government-assisted refugee families can be large, and larger households led by a single parent prioritized for resettlement because they are deemed 'vulnerable', large family size can be an obstacle for private refugee sponsorship. Recent research indicates that major national sponsorship organizations highlight the high cost of sponsoring large families can reach between \$90,000 to \$100,000 CAD for one year. Raising this amount of money can make such undertakings financially prohibitive for sponsors who are volunteers and use their own funds to support refugee households.

Reynolds and Hyndman further critique the assumption that refugees separated from family members are inherently less "vulnerable" than single refugees referred by UNHCR, noting that family separation itself constitutes a significant protection need that should not be overlooked in resettlement criteria. They contend that without a proactive government commitment to maintaining family unity, particularly during the selection phase of government-assisted refugee programs, private sponsors are left shouldering the burden of family reunification through expensive and resource-intensive processes (Reynolds and Hyndman 2026: 198–99).

5.2. An implicit consideration of integration potential

While no longer official selection criteria under IRPA, factors such as education, language ability, and employability remain discretionary criteria for consideration and may influence decisions. UNHCR actively urges resettlement countries to rely on its established international eligibility standards and to trust the agency's technical expertise and professional judgment when conducting

selection processes (Brekke et al. 2021: 38). The significant concern of UNHCR is that some resettlement states may be tempted to use a refugee's "integration potential", regardless of how that is defined, as a selection criterion, which poses a risk to the credibility and fairness of the global resettlement system.

Although UNHCR firmly opposes the use of integration potential as a basis for deciding who should be resettled, it still emphasizes the importance of achieving positive integration outcomes once people have been resettled. Programs must remain need-based, non-discriminatory, and oriented toward successful long-term integration (Brekke et al. 2021).

According to interviews and a policy review in the 2021 report by Brekke and colleagues, Canadian officials are formally required to assess a refugee applicant's potential to integrate under the GAR program (Brekke et al. 2021: 53–54). IRPR s. 139(1)(g) outlines the criteria used to assess whether a refugee applicant intending to settle outside Quebec can successfully integrate into Canadian society. The evaluation focuses on several key factors: the applicant's personal resilience and adaptability, the presence of relatives or sponsors in the resettlement community, their employability based on education and experience, and their potential to learn English or French. Together, these criteria aim to gauge an individual's overall ability to establish themselves socially and economically in Canada (Canada 2002: s. 139(1)(g)). However, these requirements are waived when the applicant is deemed "vulnerable" or in "urgent need of protection." In such cases, vulnerability takes precedence, and the ability to establish in Canada carries little weight, though it remains part of the migration officer's overall assessment (Brekke et al. 2021: 53–54). Civil servants emphasized that while integration potential is considered at the individual level, there is little focus on group-level integration outcomes. Canada does not prioritize or exclude national groups based on past integration performance. One interviewee pointed to the resettlement

of a severely traumatized group as an example: despite ongoing challenges, they were not excluded, reflecting Canada's commitment to humanitarian principles (Brekke et al. 2021).

Moreover, the vulnerability-based model introduces ethical and practical challenges, notably concerns over creating hierarchies of vulnerability or worthiness. Practitioners caution against overly rigid vulnerability criteria, as they may inadvertently exclude genuinely vulnerable individuals whose circumstances do not neatly fit standardized definitions. Thus, flexibility and intersectional analyses are essential in addressing multiple, context-specific vulnerabilities.

Conclusion

In conclusion, the Canadian resettlement context highlights vulnerability as a pivotal, yet complicated concept. While it effectively shapes decisions and offers targeted support, ambiguity, inconsistent application, and procedural gaps limit its effectiveness.

Within Canada's refugee resettlement system, vulnerability clearly emerges as a critical factor influencing the assessment and prioritization of individual cases. From this analysis, several conclusions can be drawn. First, vulnerability is evaluated on a case-by-case basis, underscoring an individualized approach to determining protection needs, with the exception of some prima facie designations associated with group processing by the Canadian Government (for example with Operation Syrian Refugees, also called the Syrian Initiative).

Second, prevailing policy priorities at specific historical or political moments significantly shape vulnerability criteria. For instance, policy frameworks may prioritize certain groups, such as LGBTQI+ households, inherently designating them as vulnerable by default and expediting their resettlement process.

Third, the situational context of a refugee's country of asylum is instrumental in vulnerability assessments. Refugees residing in countries/camps with heightened risk factors, such as increased violence, instability, or inadequate protections, are more likely to be considered particularly vulnerable, thus enhancing their eligibility for resettlement.

Fourth, the final identification of vulnerability often rests on subjective and context-dependent judgments within the decision-making process, which can significantly influence the outcomes of individual cases. Private sponsors can 'name' particular refugees whom they may know, and this cannot be viewed as any less legitimate than other resettlement applications. Sponsors and the non-governmental organizations of which they are part are based in the communities where resettled refugees will be supported and build new homes and lives.

While Canada's vulnerability criteria offer a structured yet flexible approach to refugee resettlement, the process inherently incorporates subjective elements, temporally defined policy priorities, contextual country-specific considerations, and discretion. These multifaceted dimensions collectively determine how vulnerability is understood, assessed, and practiced within the Canadian refugee resettlement framework.

Rather than offering prescriptive recommendations, this paper argues for sustained and deeper scrutiny of how vulnerability is defined, interpreted, and operationalized across resettlement systems. The vulnerability criteria employed by UNHCR are, by their very nature, more exclusionary than inclusionary, which is a sobering reality when considered alongside the scale of the task: from a total refugee population of 36 million refugees, UNHCR selects a global resettlement caseload of 2.9 million identified individuals; states then choose from this pool, with fewer than 200,000 people resettled annually. This highly selective undertaking reveals that

vulnerability is not merely as a humanitarian concept, but is an imperfect mechanism of radical and consequential selectivity. The task is at once administrative, ethically fraught, and political. Ill-defined vulnerability criteria may aim to generate a more level playing field, but the uneven application and discretionary use of vulnerability in the resettlement domain generates more questions than answers. Before any discussion of solutions or recommendation can happen, these questions demand ongoing critical engagement from scholars, practitioners, and policymakers to create a more equitable and transparent international refugee regime.

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