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# From Vulnerability to Empowerment: Critical Reflections on Canada's Engagement with Refugee Policy

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**Abstract:** The making and implementation of global policy are prominent areas of activity for the global refugee regime, with a specific focus on policy relating to the categories of vulnerable refugees. Recent collective efforts globally have highlighted the importance of meaningfully including refugees themselves; and a discursive shift away from the language of vulnerability towards that of empowerment in policy making, and humanitarian assistance. Despite this, efforts to implement these commitments have largely been unsuccessful, raising questions about how refugees are engaged in these processes, and in what ways the label of vulnerable continues to influence the making and implementation of global refugee policy. Using the case of Canada's engagement with the global refugee regime, and with refugee women in particular, this article argues that the continued framing of refugee women as vulnerable has impeded progress, and that for transformative policy to be realized, refugee women must be seen as actors with capacity to participate, and must be included in all processes of policy making, implementation and evaluation. A feminist geopolitical framework is presented as a way to decenter states and institutions in favor of centering the individual embodied experiences of refugee women in global refugee policy making. By doing so, empowerment can be realized in policy and practice.

**Keywords:** vulnerability; empowerment; global refugee policy; Canada; feminist geopolitics



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## 1. Introduction

The making and implementation of global policy are prominent areas of activity for the global refugee regime. A significant focus of this work over the past 20 years has been the making of global policy relating to categories of "vulnerable" refugees and efforts to implement these policies in a range of global contexts. Global policies relating to refugee women, refugee children and refugees with disabilities have typically proceeded from the presumption that individuals labelled as belonging to these groups are "vulnerable" and require external intervention to ensure their protection. However, there has recently been a collective effort within the global refugee regime to highlight and emphasize the importance of including the voices and lived experiences of refugees themselves in the making and implementation of global refugee policy. Most notably, the Global Compact on Refugees (GCR), which was affirmed by the United Nations General Assembly in 2018, highlights that "responses are most effective when they actively and meaningfully engage with those they are intended to protect and assist" (UNHCR 2018b). The GCR specifically calls for a multistakeholder approach, which requires greater refugee participation and empowerment, and specifically the "inclusion of women, youth and persons with disabilities in key forums and processes" (UNHCR 2018b). This emphasis on including refugee groups who have long been labelled as "vulnerable" signals a discursive shift towards a new model of making and implementing global refugee policy. For states such as Canada, this shift can be seen in the language of empowerment used in foreign policy documents, and in decisions to include a refugee representative on their delegation at key forums such as the Global Refugee Forum in 2019.

Despite this progress at the global level, inherent assumptions relating to the vulnerability of refugees result in policies and programming that are created and implemented at the state and local level in top-down ways that are often stripped of context and focus on institutional requirements rather than individual need (Olivius 2016; Bradley et al. 2019). This model continues to shape the way that a range of international actors, including the Government of Canada and the United Nations High Commissioner for Refugees (UNHCR), approach the making and implementation of global policies in local contexts (Yildiz 2019; Pincock et al. 2021). This contradiction between rhetoric and reality raises important questions about how emerging global norms can be implemented in meaningful and impactful ways and challenges us to understand the influence of power structures and institutional interests on the implementation of global norms in local contexts. Using the case of Canada's engagement with humanitarian assistance, the global refugee regime, and norms related to the protection of refugee women and girls, this article critically interrogates the imposition of vulnerability as a defining feature of the refugee experience, especially for refugee women and girls. Ultimately, this article argues that for the global refugee regime to translate the rhetorical shift from vulnerability to empowerment into practice, it is crucial for local policy making and programming to align with global commitments. Specifically, policy makers and representatives of international non-governmental organizations (INGOs) must recognize the lived experiences of refugees as a legitimate basis of knowledge for informing policy and programming; and must include refugees in all stages of implementation for success.

To support this argument, this article will proceed in three parts. The first will briefly discuss the making and implementation of policy in the global refugee regime and trace the construction and use of vulnerability as a category externally imposed upon refugees, particularly upon refugee women. The second section will trace Canada's role in advancing global norms relating to the protection of refugee women and girls, and in the making of global refugee policy. Canada has historically taken a progressive rhetorical stance on these issues at the global level, especially in commitments to empowerment, but has continued to use a state-centered, institutional approach underpinned by categories of vulnerability in practice. Thus, the meaningful implementation of their commitments has been limited. Given this contradiction, the final section of this article presents a feminist geopolitical framework that can be used going forward to decenter institutional understandings of implementation by engaging with the embodied experiences of refugee women in these processes. In doing so, we can better understand how refugee women already participate (or not), which builds on, and contributes to the rich body of existing literature on participation across disciplines; and how policy makers can see refugee women's formal inclusion as necessary part of the practical shift from "vulnerability" to "empowerment."

## 2. Global Refugee Policy and the Construction of Vulnerability

The global refugee regime emerged following World War II with the establishment of the UNHCR and the subsequent creation and implementation of the 1951 Convention Relating to the Status of Refugees. This convention defined who a refugee was and the rights that refugees had to not be forcibly returned, as well as their entitlement to freedom of movement and work (Barnett 2002). While the main tenets of the global regime were established specifically to find solutions for refugees, the scope of the regime has widened far beyond what was imagined (Crisp 2020). In recent years, there have been efforts to design and implement global policies relating to a diverse range of refugee issues and in many different contexts—this includes the GCR, which was affirmed in 2018. As such, the making and implementation of global refugee policy are prominent areas of activity in the global refugee regime (Milner and Wojnarowicz 2017). According to Milner (2014, p. 478), global refugee policy can be seen as both a *product*, primarily the formally documented policy, and a *process*, whereby issues compete for prominence on the policy making agenda, and decisions and responses are influenced by a wide range of actors, interests, and contextual factors. When understood in this way, we are able to more closely evaluate the

ways in which power structures in the global refugee regime have influenced the framing of the refugee experience more broadly.

States and institutions such as the UNHCR largely influence and determine the outcomes of policy in global and local contexts (Milner and Klassen 2020), and as such have been seen as the protectors of refugees, but also “defenders of state sovereignty” (Kneebone 2014, p. 597). This has meant that different forms of power driven by state interests have been the largest determinants of the policy agenda in the global refugee regime, of the ways that state-sponsored institutions (such as the UNHCR) operate in the regime, and also the way that individual states are able to shape and influence their own domestic policies (Milner and Wojnarowicz 2017, p. 10). Because of this state-driven approach to global refugee policy making, it has largely been constructed and implemented in a top-down fashion that engages the beneficiaries of such policies (refugees) in only limited ways. While the protection of state interests represents one way of understanding the historic exclusion of refugee voices, we might also understand this exclusion as being linked to the way that states delegitimize refugee voices through productive power and the imposition of labels such as “vulnerable” due to assumptions made about refugee abilities and capabilities. Very simply, productive power can be understood as the discursive ways that “subjects” are constituted with varying degrees of social power (Barnett and Duvall 2004, p. 20). For example, actors in the global refugee regime such as states and governmental organizations have long used labels as a way to identify and categorize asylum seekers, refugees, IDPs and other forced migrants. The use of labels is a process of *stereotyping, control, and non-participatory designation* which strips the recipients of individuality and context; and makes assumptions about the needs of a particular group (Zetter 1991, p. 44). These labels often coincide with the policies or institutional requirements of both governmental and non-governmental organizations which outline who the beneficiaries of particular aid programs are, and who can be involved in the implementation of such programs (Zetter 1991, p. 51).

When decision makers in the global refugee regime have described refugees, and especially refugee women and girls as vulnerable, it is often seen as a personal quality rather than a product of circumstance. This label fails to recognize the capacity and capabilities of refugees. Refugees and refugee women are not inherently vulnerable, but becoming a refugee puts them in situations which create vulnerability—for example, there is an increased potential for violence, particularly sexual and gender based violence in situations of displacement (The Forced Migration Research Network 2017; Pittaway and Bartolomei 2018a). In this way, refugees have been seen as unable to advocate for themselves, and their voices deemed to be illegitimate. The consequence of this is that Western ways of knowing are reproduced in the humanitarian system through the voices of aid agencies and policy makers who claim to articulate the needs of refugees “properly” (Sigonia 2014). This process becomes problematic as refugees are then seen only as the “beneficiaries” of policies and programming, incapable of advocating for themselves, rather than as actors in their own right. Policies developed at the global level have been reflective of the need to intervene on the “vulnerable refugees’ behalf”, but the label is also used as a litmus test for determining how deserving they are of humanitarian intervention, and how capable they are of participating in processes of their protection (Ikanda 2018; Gatter 2021). However, it typically falls to the refugees themselves to prove their vulnerability and can lead to what some officials have called a “vulnerability contest” becoming one of the many reasons that those most in need of additional protections often cannot access them (Howden and Kodalak 2018).

While refugees generally have been categorized as “vulnerable”, this label has further been attached to particular social groups such as refugee women and girls, who have been seen to be doubly vulnerable due to their sex (Edwards 2010, p. 33; Hilhorst et al. 2018; Welfens and Bekyol 2021, p. 21). This has led to women and children becoming “central to the imagined figure of the most vulnerable refugee” (Turner 2021, p. 5). This categorization of refugee women as “vulnerable” is evident in policies as early as the 1990 UNHCR Policy on Refugee Women, which suggests that refugee women face a “special

vulnerability” (UNHCR 1990); and in the resettlement category of “women at risk” which frames refugee women as being helpless in the absence of familial structures (Edwards 2010, p. 33). More recently, it has played into humanitarian responses in contexts such as Jordan, where INGOs assume that women refugees, particularly those in female-led households, are more vulnerable (Turner 2021, p. 7; UNHCR 2013). Likewise, the continued conflation of vulnerability with “women and children” in development policies such as Canada’s Feminist International Assistance Policy (FIAP) perpetuates these assumptions of an individual in need of external assistance rather than recognizing the inherent resilience of the individual (Cadesky 2020). Ultimately, this leads to refugees and refugee women being seen as beneficiaries of assistance rather than also actors with agency in their own circumstances. These challenges will be discussed further in the section that follows.

Despite this historical construction of vulnerability, there has in recent years been a rhetorical shift towards the language of empowerment, and recognition of the voices and agency of refugee women in the global refugee regime, and in humanitarian assistance more broadly at the global level. Yet these commitments have not yet been fully realized in practice, particularly at the state and local levels. This raises then important questions about how refugees, and refugee women specifically, have been included in the process of making and implementing global refugee policy, and in what ways the category of “vulnerable” continues to shape decisions and responses in the global refugee regime. Through an examination of existing literature and an analysis of current policy and programming documentation, the next section will interrogate some of these questions in the context of Canada’s approach to policies and practices relating to the protection of refugee women and girls.

### 3. Canada’s Role in the Global Refugee Regime

Canada has a long history of engagement with the global refugee regime and has been recognized globally for its efforts to accept and resettle refugees who do not easily fit in the definition of the 1951 Convention including refugee women and girls (Daivergne et al. 2006; UNHCR 2018a; Milner 2021). This section will examine three areas of Canada’s engagement with humanitarian assistance, the global refugee regime, and policy related to the protection of refugee women and girls. The first relates to Canada’s domestic policies on resettlement; the second examines Canada’s foreign policy relating to women and girls including the human security agenda and the adoption of the Feminist International Assistance Policy in 2017; and the third section discusses Canada’s role in rhetorically advancing gender-related issues at the global level and in the development of the GCR from 2016 to 2018. The goal of this section is to highlight the contradictions present in Canada’s engagement on these issues, particularly as it relates to implementation both in Canada and internationally. On the one hand, Canada has had a comparably progressive approach to the protection of refugee women and girls, yet on the other, the use of productive power and the imposition of the label of vulnerability on refugees and other women in the global South has at times hindered access for those most in need and acted as an impetus for foreign intervention. While the language of policy and programming has shifted away from “vulnerability” towards “empowerment,” in practice, Canada’s approach to implementing the protection of refugee women and girls has remained largely the same.

#### 3.1. Domestic Policy and Resettlement

During the 1980s, there was a growing movement to recognize the unique needs of refugee women, and transnational advocacy groups put pressure on states such as Canada to “live up to their humanitarian commitments (Spencer-Nimmons 1994, p. 14)”. In response, Canada implemented a pilot of the Women at Risk program as a means of ensuring that a greater number of refugee women would be resettled with a combination of private and government sponsorship (Spencer-Nimmons 1994, p.14). Those who would qualify for the program were refugee women who were deemed vulnerable due to their lack of familial ties, and protection of a husband. Up until this point, it had been difficult

for women refugees, especially single women without a family unit to access Canada's resettlement system as many did not meet admissions requirements (Foote 1996, p. 65; Madokoro 2018, p. 350). It was widely believed that refugee women who went through the Canadian status determination process lacked the skills or resources necessary to assimilate appropriately in Canada if admitted. However, as Foote contends, there was little awareness on the part of immigration officers of the resources that refugee women had gained during the period in which they were being persecuted, fleeing or spent in refugee camps (Foote 1996, p. 65). Despite some success, the early years of the program saw small numbers of refugee women resettled due to the fact that admissions criteria were still stringent, and there were conflicting views of who would be eligible for the program. For example, aid workers in the field had a more expansive view of who should be eligible, while officials in Ottawa tended to reject any claims that were not specifically made on the grounds of gender-based violence (Madokoro 2018, p. 352).

After the UNHCR adopted their Policy on Refugee women in 1990, and the Guidelines for the Protection of Refugee Women, they urged states to follow suit and adopt similar national guidelines as well (LaViolette 2007). In 1993, Canada became the first state to release guidelines on the admission of women refugee claimants who were seeking asylum on the basis of gender-related persecution within Canada (Oosterveld 1996, p. 569; Wallace 1996, p. 702; Boyd 1999). While this step was important in recognizing the unique challenges faced by refugee women, these early guidelines were criticized for reinforcing the notion that refugee women are especially vulnerable. This was done by differentiating their experiences of gender-based violence from that of the gender-based violence experienced by Canadian women due to the way that oppression in refugee-producing countries is framed as "a way of life," whereby women from these countries are more vulnerable and dependent, and in need of external assistance (Macklin 1995; Baines 2004). While depicting the plight of refugee women as that of trauma and vulnerability does increase sympathy, it also depoliticizes and dehistoricizes their experiences, which calls into question their autonomy and political partiality (Sigonia 2014).

Paradoxically, the framing of refugee women as especially vulnerable both influenced the creation and adoption of these new guidelines on protection, but simultaneously limited their success in claiming asylum, as well as their resettlement options in Canada. Because refugee women at that time were regarded as being inherent victims, they had less chance for resettlement as they were seen as potentially unable to become economically independent, and thus not successfully integrate into Canadian society (Foster 1999). As was the issue with the Women at Risk program, the idea that refugee women would be unsuccessful in integrating into Canadian life and would require more intervention from the Canadian state reinforced the notion of the vulnerable refugee woman who lacks agency or resources. It further ignored the complex ways that refugee women are able to adapt to their circumstances, acting as the head of households in the absence of male relatives, providing education, and ensuring that their family's needs are met, all under the most precarious of situations (Pittaway and Bartolomei 2018b).

Despite the problematic tone set early on, there have been positive changes in Canada's approach to both resettlement and domestic refugee claims. For example, resettlement guidelines have been updated in recent years to exempt those who are especially vulnerable from having to demonstrate an ability to establish in Canada (Immigration Refugees and Citizenship Canada 2021). Likewise, there have been new guidelines introduced to recognize the unique requirements of refugee claims made in Canada relating to sexual orientation and gender identity and expression (SOGIE). However, there is still more progress to be made as the formal guidelines on women refugee claimants fearing gender-related persecution have not been updated since 1996, and the Women at Risk program maintains much of the same language as it did in the past. For example, one key objective of the program is to "Maintain high priority on the protection, support, and empowerment of refugee women, recognize their unique needs through the Women at Risk program, and continue to resettle the most vulnerable groups, including refugee women and girls from

abroad." However, refugee women and girls continue to make up less than half of resettled refugees, and the Women at Risk program is used in a very limited capacity. In 2018, only 48% of resettled refugees were women and girls, and only 543 of 13,367 came through the Women at Risk program (Global Affairs Canada 2019). Likewise, those with the most urgent protection needs are largely unable to access the program. Madokoro (2018, p. 355) suggests that while the program was designed to provide urgent protection, the selection and sponsorship process proved to be too slow, and by and large the program has shifted away from urgent protection towards resettling refugee women who would not otherwise meet the resettlement criteria.

### 3.2. Foreign Policy Engagements: Human Security and FIAP

This framing of vulnerability also heavily shaped Canadian foreign policy decisions made in the late 1990s and early 2000s. While Canada had been working on domestic and international policies and programming relating to gender equality and development, there had also been developments in their international security agenda. Part of the renewed focus on international security saw Canada as active in promoting new peacekeeping and human security agendas which included the protection of "vulnerable" women and girls, and combatting sexual and gender-based violence (Tiessen and Baranyi 2017). Canada's policy on human security also included the promotion of UN Security Council Resolution 1325 on Women, Peace and Security. Adopted in 2000, UNSCR 1325 highlights that women and children are often the most vulnerable and victimized during conflict, but emphasizes the important role of women and girls in the peacebuilding process (Baines 2005, p. 7). Using its role as a peacekeeper, a key feature of Canada's human security agenda was to act as a defender of human rights to promote democracy and foster development (Baines 2005, p. 2).

Problematically, however, the portrayal of "vulnerable women" in need of liberation in the Global South became an impetus for Canada, and many other Western states, to justify foreign policy priorities such as the "consolidation of friendly governments in fragile and post conflict states" such as Afghanistan (Tiessen and Baranyi 2017, p. 7). Yet, when the promised liberation of Afghan women did not happen, the policy narrative shifted towards seeing Afghan women as culturally bound, and that they should be provided with the necessary tools and resources to fight their own oppression, often presented through neoliberal initiatives such as micro-credit programs, or the building of beauty schools (Jiwani 2009). In turn, these imported "solutions" have done little to support the specific and contextual ways that women participate and engage within their communities and instead often burden women with greater workloads, increases risk, and suggest that the more they are able to fit within the Westernized version of a "liberated" woman, the better off they will be (Duncanson 2019, p. 114; Jiwani 2009). This model has been mirrored in humanitarian responses to forced migration where policy makers and humanitarian agencies presuppose the needs of refugees, implementing policy and programming that are neither context nor culture specific, reinforcing a top-down approach to aid (Rajaram 2002). One such example is the implementation of gender equality programming in humanitarian assistance which often reinforces the assumption that refugee women are in need of protection from their oppressive cultures (Olivius 2016). In both cases, the needs of the intended beneficiaries of protection policies and aid are presumed at an institutional level, often essentializing the experiences and needs of women in the Global South. This model often reinforces power dynamics between the providers and recipients of aid, as well as between Western and non-Western peoples (Olivius 2016, p. 272). While Canada's approach to human security sought to ensure that the human rights of women are not compromised, the essentialization of women as a group in need of protection and the removal of context from interventions have in many cases deepened gender inequalities or increased insecurity (Baines 2005, p. 5).

Policy and practice around humanitarian intervention, and the rhetoric of vulnerability changed little in Canada until 2015, when the newly elected Liberal government

began speaking to the development and implementation of a new Feminist International Assistance Policy (FIAP). Launched in 2017, FIAP was lauded for its effort to increase opportunities for women and girls to exercise agency in the programming of which they are the intended beneficiaries. Despite past policies such as UNSCR 1325 which acknowledged the importance of women's participation in conflict resolution, FIAP's commitment to empowerment seemed to be a big step in a new direction in making "gender equality and feminism the centre of Canada's development assistance programming" (Morton et al. 2020, p. 330). It was also the first time that Canadian policy had formally identified empowerment and equality as cross-cutting goals that should be considered in all international assistance programming (Global Affairs Canada 2017a).

In theory, this approach should have wide-reaching benefits by bringing women into discussions around the defining, implementing, and evaluating of policy and programming. However, upon closer reflection, a number of issues come to light that are likely to impede the success of the policy. The first issue is related to the language used throughout the document. While empowerment and equality are the focus, there is frequent synonymous use of "women and girls" with "vulnerable persons". As in past development discourse and policy, women and girls are still often essentialized in this way, ignoring multiple sites of intersectionality, which ultimately takes away from the overall impact that the policy document should have (Cadesky 2020, p. 302). Morton et al. (2020) also argues that there is a risk that the use of empowerment indicates that Canada seeks to "transfer power to the powerless and helpless women and girls of the Global South" (p. 334). Similarly, the term empowerment is never defined in the policy, but is conflated throughout with "gender equality." Not only is this an issue because past gender equality initiatives have often failed to address the underlying systemic reasons for inequality but also because the premise that gender equality is a means to an end achieved through "empowerment" puts the onus directly on women to realize this (Morton et al. 2020, p. 305). This is particularly true when empowerment is focused largely on participation in the economy, rather than political participation. Increasing economic participation, as mentioned above, increases women's workloads as they take on roles outside the home with no reduction in their care roles in the home (Duncanson 2019, p. 114). This emphasis on the economy does little to challenge the overall structures of oppression that are present, "rather than giving them power, women are given livelihoods" (Cronin-Furman et al. 2017, p. 11).

There is also limited information on how the success of the policy will be measured, and who is included in that process. The policy itself outlines specific indicators that are linked to the Sustainable Development Goals, but these indicators are vague, and reflect an institutional understanding of success that is tied to the outcome of a policy (Global Affairs Canada 2017a). This is problematic as the true success of people-centered policies such as FIAP must be evaluated on their ability to change the lived experiences of those who are their intended beneficiaries (Betts and Orchard 2014, p. 1).

Despite FIAP emphasizing engagement with local women's organizations in defining, implementing, and evaluating policies, it is also unclear how this will work in practice. In particular, it seems that the model through which programming is implemented has changed very little (Rao and Tiessen 2020, p. 351). Specifically, we can look to the "Women's Voice in Leadership Program", which is intended to be transformative in its approach to engaging local women's organizations at all stages of programming. However, programming is implemented through specific Canadian organizations, or approved partner organizations such as Care Canada, Oxfam Canada, and Plan International Canada (Global Affairs Canada 2017b). When INGOs are responsible for implementation and funding distribution, there are potentially limits placed on the type of local organization that might participate, or in the way that funding can be used (Rao and Tiessen 2020, p. 357). Furthermore, assessment largely focuses on the outcomes of each program, rather than the impacts. This distinction is important because outcomes can often be checked off a list of results that might include the amount of funding distributed, the number of programs created, or the number of participants in an activity. Impacts on the other hand look to the long-term

success of programs based on a range of potentially subjective factors that center the lives of those the program was intended to benefit ([Development Assistance Committee Working Party on Aid Evaluation 2002](#)). One example of a distinction between the outcomes and impacts might be in gender equality programming in refugee camps; a successful outcome of this programming may be that there are an equal number of women and men in the room when decisions are being made. However, if all of the women are sitting at the back of the room and do not have the chance to speak, the overall impact of the program is likely not to be a positive one. For such programming to have transformative impact, the systemic barriers to participation that refugee women face must also be addressed, which will be discussed further in the third section. Ultimately, the “Women’s Voice and Leadership Program” serves to reinforce power dynamics, and a sense of Western paternalism, which has constantly prevailed in development programming.

### *3.3. The Global Compact and Gender Programming*

Canada’s feminist approach to humanitarianism as seen with FIAP also carries over into how the global refugee regime is engaged with. For example, the Global Compact on Refugees (GCR) was affirmed by the UN General Assembly in 2018 and was largely supported by the efforts of humanitarian organizations and policy makers in Canada ([Milner 2021](#)). In line with Canada’s own commitments through FIAP, the GCR pays special attention to the inclusion and participation of refugees in global policy making, and also to including special considerations of the unique needs of refugee women and girls. While these are not new concepts, the GCR, by acknowledging that refugees are not passive actors who sit around and wait on institutional decision makers ([Pinock et al. 2020](#)), opened the door for meaningful refugee participation. Specifically, the GCR advocates for a multistakeholder approach, calling for greater refugee participation and empowerment, and the “inclusion of women, youth and persons with disabilities in key forums and processes” ([UNHCR 2018b](#)). However, it may be difficult to action the commitments to gender in the GCR due to the language and framing used in the document. The CGR uses the term “gender sensitive” throughout, which acknowledges that gender inequalities exist, but does not seek to address the underlying causes of these inequalities ([Hennebry and Petrozziello 2019](#)). While the commitments made in this initiative set out lofty goals for participation, and attention to gender inequalities, translating these into practice has been slow, and limited in the overall impacts on the lived experiences of refugees and refugee women in particular.

Canada has been a leader in advocating for refugee participation in key forums such as the Global Refugee Forum in 2019, and has been active in promoting international initiatives such as the Gender Hub and gender equality programming in Cox’s Bazaar in Bangladesh. While success is being seen with refugee participation at the global level, local implementation of gender-based initiatives has seen more limited progress. A recent study by the Women’s Refugee Commission found that gender programming in Cox’s Bazaar, which is primarily driven by a Joint Response of over 50 different international and local organizations, has been implemented in inconsistent ways, largely due to cultural and religious complexities that limit the mobility of refugee women and restrict their access to decision-making forums ([Women’s Refugee Commission 2019](#)). Inefficiencies in the approach have become further apparent during the COVID-19 pandemic, largely due to the top-down provisioning of aid and services. Limited oversight during the pandemic has further entrenched gender-roles, increased incidents of sexual and gender-based violence, and increasingly restricted mobility and access to healthcare for refugee women ([Iyer 2021](#); [International Rescue Committee 2021](#)). A 2020 rapid gender assessment found that refugee women relied on NGOs for the provisioning of WASH programs, for workshops on how to stay safe at home, and for health services. Because these were removed or decreased during the pandemic when international organizations reduced the number of workers they had on the ground, refugee women have become increasingly unsafe ([Inter Sector Coordination Group 2020](#)). This situation has not improved over the course

of the pandemic. This example demonstrates that while Canada, in coordination with international organizations, is attempting to move towards “empowerment” and equality in humanitarian programming, there is still a great deal that needs to change in order for transformative change to occur on the ground. This includes addressing context-specific issues, and systemic causes of inequality and sexual and gender-based violence.

Ultimately, we can see that despite the progressive nature of Canada’s engagement in the global refugee regime, efforts to implement its rhetorical commitments to empowerment in local contexts have been slow. In some areas, there has been a conscious effort towards improving the system, while in others, things have remained largely the same. Canada’s role in the refugee regime presents an important case for understanding how and why these shifts often fail to take hold in meaningful ways. In this case, it is largely due to the continued top-down institutional approach to the making and implementation of global refugee policy and humanitarian assistance, as well as the way in which policy and practice are evaluated on outcomes rather than impacts. So, this leaves us with the question of how we can translate policy into practice in a meaningful and transformative way. The proposal here is that in order to achieve truly transformative policy in practice, the inclusion of refugee women in all aspects of the defining, implementation and evaluation is non-negotiable. The second half of this article will present a theoretical framework for examining the development and implementation and evaluation of transformative refugee policy through a critical feminist lens.

#### **4. From Vulnerability to Empowerment: Developing and Implementing a Transformative Refugee Policy through a Critical Feminist Lens**

While it is clear that there has been an overwhelming recognition discursively of the importance of gender inclusivity, refugee participation, and women’s empowerment both in policy making arenas such as Canada and in the literature across disciplines, there have been many challenges that impede the successful implementation of such initiatives in local contexts. We can look to past scholarship on norms found in the international relations (IR) tradition to paint a picture of why rhetorical commitments have been limited in their implementation. This past scholarship has influenced the way that we understand how international norms (such as refugee participation, empowerment of refugee women, or gender mainstreaming) become established, and the many different actors and interests that influence the process. However, like the global refugee regime itself, this approach to norms has often privileged the role and voices of states and their representatives over those of the individual beneficiaries. A transformative approach to the making and implementation of global refugee policy and humanitarian policies meant for the protection of refugee women and girls decenters the state and sees the individual body as a site of contestation and engagement in these processes and recognizes the legitimacy of knowledge produced through lived experience. In turn, using a feminist geopolitical approach allows us to better connect theory to practice by highlighting the complex and messy ways that structures of power emerge at different spaces and scales and by furthering our understanding of a necessary reimagining of what empowerment actually entails.

The study of norms has been growing in prominence in the constructivist tradition since the 1990s and has shifted from a high-level focus on standards of appropriate behaviour for states, to a focus on how local contexts influence the adoption of local norms. This important work has shaped the way that scholars not only understand how international norms emerge, but also how such norms come to be accepted across borders and in individual local contexts (Finnemore and Sikkink 1998; Keck and Sikkink 1998; Risse et al. 1999). Largely, the early study of norms has focused primarily on the international context in an attempt to understand how norms can influence state behaviour, and the relationships between states (Cortell and Davis 2000, p. 65). In the early 2000s, scholarship on norms began to more heavily emphasize the importance of local contexts and factors that influence the norm life cycle such as localization, socialization and the domestic salience of norms (Checkel 2005; Acharya 2004; Cortell and Davis 2000). This shift in constructivist interna-

tional relations scholarship has made it evident that an increased focus on local responses to norms is needed to truly understand the variation in policy outcomes. Yet, much of this work continues to highlight the role of individual subjects of norms—states and their representatives—rather than individual beneficiaries of norms. More recent scholarship has built upon this earlier work by looking at the way issues are framed internationally and domestically, introducing norm implementation as a distinct stage of the norm lifecycle and looking to the individual level of analysis (Autesserre 2009; Betts and Orchard 2014; Zimmermann 2016; Krook and True 2012).

While these approaches do continue to examine norms in the contexts of states, the turn to the individual level of analysis and the shift towards individuals and the “governed” raise questions about our reliance on institutional understandings of implementation, power relations, and interests. It also raises questions about our Western ways of knowing and how these are tied into our framing of what it means to be empowered. While scholars working in these traditions have begun increasingly to highlight the role of the individual in the implementation process, it is necessary for the analysis to be taken one step further, and that is to understand individual *experiences*, and to address questions of power in these contexts. This next step is crucial in order to better understand the way that different individuals define, implement, and evaluate the success of a given policy or program.

In practice, the discursive shift towards empowerment also requires an alternative approach to the way that we theorize and mobilize meaningful participation. If states such as Canada want to successfully meet their commitments, policy makers must engage with refugees and refugee women specifically to understand what empowerment means to them, and how this translates to meaningful participation. It is also necessary to recognize the formal and informal ways that refugees, and refugee women in particular, already engage with the power structures that influence how policies and programming are implemented in local contexts. Refugees and refugee women are not sitting around passively waiting for protection—they already participate in active forms of resistance and agency despite being categorized as inherently vulnerable (Scott 1985; Milner and Wojnarowicz 2017, p. 11). Specifically, it is contended that their compliance with, or contestation of the structures that govern their lives, is shaped by their embodied experiences—that is the way in which these larger structures are felt on the body (Naylor 2017, p. 27). While there are many feminist approaches that might be useful in applying here, I argue for examining these issues using a feminist geopolitical framework. Hyndman (2001, p. 213) argues that feminist geopolitics has three primary dimensions; “shifting scales of analysis both finer and coarser than that of the nation state; challenging the public/private divide; and mobility as an analytic of power and accountability.” Importantly, it also acknowledges the ways in which violence, trauma and other lived experiences are imprinted on individuals in such a way as to make the physical body a symbol of something greater (i.e., a nation, identity, conflict) (Hyndman 2001, p. 213).

Likewise, a feminist geopolitical approach offers a solution to two tensions between feminism and IR scholarship. First, it addresses the power relations or dynamics that exist between those who do the governing, and the governed which are not typically discussed in IR scholarship. A feminist perspective acknowledges the unequal power relations that exist in norm processes. A feminist geopolitical approach will take the analysis of these unequal power relations beyond those that exist between the international, the state and the individual; it uses the body as a scale of analysis to examine the way power relations are physically experienced, critiquing the way that IR scholarship privileges the disembodied global scale of analysis (Cuomo 2013, p. 859). Likewise, it challenges us to think about how the processes of implementation both shape and are shaped by the lived experiences of individuals and communities (Naylor 2017, p. 27; Massaro and Williams 2013, p. 570). In doing so, a feminist geopolitical lens will recognize that individuals experience the products of global norms (the related policies and programming) in different ways than what was intended by the institutions that implemented them. While IR theory privileges the institutional outcomes of these norms in the form of policies or targeted programming, feminist

geopolitics would privilege the impact of these norms on their intended beneficiaries. For example, as discussed previously, while Canada's past resettlement guidelines recognized the unique needs of refugee women who experienced gender-related persecution, those who were most in need had difficulty accessing resettlement due to perceived limited capacity for establishing themselves (Madokoro 2018; Edwards 2010; Foote 1996). In this context, Canada was praised at the global level for its progressive approach, but meaningful implementation was hindered by both bureaucratic processes, and limited understanding of the capabilities of refugee women to adapt. For refugees, the impact of a norm may be felt in the form of a new policy or program, but it can also be felt in a physical, emotional, or physiological sense.

Secondly, a feminist geopolitics challenges the way that individual identity is discursively created and represented, and thus seeks to understand how this impacts knowledge production through the examination of lived reality and intersecting identities (Massaro and Williams 2013; Naylor 2017, p. 27). For example, the label of "vulnerability" is externally imposed upon refugees and refugee women as a group and influences international responses relating to resettlement and humanitarian intervention. This approach leads to "vulnerability" being seen as a personal characteristic rather than a product of circumstance, and perpetuates the institutional power dynamics that are inherent in humanitarian response. A feminist geopolitics allows us to understand the lived experiences of the individual as a whole, outside of just their "needs" (Morton et al. 2020, p. 334). As an addition to IR scholarship on norms and in practice, feminist geopolitics critically examines the way that the individual beneficiaries of international humanitarian assistance are typically not given the space to influence the way that norms are adopted and contested in policies and programming. Feminist geopolitics opens up a dialogue about scales of analysis, challenging dominant Western perceptions, moving between the public and private sphere and acknowledging that geopolitics is practiced by actors outside of states and elites (Gilmartin and Kofman 2004; Koopman 2011, p. 276). Policies relating to the protection of refugees, and the targeted programs that are implemented in refugee camp settings are often developed with little input from the intended beneficiaries. If the individual beneficiaries of policies and programming have a specific experience with it, they should have access to the arenas where the definition, implementation, and evaluation of the policy or program take place.

In humanitarian emergencies, programs and targeted responses are largely intended to provide immediate protection and physical security for those experiencing the emergency. Yet, as discussed earlier, rather than in-depth consultations with aid recipients about how these programs would best operate, aid organizations come in with a particular model, often with a "Western" perception of how aid should look, and a set definition of what success looks like. Feminist geopolitics challenges this method of aid distribution. Cuomo (2013) argues that a feminist geopolitical intervention grounded in embodied experience challenges state-centric (Western) definitions of security and the ways that interventions may in fact result in greater insecurity (Cuomo 2013). It is crucial for those studying the way in which particular norms are integrated in these kinds of settings to understand that certain global norms may have limited meaning for the intended beneficiaries, and that success will be measured in different ways. For example, an aid agency may define a norm to be successfully implemented if it results in a specific targeted action such as increased lighting near washrooms in refugee camps. Yet, those that this initiative is intended to protect (refugee women) might not see this as a success if more lighting results in an increase in refugee men playing games or cards around the washroom at night. A critical feminist geopolitical analysis will seek to address the disconnect between the way that intended outcomes of norms and are theorized and universalized by IR scholars and policy makers, and the way that they are experienced by individuals in specific contexts (Alexander and Pain 2012).

The past explicit focus on vulnerability in humanitarian assistance has often led to misunderstandings about the agency that refugees, and refugee women in particular,

have in their day-to-day lives. The assumption that refugee women are passive victims and are sitting around waiting to be rescued glosses over the many ways that they are active in their own lives, and in improving their circumstances through day-to-day action and collective action and mobilization. Refugee women take on many different roles in their communities in the absence of family or male relatives, opportunities for education and livelihoods. They act as heads of households, educators for their children, devise income-generating opportunities and also participate in the provisioning and shaping of humanitarian aid (Hilhorst and Jansen 2010; Pittaway and Bartolomei 2018b). Pinock et al. (2020, p. 1) argue that the collective action of refugees both in formal camp and urban settings occurs due to the limitations of international assistance, and that attempts at understanding the nuanced ways that refugees themselves come together to provide protection and assistance for each other has largely been ignored. Often this results in the forming of refugee-led organizations which work in their respective communities to actually achieve the goals set out in humanitarian assistance programming. One such example is the Karen Women's Organization (KWO) started in 1949 and re-established in 1985. This organization grew out of a recognition of the rampant sexual and gender-based violence faced by women in the Thai/Myanmar refugee camps and the need to identify and promote solutions. While promoting gender sensitivity, they also advocate for local ownership and for women's empowerment, operating under the premise that equality will lead to the end of discrimination and violence against women. Similarly, KWO advocates for women to be active in leadership positions, and to build the capacity and skills to speak for themselves (Karen Women's Organization 2019). While there are other ways that refugee women organize, mobilize and participate in acts of resistance, what is important to note is that while international responses have focused on protecting the "vulnerable", refugee women and other recipients of humanitarian assistance have and continue to informally engage in activities that demonstrate their empowerment.

Despite this, there is a lack of clarity around the use of the term empowerment in formal policy which is reflected in Canada's approach to refugee women and humanitarian assistance. Critics have argued that empowerment has become a catchall phrase with limited meaning that has the potential to undermine assistance efforts if not defined (Hennink et al. 2012). In Canada's FIAP, women's empowerment is linked primarily to gender equality, but at its most basic conceptualization, empowerment relates to the processes by which an individual gains agency and voice (Stromquist 2015). Other scholarship suggests that women's empowerment has six interdependent components, all of which are necessary for change: knowledge or education; agency relating to decision making, self identity, and the ability to effect change; opportunity structure; capacity building; sustainability; and resources (Hennink et al. 2012; Kabeer 2012). Understood in this way, empowerment is a multifaceted endeavor and occurs individually, at the community level, and within organizations. Because of this complexity, we can use a feminist geopolitics to understand that empowerment is contextually specific, and can have varying meanings to individuals, organizations, and states. Empowerment can also be experienced differently by individuals in similar contexts based on the intersection of differing points of identity. For example, a refugee woman who has had formal education, speaks English and whose husband is involved in camp administration will have a very different experience than a refugee woman who has not been formally educated and does not speak English. Practically, this lens can then be used as a guide for policy development that is attuned to these complexities.

Likewise, empowerment requires that refugees are able to meaningfully participate in the design, implementation and evaluation of programs and policies that impact their day-to-day lives. However, achieving this requires the sustained efforts of policy makers to buy into the idea of participation and actively work at removing barriers to participation—particularly for refugee women who face a complex array of cultural and structural barriers. The Local Engagement Refugee Research Network (LERRN) defines meaningful refugee participation as occurring when "refugees from diverse backgrounds have sustained influence in all fora where decisions, policies and responses that impact their lives are being

designed, implemented and measured in a manner that is accessible, broad, informed, safe, free and supported.”<sup>1</sup> Meaning, that it is not enough for refugees to just have a seat at the table in policy discussions, or to be included in the roll out of programming, they must be engaged and consulted at all stages. Yet, despite specific funding and calls for engaging with refugees, the nature of international assistance limits the meaningful engagement of refugees (Pinock et al. 2020). Returning to the example of Canada’s work in Bangladesh, empowerment is linked to equality in policy and programming documentation, but for refugee women, empowerment means everything from bodily autonomy and mobility, to input in family planning, and the ability to participate in forums that advocate against child marriage. However, for many women, achieving these different layers of empowerment requires the support of their families and male relatives, and this is often difficult to achieve due to entrenched gender norms and cultural barriers (Women’s Refugee Commission 2019). Undertaking such a shift requires a multifaceted approach including international, national and local policy to address the systemic barriers that refugee women and girls face. This includes addressing barriers to participation, using language in policy and programming that reflects reality and highlights protection needs and capabilities equally, and encouraging male refugees and policy makers to advocate for gender equality (Pittaway and Bartolomei 2018a). By ensuring that the supposed beneficiaries of these kinds of policies have access to all stages of the process, decision makers can demonstrate their commitment to a bottom-up, meaningfully inclusive approach to assistance that is no longer grounded in presupposed categories of vulnerability.

## 5. Conclusions

The intention of this article has been to critically interrogate the ways in which the construction of categories of “vulnerability” have influenced the making and implementation of global refugee policy, as well as recent rhetorical shifts towards the language of “empowerment”. Using Canada’s engagement with the global refugee regime, and its feminist approach to international assistance, this article has argued that while the language has changed, the models by which refugee responses, and humanitarian assistance are delivered have not. This has led to limitations in the way that states such as Canada have implemented their rhetorical commitments to “empowerment”. By applying a feminist geopolitical framework to the theory and practice of implementation, we are able to understand more fully the complex ways that intended beneficiaries engage formally and informally in the making, implementation and evaluation of global refugee policy and humanitarian assistance. Ultimately, however, transformative approaches that move beyond a rhetorical understanding of “empowerment”, that engage with the intended beneficiaries of such norms and policies at every stage of the process, and that understand that the embodied experiences of individuals are crucial for measuring success. While there have been attempts to implement these rhetorical commitments, the external intervention approach continues to be used.

This argument has both theoretical and practical implications. Practically, it allows us to see that local and individual contextual factors play a crucial role in realizing an agenda based on empowerment. On the one hand, when globally created policies are implemented in local contexts, it is easy to overlook the role that local organizations and refugee women themselves play in the process, particularly when they have not “formally” been included. On the other, policy and programming created and implemented in top-down ways often fail to fully meet the needs of recipients or reinforce problematic power dynamics. This dichotomy presents opportunities to understand how current approaches both attempt to build empowerment, but also reinforce vulnerabilities by creating dependency on external intervention. A better approach starts from the ground up and offers recipients the chance to advance issues most pressing to them, designs and implements programs in ways that are most impactful on their lives and provides them with the tools and resources necessary

<sup>1</sup> LERRN working definition of meaningful refugee participation.

to carry on in the absence of external organizations. Theoretically, a feminist geopolitical approach to the study of policy development and implementation will contribute to a more robust understanding of the embodied experiences of individuals, and challenge mainstream assumptions about the beneficiaries of norms. It also builds on the important work being done in other sectors on participatory research and programming. While scholarship on norms has privileged the role of states in implementation rather than the individuals who are supposed to benefit from them, it is crucial to understand the way these individuals participate (or not) in these processes. This is important because, if the voices of supposed beneficiaries are not included in the defining of implementation and the process of implementation, and they do not agree, they will not comply (Scott 1985). If we are able to include the role of the supposed beneficiaries of norms in the defining and process of implementation, we can improve the process of implementation.

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