

Linköping University – Department of Culture and Society (IKOS)
Master's Thesis, 30 Credits – MA in Ethnic and Migration Studies (EMS)

ISRN: LIU-IKOS/EMS-A--23/14—SE

*Pathways to the labour market for persons with
disabilities and forced migration experience in Sweden
and Germany*

Marjan Aslanifard

Supervisor: Maria Persdotter

Abstract

The intersection of forced migration and disability is often overlooked, both in research, public discourse and political action. Building on the emerging literature looking at the situation in host countries and against the backdrop of the increasing focus on employment in both asylum and disability contexts, the thesis explores the access to the labour market for persons with disabilities and forced migration experience in Sweden and Germany. In order to answer the question of how pathways to the labour market for persons with disabilities and forced migration experience look like, the thesis combines a policy document analysis with four semi-structured interviews with organisations working at the intersection in both countries. The selected material and interviews are analysed with a reflexive thematic analysis approach following Braun & Clarke (2006) under an intersectional lens. The policy analysis shows, in addition to the lack of engagement with the intersection, that the respective asylum laws influence the access to the labour market through work permits and through their interplay with the provision of disability services. From the interviews, it appears that in both countries, persons with disabilities and forced migration experience get access to the labour market either through registration with the Employment Agency and their specific programmes for persons with disabilities, through sheltered workplaces in Sweden or sheltered workshops in Germany or personal contacts with diaspora communities or organisations. These different pathways are in both countries furthermore highly dependent on structural and personal prerequisites. Despite experiences of discrimination and ableism, the interviews highlight not only the complexity that comes with the intersection, but also that persons with disabilities and forced migration experience, often with the help of organisations, nevertheless navigate the pathways and find employment.

Acknowledgements

First of all, I would like to thank my supervisor Maria Persdotter for believing in me more than myself and guiding me through the research process. A special thanks goes to Jamie Bolling and the entire DRW/RTA team, it was a great and very valuable as well as inspiring time with you and I really hope we stay in contact! The thesis would furthermore not have been possible in the way it is without all interview partners, therefore a huge thank you to the contacted organisations for their openness, flexibility, interest and willingness to share their perspectives and experiences.

I would also like to express my gratitude to the EuMIGS Double degree programme that enabled me to experience and benefit from the learning environments and knowledge of both the REMESO and IMIS institute. Thank you to everyone in the EuMIGS cohort for creating this valuable network. It was quite the experience, but this would not have been possible without it.

Research might be a lonely process at times, but thank you for everyone, family, new and old friends, who have been there at one point of time with an encouraging word, a smile or shared despair.

Last but not least, the thesis has been written in memory of Noëlle Seyler, one of the best friends this world has to offer.

Table of content

1. Introduction	1
2. Terminology	4
3. Literature review – State of research at the nexus of migration and disability	6
3.1 Lack of data and invisibility of refugees with disabilities	6
3.2 Developments in the research about migration and disability	7
3.3 Problems and challenges surrounding the nexus of forced migration and disability	8
4. Positionality	12
5. Analytical and conceptual frameworks	14
5.1 Analytical framework: Intersectionality	15
5.2. Conceptual framework: Forced migration and the issue of asylum system	18
5.3 Conceptual framework: Disability understanding	20
5.4 Different conceptual frameworks of disability	21
6. At the intersection of forced migration and disability: The asylum system and the category of disability	24
7. Research design and Methodology	26
8. The pathway for persons with disabilities and forced migration experience in Sweden and Germany	30
9. Pathways to the labour market in German and Swedish policies	34
10. Pathways to the labour market in practice	39
11. Results	48
12. Discussion: The role of intersersectionality - Discrimination and the pathways to employment	50
13. Reflection	56
14. Conclusion and future research	58
15. References	60
16. Appendix	72

1. Introduction

Building on guesstimates from the World Health Organisation and World Bank, 15 percent of the world population lives with one or more disabilities (World Bank 2022; WHO 2022), with a possibly higher prevalence among conflict-affected populations (IASC, 2019:2). Although the intersection of forced migration and disability experience therein constitutes the lived reality for at least a minority group of people, the intersection is predominantly surrounded by a telling silence, both in research, university teaching, political action and discourses. Consequently, there is a lack of policy documents, both in the realm of asylum and disability, looking at or including persons with disabilities and forced migration experience.

Current guidelines on the European level such as the Strategy on the rights of persons with disabilities 2021-2030 (2021) and the Action Plan on Integration and Inclusion (2020) highlight the importance of the access to the labour market both in the context of disability and migration. Access to the labour market, economic participation and outcome play an increasingly important role in national asylum systems, as migrants in the broad sense are expected to be able to support themselves and to ideally not be dependent on social services or financial support. As a result, asylum policies focus increasingly on getting skilled and for the economy needed refugees and migrants as fast as possible into the labour market. Simultaneously, the ‘inclusion’ of persons with disabilities in the sense of participation, equal rights and self-determination continues to be a work in progress in every country, though differently advanced. A report of the Special Rapporteur on the rights of persons with disabilities for example points out that while efforts and progress have been made towards ‘inclusive’ societies, continued investment in the institutionalisation of persons with disabilities in several European countries counteracts and undercuts these developments (United Nations General Assembly, 2023:15). Consideration of these shortly sketched developments raises the question how they influence persons with disabilities and forced migration experience who are at the intersection of these developments in asylum and disability support systems.

Against the backdrop of the increasing focus on employment, the prevailing notion of being able to start working immediately after obtaining a work or residence permit, labour markets still not being fully ‘inclusive’ and the increasing correlation between the capacity to support oneself and access to residence permits, the research question of the thesis is: How do pathways to the labour market for persons with disabilities and forced migration experience look like in host countries?

Connected sub-questions are:

- How do policies shape the pathways to the labour market at the intersection?
- Which pathways to the labour market exist in practice as experienced by organisations working at the nexus?
- Which differences and similarities exist between the pathways in Germany and Sweden?
- Which role does the intersection of forced migration and disability play for the pathways?

In order to answer these questions, I combine a policy analysis with semi-structured interviews conducted with organisations working at the nexus of forced migration and disability in Sweden and Germany. Building on the concept of intersectionality as introduced by Kimberlé Crenshaw (1989) and using the concept of pathways, the thesis looks at which pathways to the labour market exist for persons with disabilities and forced migration experience and how they are constructed in policies and experienced in practice. The material is analysed under an intersectional lens with a qualitative approach oriented at Brown & Clarke's (2006) reflexive Thematic Analysis. Focusing on the situation for persons with disabilities and forced migration experience in Sweden and Germany, the thesis builds on the increasing attention in research towards the situations of persons with disabilities and forced migration experience in host countries. In comparing the two European countries, Germany and Sweden, I engage in offering a more comprehensive analysis of the nexus in interaction with the labour market. In looking at the pathways as structured in policies and as experienced by organisations in two different countries, the thesis sets out to contribute to closing one of the existing research gaps, namely the lack of "a strong qualitative empirical picture that clearly identifies everyday practices of inclusion and exclusion and distils the broader systemic policy discourses, processes and practices that enable greater participation for disabled refugees and asylum seekers" (Soldatic et al., 2015:515–516).

After a short explanation of the used terminology, current trends and gaps in the existing literature are presented and the concepts and understandings of intersectionality, forced migration and disability are explained. After introducing the concept of pathways for persons with disabilities and forced migration experience, the pathways to the labour market as structured in policies and experienced by organisations are explored. The research shows that, while policies only engage in a limited sense with intersectionality among populations with forced migration experience in general, organisations working at the nexus engage a lot in

actually creating pathways for the target group to the (open) labour market. Showing that pathways to the labour market are structured but also disrupted by policies and their missing engagement with the intersection as well as by individual prerequisites and structural conditions, the thesis then sets out to discuss the role of intersectionality. In drawing on research about the nexus as well as on Judith Butler (2009) and Wendy Brown (1993), the issue of unequal power relations and missing policies accounting for intersectionality is explored more closely. Despite set-backs, struggles and challenges along the pathway, the interviews show that, often with the help of projects and networks, persons with disabilities and forced migration experience manage to navigate through unwelcoming spaces and find employment nonetheless.

2. Terminology

Persons with disabilities

In the thesis, the formulation ‘persons with disabilities’ is used. The term is applied in a broad sense, capturing both the definition of the United Nations (UN) as well as those offered by individuals themselves in various contexts. The UN definition encompasses “all persons with disabilities including those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various attitudinal and environmental barriers, hinders their full and effective participation in society on an equal basis with others” (United Nations Enable 2007).

Therein, the UN definition draws a distinction between impairment, relating to a genetic, physical, psychological and/or anatomic condition and disability, which describes how society prevents certain people to fully and equally partake in the world around them. The used term is not intended to disadvantage or discriminate any person and where a distinction is needed, the term of impairment will be used. The thesis recognizes mental health conditions, chronic diseases or conditions as disabilities when speaking of the nexus of forced migration and disability in general. When the two national contexts are analysed, the respective government categories of disability are decisive factors, which do not generally include mental health conditions or chronic diseases. The thesis’s conceptualisation of disability is explained further in chapter 5.3. The term of persons with disabilities is not intended to negate the societal construction of disability, nor any other experience of being disabled. It furthermore should not be understood as denying the intersections with further categories related to gender, sexual orientation, age, social and economic background, class, financial situation, race, ethnicity/nationality that become important in different contexts.

Persons with forced migration experience

Another term used in the thesis is ‘persons with forced migration experience.’ The focus lies on forced migration as one specific form of migration. The category of forced migration encompasses persons that are forcibly displaced, meaning that their movement is not primarily voluntarily motivated but due to coercion. Forced migration encompasses a myriad of forms, reasons and experiences, though it is understood as a narrower term than migration experience as this would also encompass people that come for example on a work visa to a country, which constitutes a direct pathway to the labour market. The focus in the thesis lies on persons fleeing across international borders and arriving in one of the chosen national contexts of Sweden and Germany. The national terms and categories are used in order to refer to specific groups of

persons with forced migration experience, if the legal migrant status is of relevance. The term encompasses persons with forced migration experience that are recognized as refugees, asylum-seeking persons or other protection statuses. Not included are rejected asylum-seekers or migrants with irregular migrant statuses. During the analysis of the two countries, the term of 'persons with residence status' is used to refer to those persons with forced migration experience that have a permission, however temporary, to stay in a country, while the term 'protection status' refers to the respective legal category, e.g. refugee, subsidiary protection etc. The term of forced migration experience can be understood as interchangeable with that of displacement experience. The expression of 'person with forced migration experience' is favoured in the thesis as it invokes a higher sense of agency, whereas displacement can be understood more as something that happens to someone and where the individual is just the passive subject that becomes displaced. A more in depth explanation is offered in chapter 5.2.

Intersectionality

The study uses the concept of intersectionality building on Kimberlé Crenshaw (1989) to stress and highlight the fact that individuals have several social identities and are also categorised in different social categories. These categories do not objectively exist like that in the world, but are fluid constructs that are created by power relations and dynamics and always connected to each other to varying degrees (Cho, Crenshaw & McCall, 2013:795). Persons either themselves identify as something or someone or are put by others into these categories. These different identities intersect with each other, meaning that they should not be understood as additive (Crenshaw, 1989:40), but rather as something all at once that influences experiences of privileges, advantages and disadvantages in different contexts. Intersectionality further puts the focus on power relations that cause and are caused by different social identity categories and influence and frame particular experiences in a given context (Afeworki Abay, 2022:99). While this study uses labels such as 'disabilities', 'forced migration experience', refugee and migrant, the provisional use and application of them do not undermine the notion that these categories are dynamic and negotiable. Oriented at McCall (2005) the study uses categories as they are important parts of everyday life, but also keeps a critical stance towards them. The concept of intersectionality is explained in chapter 5.1.

3. Literature review – State of research at the nexus of migration and disability

The intersection of migration and disability has been overlooked for a long time, resulting in (forced) migrants with disabilities being “cast in a shadow, of epistemological, ontological and practical invisibility” (Pisani & Grech, 2015a:421). Consequently, the intersection of forced migration and disability rarely features in policies, public and academic discourses.

Nonetheless, even though the existing literature and research continues to be limited, recent years have seen an increasing engagement with and interest in the nexus of migration and disability among scholars (Afeworki Abay, 2022:93), both from Disability Studies and Migration Studies, who oftentimes engage with the concept and theories of intersectionality. In the following, a short overview of existing literature that looks at the intersection of migration and disabilities will be given, highlighting developments and persisting challenges and gaps in the research field. As the longstanding focus on mental health has been criticised from Disability Scholars and activists (King et al., 2016:223), the literature about mental health and trauma among refugee and forced migrant populations is not included in particular.

3.1 Lack of data and invisibility of refugees with disabilities

In one of the first studies on refugees with disabilities, Robert and Harris (2001) state that both on the British national level as well as on international level, information and disaggregated data about refugees and asylum seekers with disabilities “is rarely found” (Roberts & Harris, 2001:1). Over more than 20 years later, their statement that “this lack of data means that disabled refugees and asylum seekers constitute a largely invisible population whose social needs and circumstances are often unknown” (Roberts & Harris, 2001:1) still holds some truths.

Despite the increasing formation of practical and academic structures at the nexus of migration and disability, the situation of data is still inadequate (Behrensen & Westphal, 2019:385; Burns, 2017:6). Missing collection and disaggregation of data correlate with a missing awareness about the intersection of disability and migration: Migrants with disabilities are non-existing among migration data and debates while migrants are missing in disability-related data and policies (Burns, 2017:6). While reasons for this dearth of statistical information and data is manifold, ranging from unclear and missing policies on inclusion over shortages in funding to fears surrounding identification and registration of disabilities on the part of a persons seeking protection (Pisani & Grech, 2015a:431; MFD 2017:116), the lack of data has far-reaching consequences. The ‘invisibility’ of refugees and migrants with disabilities among

data leads to a continuing invisibility of them on policy level, as it suggests to governments that this group of persons is negligible, resulting in a lack of appropriate policy responses and actions (Soldatic et al., 2015:507). This, to reference the heading of Rebecca Yeo's (2017) article, then has created for a long time the impression that "disabled asylum seekers [...] don't really exist." The issue of invisibility sort of persists and is maintained, despite studies and research increasingly engaging with the nexus and contributing to bring the topic on the agenda, disseminate knowledge and create awareness. In the following chapter, particular developments in the field of research are highlighted, pointing out both progress and persisting gaps.

3.2 Developments in the research about migration and disability

Faced with the lack of data, the state of research about the nexus of (forced) migration and disability has consisted for a long time of quantitative surveys in national contexts, qualitative studies in the context of dissertations and research projects, publications issued by organisations active in disability services, documentations and reports from conferences and some non-representative and non-published studies used among disability service providers (Amirpur, 2016:35). While these materials still constitute crucial sources, the academic engagement has increased, ranging from journal articles (e.g. Emery & Iyer 2022) and manuals (e.g. Halfmann 2014) to special editions (Pisani & Grech, 2015b) and anthologies (e.g. Westphal & Wansing 2019).

A prominent focus of research about the nexus of migration and disability has been on refugees in humanitarian forced migration contexts and the issue of mental health (Soldatic et al., 2015:503). While Pisani & Grech (2015a) state that the conditions and situations of persons with disabilities in camps has been well documented (Pisani & Grech, 2015a:431), several scholars as well as organisations have repeatedly called for an increasing commitment to include persons with disabilities in humanitarian action (Duda-Mikulín et al. 2019; Pearce 2015). Even though the focus on mental health in research about forced migrants with disabilities has been criticised (King et al., 2016:223), research about health for migrants with disabilities in general has drawn attention towards barriers and challenges this population group has to face in order to actually access health care services (Soldatic et al., 2015:506).

Since the 2000, published papers and research have started to highlight the complexity of immigration policies with their predominant understanding of disability as a burden, a vulnerability and a cost to the welfare state and their impact on the life of migrants (Burns, 2017:12; Pisani & Grech, 2015a:432). Furthermore, research has pointed out barriers and challenges migrants have to face in their navigation of health and social care systems that are

ill-equipped to address and meet the needs of persons with disabilities and forced migration experience (Burns, 2017:8). With that, an increasing interest in the situation of persons with disabilities and migration experience in the respective host countries has been visible, though the research is so far limited to a few Western host countries. Australia and its immigration (detention) system constitutes one of these better researched national contexts (Duell-Piening, 2018; King et al., 2016; Soldatic et al., 2015) as well as Germany (Halfmann 2014; Wansing & Westphal 2014, 2019; Steiner 2019; Afeworki Abay 2019, 2022). While research focusing on the situation in the host countries is increasing, studies offering a comprehensive analysis of the situation and issues surrounding the intersection of forced migration and disability are still rare, which is where I take up my thesis. In the next chapter, identified problems and challenges surrounding the intersection of forced migration and disability are presented with a focus on the gaps of service delivery and the access to the labour market.

3.3 Problems and challenges surrounding the nexus of forced migration and disability

With the slowly increasing attention to the situation of persons with disabilities and forced migration experience, a list of issues, challenges, and shortcomings have come to light that persons with disabilities and forced migration experience have to face upon their arrival in a host country. An identified persistent theme is the issue surrounding identification, registration of and data about disability among forced migration populations. Identification and registration of persons with disabilities among (forced) migrants is crucial for service design and delivery but at the same time, it is also very hard to accomplish and often impossible (Crock et al., 2013:755). The missing awareness towards disability and lacking registration often constitute just the beginning of the often challenging navigation process of the asylum system of the host country. While persons with disabilities and forced migration experience meet the same challenges as every other persons seeking asylum, these challenges are at times exacerbated by the intersecting characteristic of having a disability, or a care responsibility towards someone with a disability. The study of Geuijen et al. (2021) shows for example that migrant families with children with intellectual disabilities meet unique challenges at their position at the intersection of migration and disability in regards of language, but also common challenges with families without migration experience. In a similar line, Bešić & Hochgatterer (2020) state that particular challenges for migrants and refugees with disabilities include language barriers, differences in conceptualisations of disability and lack of culturally sensitive support and the lack of trust relationships (Bešić & Hochgatterer, 2020:2).

Another issue which researchers have pointed out repetitiously, is the fact that there exists a gap in service delivery as support services do not intersect (Delić et al., 2022:111; Kleist et al. 2022; Waldschmidt, 2022:390; Steiner, 2019; Bešić & Hochgatterer, 2020:2). The in many countries well developed networks and organisations for migrants and persons with disabilities respectively remain in most cases distinct. Therefore, refugees and migrants with disabilities or families with a family member with disabilities risk to fall into the gap between these two systems and to not have access to required support and services (Kleist et al., 2022:120). Research not only points out the issue of missing intersectionality as evident in adequate service delivery, but also as an issue in wider society, resulting in a lack of understanding on the side of different actors when it comes to dealing with persons with disabilities and migration experience (or other intersectional identities of relevance). In Bešić & Hochgatterer's (2020) study for example, the authors show that there continues to be a lack of knowledge and experience of working with families with children with disabilities and migrant/refugee status (Bešić & Hochgatterer, 2020:16). While relevant actors on regional, local and national level might lack an intersectional understanding, organisations and networks working with persons with disabilities and migration experience increasingly apply and promote an intersectional understanding (e.g. DRW/RTA¹; Crossroad Project²).

Another challenge constitutes the access to the labour market. Handicap International (2021) states in a recent report that access to employment for persons with disabilities and forced migration experience is often even more complex than for refugees, as general language specific and qualification specific challenges intersect with further requirements of support in order to be able to participate in the work life. While there seems to be a consensus that access to the labour market constitutes a particular challenge for persons with disabilities in general (Lollar et al., 2021; Blattner, 2020; Brown & Moloney, 2019), it is not a particularly well researched topic in the case of persons with disabilities and migration experience. Pieper and Mohammadi (2014) as well as Afeworki Abay (2019; 2022) represent some of the few scholars who have researched the situation regarding labour market access and employment at the nexus of migration and disability in the context of Germany. While there continues to be a lack of empirical evidence on how the intersection of disability and migration can potentially create sources of social disadvantages, the researchers point out the influences of institutionalized racism and ableism on the access of persons with disabilities and migration experience to

¹ Independent Living Institute – Disabled Refugees Welcome/ The Right to Employment and Mutual Integration. <https://disabledrefugeeswelcome.se/en/>

² Handicap International/Humanity Inclusion – Crossroads. Flucht, Migration und Behinderung (Forced Migration, Migration and Disability). <https://www.hi-deutschland-projekte.de/crossroads/>

education and work (Afeworki Abay, 2019:15; Wansing & Westphal, 2014:238). Consequently, this can lead to the multidimensional exclusion and discrimination experiences of persons with migration and disability experiences (Afeworki Abay, 2022:94). Pieper and Haji Mohammadi (2014) call for sustainable and effective instruments, policies and a reorientation of the labour market as well as of economy and society in a wider perspective, so that there exist actually inclusive and accessible structures for everyone (Pieper & Mohammadi, 2014:246). While existing research and reports point towards improving support structures surrounding the nexus, sustainable and long-term perspectives are still missing and depend on the development of a more inclusive society oriented at the implementation of the Convention on the Rights of Persons with Disabilities (UN CRPD) (Handicap International, 2021:27).

The state of research surrounding the nexus of (forced) migration and disability, albeit limited, shows that despite the lack of data and continuing invisibility of persons with disabilities and forced migration experience in political action and discourses, awareness towards this group of persons has slowly increased over the years, both among academic and political as well as public contexts. Research focuses not only on humanitarian contexts, but also on situations in host countries, pointing towards several challenges and shortcomings that risk to reinforce inequalities and the exclusion of persons with disabilities and forced migration experience. Alongside activism of individuals themselves and organisations advocating with them or on their behalf, research has taken an important role in increasing the visibility of persons with disabilities and forced migration experience. Nonetheless, knowledge gaps concerning lived experiences as well as concrete inclusion and exclusion processes persist.

In looking at the nexus and the implications policies have on the pathways to the labour market, the study aims at contributing to research looking at the situation in host countries. It furthermore builds on the research about the access to the labour market by Mohammadi & Pieper (2014) and Afeworki Abay (2022) in looking how pathways do look like both in policies as well as in practice. The study therefore contributes to the existing literature in not only offering a comparative view of two different national contexts, but also in analysing how policies structure situations for persons with disabilities and forced migration experience. Policies have rarely been analysed, as a disability perspective is not mainstreamed in policies (United Nations National Assembly, 2023:4) and disability and (forced) migration policies are seen as constituting two separate political sub-regimes and therein two different political-legal contexts of action (Otten, 2018:107). Nonetheless, I think it is important to take a look at policies as they shape the situation for persons with disabilities and forced migration experience, regardless of whether they explicitly address their situation or not. In combining

the policy analysis with interviewing organisations working at the nexus and filling the aforementioned gap between service deliveries, the political structuration of the pathways is complemented with a more practical and disability inclusive perspective. The thesis therefore connects to current trends and existing research, while also intending to explore gaps and to offer one small step towards closing them. In the following, the personal positionality is stated before the research interest is clarified and the conceptual and theoretical underpinnings of the study are explained.

4. Positionality

The topic and interest of the master thesis stem from my own, personal history of growing up with what Germans label “migration background” being a child of a person with migration experience. Identifying as a white woman born in Germany without a disability, at times identified as having a ‘migration background’, though only occasionally actively self-identifying as such, puts me in several contexts in a more privileged position vis-à-vis persons with migration and disability experiences.

While the possibility to spend the second year of my studies abroad in Sweden might have given me an idea of how some aspects of migration might feel, I do not have an own migration experience, as it is still foremost a time-limited international student mobility experience within Europe. It nonetheless enabled me to learn more about the Swedish context and to intern with an organisation working at the nexus in Sweden, inspiring not only the research topic but also opening up the possibility to compare Sweden and Germany as two contexts I am familiar with.

My studies in international relations and educational science as well as my master in migration studies enabled me to deepen my knowledge about migration from a theoretical and academic standpoint. Several internships in the realm of migration as well as voluntary engagement in different organisations gave me the opportunity to furthermore interact with a variety of people either themselves identifying as refugees or working with this diverse group and migration issues. Growing up with my mother working at a special needs school and later on working myself with persons with intellectual disabilities in institutional settings also taught me a lot about disability relevant issues. For a long time and also for the majority of my studies, these two areas of interest, migration and disability, have remained distinct. Now, having the opportunity and environment to actually engage with the intersection of disability and migration, several points need to be highlighted and critically reflected.

In looking at the nexus of migration and disability, I engage in Migration Studies as well as Disability studies. Every time we research about something, we should pose ourselves the question with what right we do so and whether it should not better be a research *with* instead of *about* someone. While in Migration Studies, this question is rather formulated as a critique of migration studies being mainly white-dominated and Eurocentric, to which I would contribute, in Disability Studies, this question also relates to the issue of researching predominantly about, and not with, persons with disabilities. This contradicts the motto of the disability movement ‘Nothing about us without us’ (UN Department of Economic and Social Affairs 2023b). In looking at the pathways to the labour market for persons with disabilities and forced migration

experience, it is not the individual experiences that are in the focus, but rather the framing of pathways in policies and how organisations experience these policies and pathways in practice. Furthermore, I decided not to contact persons with disability and forced migration experience themselves due to ethical reasoning, as migration and disability constitute very sensitive topics and due to the time frame and scope of the master thesis. Faced with these issues, I tried my best to be aware of them and to critically reflect my own positionality and how it might influence what I do throughout the entire research process.

5. Analytical and conceptual frameworks

In order to analyse the access to the labour market at the intersection of forced migration and disability in Sweden and Germany, the metaphor of pathways is used. Pathways are tracks upon which people can move along and that lead to somewhere. Along a pathway, several turns, stops and drawbacks as well as hurdles might be experienced, causing some to be stuck, go back or abandon their journey completely. Using the concept of pathways offers a useful tool in order to grasp the pathways that are designated by governments and governmental actors for persons with disabilities and migration experience towards the labour market in a more comprehensive manner and to also grasp challenges and hurdles that might disrupt a pathway and create detours as well as dead-ends. It furthermore, on a metaphorical level, connects to the initial metaphor of intersectionality as cross-roads: Metaphorically speaking, then, the question is if and how these pathways and cross-roads convene or clash.

The decision to compare Germany and Sweden was both influenced by personal -and practical- as well as more objective reasons. From the personal point of view, it made sense to use the position of knowing to varying degrees both national contexts and having some networks. Furthermore, engaging more with the topic of the intersection, it soon became clear that a comparison of different national context could be fruitful and contribute to the existing literature in several ways: First, any research engaging with the nexus contributes to the so far rather limited body of literature. Second, in comparing and combining policy document analysis with interviews, the study engages in approaches that are not often applied in research about the nexus. Given the fact that there is already few networking between different actors and institutions involved in the intersection, broadening the view and looking at different contexts might be beneficial as it enables to compare and see how different countries engage with the intersection. Using a more comprehensive oriented approach with the concept of pathways, enables to explore the particular ways into the labour market that are open for persons with disabilities and forced migration. Analysing current framings of pathways in disability and asylum policies shows how these political frameworks either create, support or disrupt these pathways and whether there is actually a more specific perspective needed in policies that accounts for the intersection and looks at the situation of persons with disabilities and forced migration experience. Besides the concept of pathways, the thesis builds on the concepts of intersectionality, disability and forced migration.

First, as it is quite fundamental for the thesis, the concept of intersectionality is explained and its application as both a conceptual and analytical tool. Thereafter, the other two conceptual frameworks of forced migration and disability are delineated before the intersection of disability

and forced migration experience in form of the category of disability in immigration policies is explored.

5.1 Analytical framework: Intersectionality

The conceptual framework of the study builds on intersectionality and its respective reception in Migration Studies and Critical Disability Studies. Intersectionality does not only inform the research focus, namely the intersection of forced migration and disability, it also informs the understanding of both concepts, disability and forced migration and constitutes the analytical framework of the study. Intersectionality has developed to quite a “buzzword” in recent years (Choo & Ferree, 2010:145) and has been differentially received and applied in different disciplines, resulting in a variety of understandings and applications as well as increasing criticism. After shortly explaining the concept of intersectionality as introduced by Kimberlé Crenshaw (1989), the working definition and understanding of intersectionality used in the thesis is laid out. While some issues concerning intersectionality are mentioned, due to the increasing popularity of applying an intersectional framework in general and also particularly when it comes to the nexus in question, the focus lies in clarifying the used approach to intersectionality. Therefore, the chapter does not delve deeper into different receptions, particular understandings and practical applications or criticisms (see for example Bastia et al. 2023; Dobusch & Wechuli 2022).

As mentioned before, the concept of intersectionality is often traced back to Kimberlé Crenshaw (1989), who introduced the concept in her foremost legal analysis of three different court cases. The essay forms part of a broader intention to develop a critical Black feminism that does not treat race and gender as mutually exclusive categories and moves away from single-axis frameworks (Crenshaw, 1989:139). Even though Kimberlé Crenshaw is a figure of central importance in intersectionality research and theory, alongside of equally important figures such as Patricia Hill Collins and Judith Butler, the origins of intersectionality should be seen as embedded in the spirit as well as scholarship of women of colour who criticized mainstream feminism and race/ethnic scholarship for not taking into account the experience of women of colour (Windsong, 2016:2; Emery & Iyer, 2022:94). Crenshaw (1989) understood intersectionality as an alternative and new analytical structure that addresses the particular way and manner in which Black women are discriminated against, subjugated and excluded. As these experiences of inequality are “greater than the sum of racism and sexism” (Crenshaw 1989:40), intersectionality is seen as a concept that moves away from a single-axis and purely additive perspective and instead accounts for the complexity and multiplicity of the lived

experience of these processes. To illustrate the matter of intersectionality, Crenshaw (1989) uses the metaphor of a cross road, where traffic flows in several directions and where accidents can happen caused by any number of cars coming from various directions; only from one, or from every direction altogether. The analogy to the crossroad lies therein that discrimination or other inequality processes can be experienced in a myriad of ways. Crenshaw (1989) exemplifies this with the experience of discrimination of Black women, who can experience discrimination in any number of ways, including complex and unique experiences of disadvantage and discrimination due to their position at the intersection of categories of race and gender. The recognition of such an intersectional experience of discrimination is often missing as, in that case, Black women's intersectional identities continue to be measured and analysed within dominant existing analytical categories that do not adequately capture the particularity of their experience and at times even undermine their claims. While Crenshaw (1989) focuses on the categories of gender and race, which, together with class are considered as the classical triad of intersectionality, the following years have seen an increasing widening of intersectionality to include further categories such as age, nationality/ethnicity, social/economic background and also disability (Emery & Iyer, 2022:94). Connected to this development is the emergence of a number of questions and issues, ranging from the utility and need of metaphors such as the crossroad to the differentiation between additive and interactive, the mutually constitutive nature of social categories as well as the "etc."- problem, which refers to the use of 'etc.' in listing possible intersectional categories and opens up the possibility of an endless, undefined list (Cho et al., 2013:787). Related to several of these concerns is also the issue of methodology and missing knowledge and theorisation of how to apply intersectionality in one's research in general (McCall, 2005:1771). Intersectionality does not constitute a "full-fledged grand theory or standardized methodology" (Cho et al., 2013:789), leaving a lot of room for own interpretations but also for insecurity and confusion. Acknowledging these issues but not diving deeper into them, intersectionality in the thesis is more understood as an analytical sensibility. Following Cho et al. (2013), intersectionality then is a way of thinking about and conducting analysis that focuses on the issue of difference, sameness and connected power relations. The focus on difference is also highlighted by Brown & Moloney (2019), who emphasize that while there exists not one singular way to conduct an intersectional analysis, it is important to look at how difference is formulated and which effects that has on those who are subjugated or targeted.

Applying an intersectional lens, either as theoretical framework or methodological concept, is quite common in studies looking at the intersection of migration and disability (see e.g. Emery & Iyer, 2022; Egilson et al., 2020; Afeworki Abay, 2022; Korntheuer et al., 2021).

While disability studies and intersectionality have an asymmetrical reception and interaction due to diverging disability understandings as well as differential treatment of and engagement with disability as a category (Dobusch & Wechuli, 2020:5), several authors from Disability Studies have stressed the benefits an intersectionality informed understanding can bring. Research in Migration Studies also increasingly uses an intersectional framework, though there exist different approaches towards the different categories of analysis (Bastia et al. 2023:466). The varying reception in different disciplines as well as differential applications and understanding of intersectionality pose the question what an intersectional analysis should be or what it should crucially include. The analysis of this study does diverge from the initial conceptualisation of intersectionality with its focus on the categories of race, gender and ethnicity, as these categories are not particularly addressed or focused on. Nonetheless, as Bastin et al. (2023) have pointed out, it is important to understand and acknowledge the origins of intersectionality, but also to further develop the concept of intersectionality, as it offers a unique and crucial framework to explore power relations and processes of discrimination, privileges and inequalities and ultimately, to try to acknowledge and account for the complexity of human life.

Intersectionality therefore not only informs the disability and consequently the forced migration understanding of the study, but also serves as an analytical tool in the analysis. While the study focuses on the intersection of disability and migration, it is important to note that the categories of disability and migrant status have meaning on their own standing as well as in intersection with various other socially constructed, self-claimed or appointed categories (such as, but not limited, to age, gender, class, sexual orientation). Similar to Emery & Iyer's (2022) study, the intersectional lens is used more in the sense to emphasis structural and institutional power in relation to identity and not a disability and/or migrant identity (Emery & Iyer, 2022:106).

Intersectionality as both a theoretical and analytical lens then opens up the perspective on inequality processes and advocates for understanding experiences, whether privileging or discriminating ones, from a multi-axis perspective that tries to account for the complexity of human beings, with a strong focus on power relations. Using intersectionality not only facilitates an engagement with disability in migration studies, it also enables a critical look at current policies and how intersectionality is acknowledged and treated in current asylum

systems. Before these policies and asylum systems are analysed, the concepts of forced migration, disability and the understanding and framing of the nexus of forced migration and disability are explained in the following chapters.

5.2. Conceptual framework: Forced migration and the issue of asylum system

Forced migration has been theorised from a range of disciplines, but primarily from Migration Studies, where I situate myself, as well as from Refugee Studies in relation to post- and decolonial studies. Forced migration is understood as a particular form of migration, though the exact delineation between these two concepts as well as the need to differentiate between different forms of migratory movement is contested (Fiddian-Qasmiyeh, 2014:3). Forced migration, often synonymously used with forced displacement, describes the phenomenon of persons being obliged to leave their country or their place of habitual residence due to war, conflict or violence, including both internal as well as international movements (UNHCR 2023a). The thesis focuses on persons with disabilities fleeing across international borders, and therein excludes internally displaced persons with disabilities or persons with disabilities left behind or prevented from moving. In moving across borders, forcibly displaced persons interfere with concepts of the nation-state, sovereignty, territory and citizenship (Goodwin-Gill, 2014:1) and have become increasingly subjected to mechanisms of securitization, regulation and control (Castles, 2003:13). Global as well as national migration regimes³ have developed with the aim of regulating and controlling the movement of people applying different legal categories to classify the claims to asylum and protection. While scholars from disciplines engaging with forced migration such as Refugee Studies and Migration Studies, agree that war, armed conflicts and violence are the prime factors leading to and causing forced migration, opinions diverge on the necessary extent and scope of violence and conflict (Adhikari, 2013:82). There is also discussion on whether and how to include and account for disaster, development or environmental induced migration (Fiddian-Qasmiyeh, 2014:10). In categorizing the diverse group of forced migrants, nation-states create hierarchies among these people seeking protection and asylum, ignoring that these coerced movements and immobilities are caused by their own histories, (neo-)colonialism, global (racialized) inequalities, processes of othering, exclusion, marginalisation and power relations (Bhambra 2015; Collins 2022).

³ According to Rass & Pott (2018) migration regime can be understood as both a term and an analytical tool that is applied to capture and understand the dynamic between regulation and movement in all its complexity. A migration regime concept therefore accounts for the complexity of migration policies, their histories, grounds and consequences as well as encompassing negotiation processes between actors, institutions and practices.

The used term ‘persons with forced migration experience’ encompasses refugees, asylum-seekers and persons with complementary, subsidiary and temporary forms of protection, as well as others in refugee-like situations⁴ (UNHCR Refugee Population Statistics Database 2022). The legal category of refugees is defined in the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol, stating that a refugee is a person who because of

well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (Art. 1; No.2 UN Convention relating to the Status of Refugees 1951)

Central to claiming to be a refugee is the ‘fear of persecution’, which in practice has proven to be crucial but difficult to prove (Lord, Heideman & Stein, 2021:501f.). An asylum-seeker is every person that comes to a country without a valid visa and that seeks protection from the host state and whose request is still processed (UNHCR 2022). Until a decision has been made, asylum-seekers have limited access to rights and services, which in most countries includes only the most basic rights, such as access to healthcare only in immediate, emergency cases (El-Gamal & Hanefeld 2020:28-29). In order to account for the various reasons forcing people to flee or leave their country, countries have adopted further categories for asylum-seekers that are not granted the status of refugees, but that are still in need of protection, resulting in different categories of subsidiary protection statuses and a variety of permits regulating the right to stay. Once a residence permit has been granted, which is usually only temporary, the persons have access to different services and measures, such as integration measures, if it has not already happened during the asylum process, including language and integration courses, which at times can be compulsory, as well as to employment services and the labour market (BAMF 2019; Arbetsförmedlingen 2023a).

⁴ This type has been introduced by the UNHCR in 2022 and is intended to refer to people that are not recognized under the other categories but still need protection, such as the former category of Venezuelans displaced abroad (for more information see UNHCR Refugee Population Statistics Database, <https://www.unhcr.org/refugee-statistics/methodology/>).

The term persons with forced migration experience translates in the respective national host countries into different protection statuses and legal terms, which determine the further course of the asylum process and of the individual's life. In order to examine how the forced migration system accounts for disability, different disability understandings and the need to apply an intersectionally informed and contextual understanding of disability are outlined in the next chapter.

5.3 Conceptual framework: Disability understanding

Disability, similar to the concept of forced migration, constitutes a complex and societal construction that warrants further examinations. Meekosha (2011) states in her research that “[w]e need to acknowledge that there are many ways of describing and understanding disability and impairment” (Meekosha, 2011:678). This acknowledgement is not always given, both within society and public discourses as well as within academic circles, such as Disability Studies. Disability refers to a complex, fluid and contextual social construct (Ben-Moshe & Magaña, 2014:105). Consequently, there does not exist one universal definition of disability, despite what international guidelines, public discourses or research might suggest.

In general, the term of persons with disabilities in the thesis is understood broadly as encompassing persons with physical, intellectual, sensory impairments as well as with chronic illnesses and every other person that identifies with being disabled in one way or another. As the thesis looks at the two national contexts of Sweden and Germany, two slightly different definitions of disability as a political category that needs to be assessed and measured are presented. Before delving deeper into the different conceptual frameworks of disability, the general understanding of disability underlying the thesis is highlighted by two voices from the disability community in form of disability activists Keah Brown and Alice Wong:

The face of the disability community is very white. People don't often think of people of colour or of LGBTQ+ people when they think of us. Instead, they think of cis white male wheelchair users who hate themselves, because this is so often the way pop culture depicts us. I'm not a cis heterosexual white male wheelchair user, so in pop culture, I don't exist. That's not okay because it's not reality. I exist I am a real person behind these words, and I deserve to be seen. (Nurturing Black Disabled Joy, Keah Brown in Wong 2020:118)

Disabled people have always existed, whether the word disability is used or not. To me, disability is not a monolith, nor is it a clear-cut binary of disabled and non-disabled. Disability is mutual and ever-evolving. Disability is both apparent and non-apparent. Disability is pain, struggle, brilliance, abundance, and joy. Disability is socio-political, cultural, and biological. Being visible and claiming a disabled identity brings risks as much as it brings pride. (Wong 2020:xxii)

5.4 Different conceptual frameworks of disability

Literature, research, reports and expert opinions engaging with the topic of disability often refer to ‘models’ in order to express their understanding and conceptualizing of disability. While termed as ‘models’, they can also be understood as functioning as conceptual frameworks that express certain knowledge, perspectives as well as understandings of disability. In the following, the medical/individual conceptual framework of disability will be explained as well as the cultural, social and rights-based ones. Further frameworks used to understand disability include the bio-psycho-social model applied in the ICF (WHO 2022:9) and the minority model, which is predominantly used in the US context (Frederick & Shifrer 2019:203). However, given the scope of my thesis, I have opted not to account for the latter.

Understanding the different ‘models’ in relation to the disciplines and contexts as particular and partial conceptual frameworks enables a critical perspective on the way particular knowledge about disability is generated and reproduced. Following for example a medical standpoint, disability is understood as a medical problem, which needs to be defined in medical terms and is deeply rooted in the medical field, therefore needing medical expertise, knowledge, methods and theories (Ben-Moshe & Magaña, 2014:106). Moving on from a solely medically defined view on disability opened up to the emergence of other disciplines such as Disability Studies engaging with the concept of disability and generating different knowledge and perspectives on disability (Duda-Mikulín et al., 2019:6). Taking on slightly different approaches and understandings, Disability Studies, Critical Disability Studies and Crip Theory are similar in their constructivist approach towards disability, taking it as a category, but at the same time critically questioning and deconstructing it. Disability Studies have developed different conceptual frameworks of disability such as the social, cultural, affirmative, relational and minority conceptual framework that are all understood as opposites to the individual understanding (Hirschberg 2022:104). As opposed to a purely medical view of disability that locates disability within the individual and sees it as subject to medical care and interventions in order to prevent and rehabilitate (Waldschmidt, 2022:105), the social and cultural perspective

on disability focuses on the social environment. The social conceptual framework of disability is often dated back to the definition laid out by the British organisation Union of the Physically Impaired against Segregation (UPIAS) and the Disability Alliance (1997 (1975)). In their manifest, UPIAS drew the distinction between impairment and disability, with impairment referring to lacking a part of or having a defective limb, organ or mechanism of the body whereas disability describes the disadvantage or restriction of activity that results from contemporary society hindering their full participation (UPIAS, 1997 (1975):14; Waldschmidt, 2022:108).

Disability Studies, consequently, build on the notion that disability is socially constructed and that it is society that disables people (UPIAS, 1976:15), encompassing a social, cultural and rights-based perspective and approach towards disability. While the social understanding has been widely referenced and applied, the cultural understanding with its focus on culture has been less theorised and is at times employed as an addition or alternative to a purely socially oriented approach (Waldschmidt, 2018:74). The rights-based perspective relates to the UN CRPD and advocates for understanding disability and disability-related issues within a human-rights framework. Accordingly, the focus is on the rights laid out in the UN CRPD which are seen as universal and applicable to every person with disabilities (Crock et al., 2013:741). Such a rights-based perspective, as often demanded by disability activists and scholars, is often missing in policies and among societal actors and society at large, as shown later in the analysis.

While Disability Studies therefore understand the category of disability as a contextual and relational category that is historically, societally and politically constructed and relevant on the identity level (Wansing et al., 2022:198), Critical Disability Studies draw on and produce, as the name already hints at, a more critical and reflexive knowledge surrounding disability. Building on de- and postcolonial thoughts, Critical Disability Studies' scholars criticize the Whiteness and Eurocentrism of Disability Studies as the majority of the conceptual frameworks of disability has been developed and used within the Global North and rarely account for lived experiences and conceptualisations outside of it (Mekosha 2011:670; 672). Critical Disability Studies engage therein with de- and postcolonial thoughts, analysing links between disability, race and colonialism (Mekosha 2011:672) as well as critically engaging with the concepts of

ableism and sanism⁵ (El Lahib 2017:648). In relation to immigration systems for example, El-Lahib (2017) states that immigration policies are based on an “ableist construction of an ideal and normative body [...] related to idealized notions of productivity, independence, health and ability” (648) against which persons with disabilities and forced migration experience are measured.

Crip Theory, which is influenced by Queer theory and phenomenology (Altermark, 2019:14; Schalk, 2012:2), builds on both Disability Studies and Critical Disability Study while at the same time distancing itself from it. Crip constitutes "a term which has much currency in disability activism and culture but still might seem harsh to those outside those communities" (Schalk, 2013:5). Crip theory understands disability as normatively constructed and always related to an ideal of 'ableness', of able-functioning, wherein the body that is regarded as able is always used to measure those that are seen as different, therein constructing disability (Altermark, 2018:14). Crip theory has a somewhat broader understanding of disability as it focuses more on the subjective understanding of disability and on the process of identifying with being disabled. The term of 'crip' therefore opens up to those that identify or dis-identify with certain concepts and that might not identify with 'disability', but that do identify with the experience of being disabled in their everyday life (Schalk, 2012:1).

The nexus of forced migration and disability does not offer much room for self-identification, theorising of how disability might be understood in different contexts or investigating deeply into further intersections with gender, sexual orientation, age, etc. As outlined in the following chapter, forced migration and asylum policies take on another approach towards disability: the framing of disability as a political category in form of 'vulnerability.'

⁵ Ableism according to Buchner et al. (2015) describes social, socio-technical and technological processes that attribute abilities and talent to individuals, groups or things, therein constructing, reproducing and legitimizing specific meanings of abilities, being able and able-bodied humans (Buchner et al., 2015:3). Sanism constitutes a more particular process of oppression that excludes and subjugates persons living with mental health histories (Poole et al., 2012:20-21).

6. At the intersection of forced migration and disability: The asylum system and the category of disability

In the following, a closer look at how the concept of disability plays a role in the asylum policies is taken. Disability as a knowledge system does not only feature within forms of different ‘models’, conceptual frameworks or within disciplines occupied with disability issues, it is also increasingly politicized and constitutes a political category, *inter alia*, in the realm of immigration regimes. The global forced migration regime does not recognize disability as a ground on which one can claim asylum (see Art.1 No.2 UN Convention relating to the Status of Refugees 1951). Only one state, South Africa, has recognized persons with disabilities as a social group, creating therein the pathway to asylum through the claim of persecution on the grounds of belonging to a social group (Crock et al., 2013:751). Persons with disabilities and forced migration experience therefore have to prove their persecution like every other person seeking asylum, though their disability might play a contributing factor in issuing deportation bans or subsidiary protection. The prerequisite is that they can prove that they require medical care unobtainable in their home country or that they would be subject to inhumane conditions and treatment upon return due to their disability (Handbook Germany 2023a; Asylrättcentrum, 2023:106). Disability can constitute a possible pathway in resettlement and family resettlement schemes (Korntheuer et al., 2021:2), though the group of resettled refugees is due to their particular pathway as well as time and scope limitations excluded in the thesis.

In the context of the international asylum regime, disability constitutes a category that is linked to ‘vulnerability’. Persons with disabilities are labelled as ‘vulnerable persons’ in the context of forced migration, alongside with women, children and elderly people (Art.21 EU 2013/33). Therein, disability is constructed as a characteristic that, if noted, warrants protection and measures on actors’ sides. Having a disability is seen as putting persons with forced migration experience in ‘specifically vulnerable and at risk’ positions, making them especially vulnerable to exploitation, experience of (sexual) violence, as well as discrimination and exclusion from access to humanitarian and public services (UN Department of Economic and Social Affairs 2023a).

The link to vulnerability has been widely criticized (Straimer 2010; Delić et al., 2022; Mehring et al. 2022). While on the one hand constituting the possibility of being recognized and receiving support and services, persons with disabilities are on the other hand not seen as individuals with their own agency but as being inherently vulnerable (Straimer, 2010:8). Having a disability should not be seen as equalling vulnerability in general, as persons with disabilities are not inherently vulnerable, but they might require action in order to meet needs that are

specific to them, alongside those they share with every other human beings (IASC, 2019:17). In order to be able to claim a ‘vulnerability’ due to one’s disability, the existence of a disability generally needs to be ‘proven’ by medical certificates or hospital bills, underlying the predominantly medical conceptualisation of disability in the immigration and asylum system (Burns 2017:12; Korntheuer et al. 2021:1; Soldatic et al. 2015:515). This (bio)medical⁶ approach towards disability in immigration policies reduces the complex experience of disability to something measurable within the individual that needs to be professionally attested and diagnosed, while at the same time, it creates a pathway to services and support.

Disability and related knowledge productions are deeply rooted and contingent in the contexts they are employed. Despite tensions between different constructions, the different understandings, approaches, models and ‘definitions’ co-exist, at times contesting each other, while they are all simultaneously shaping and being shaped by persons with disabilities’ experiences. People entering and having to navigate national asylum systems and procedures are, despite what policies and discourses might suggest, highly diverse and bring as every other individual their own experiences and histories with them. Intersectionality in general, and having a disability in particular, is rarely accounted for in structures and processes surrounding asylum and the forced migration regime. Furthermore, there is rarely space for a contextual, individual understanding of disability as explained in the previous chapter. How persons with disabilities who seek asylum in Germany and Sweden are put into the existing legal categories and processes is shown more explicitly in chapter 8 and 9. First, the research design and applied methodology as well as the theoretical assumptions underpinning the thesis are presented.

⁶ Biomedicalisation signifies a shift in modern society towards an increasing techno-scientific understanding of biomedicine which influences increasingly different spheres outside of medicine (Clarke 2014:137). The concept is related to Foucault’s (1976) concept of ‘biopolitics’ constituting a form of power exercise putting life at its centre (Clarke 2014:137).

7. Research design and Methodology

After having explained the interest of the study, its embedment in the wider research as well as the fundamental concepts and the research focus in general, I need to answer the question of how exactly the research is done.

The material - consisting of policy documents and governmental position papers in addition with press releases and organisational position papers and interview transcripts (labelled: S_1; S_2; S_3 and addition; D_1; D_2) - is analysed under an intersectional lens and oriented at Braun & Clarke's (2006; 2021a; 2021b) reflexive thematic analysis (reflexive TA) approach. Thematic analysis (TA) offers an alternative to other qualitative approaches such as (critical) discourse analysis or grounded theory (Braun & Clarke, 2006:81) that focuses on "identifying, analysing and reporting patterns (themes) within data" (Braun & Clarke, 2006:79). According to Braun and Clarke (2021b), TA should best be understood as an umbrella term, encompassing several different approaches. Common characteristics should include an analysis through coding and theme development, a certain degree of theoretical and research design flexibility and a focus on semantic and latent meaning (Braun & Clarke, 2021b:335). Differences can occur in regards of the research process such as underlying paradigmatic and epistemological assumptions and values as well as the concrete application (Braun & Clarke, 2021b:335). One of these possible approaches within the TA framework is reflexive TA (Braun & Clarke 2021b). Reflexive TA focuses, as the name already reveals, on creating codes and themes on basis of the data, while trying to reflect on the researcher's own interpretation and perspectives influencing the analysis process.

As the interest of the study lies in exploring the pathways for persons with disabilities and forced migration experience in looking at the formulation and structuring of these pathways in policy papers, looking for themes in policy documents was seen as useful. Besides identifying themes relevant for the structuring of the pathways, another aspect speaking for a reflexive TA approach was its flexibility, which was seen as working well together with the intersectional orientation of the study.

Braun & Clarke (2006) stress the importance of stating the theoretical assumptions of the analysis. Thematic analysis is despite some perceptions, not a-theoretical and cannot be conducted in a theoretical vacuum (Braun & Clarke, 2021a:331; 2021b:337). The theoretical assumptions underlying the present study draw strongly on theories of intersectionality. As the thesis focuses on policy documents and interview transcripts, the main object of the analysis is the written word. The research therefore engages with pre-existing textual sources but also engages in creating its own data in form of interviews. The used and created data is seen as

reflecting the beliefs of people. The analysed policy documents encompass asylum laws that are nationally binding, proposed policies such as the inclusive labour market policy whose implementation is still in process as well as policy directions or proposals, such as the Tidö-Agreement. The documents grouped and analysed as policy documents carry different weight in terms of their implementation, with some codifying existing practices and impacting the lives of people, while some others are so far non-binding statements and declarations of intent, not yet translated into any binding document or political action. Policies, in a general and basic understanding, can be seen as associated to a program, a course of action and as often including a problematisation of a phenomenon in society (Bacchi, 2009:ixf.). The different policy documents are seen as expressing and representing the governments' beliefs and perspectives.

Drawing on Bacchi and Eveline (2003) stating that “[p]olicies do not simply ‘impact’ on people; they ‘create’ people” (Bacchi & Eveline, 2003:110), the thesis focuses on how policies create pathways for people with disabilities and forced migration experiences, specifically to the labour market. The contacted and interviewed organisations are seen as representing the intersection of forced migration and disability, while not replacing the lived experience of people identifying as migrants or refugees with disabilities. Starting from these theoretical understandings and building on the aforementioned concepts of intersectionality, disability and forced migration, the conducted analysis draws on the reflexive TA approach (Braun & Clarke 2021a; 2021b).

Reflexive TA is situated within the interpretative reflexive process (Braun & Clarke, 2021b:333) and in the following analysis, a more inductive oriented approach has been chosen. Accordingly, the coding process is understood as open and organic and as not requiring a coding framework. Themes are conceptualised as a result of the coding process, as developed from within the data and therein as a result of an iterative process (Braun & Clarke, 2021:333). Similar to other qualitative approaches, reflexive TA uses coding in order to create first initial themes across data sets (Braun & Clarke, 2021b:340). Codes and themes should be distinguished, as codes “can be thought of as entities that capture (at least) one observation, display (usually just) one facet; themes, in contrast, are like multi-faceted crystals” (Braun & Clarke, 2021b:340). Themes in reflexive TA constitute "patterns of shared meaning united by a central concept or idea" (Braun & Clarke, 2021b:341) Themes, then, unite data that might appear rather disparate at first glance. The authors use the comparison to stories to capture the multifaceted character of themes, showing that themes relate to the story we tell about the data (Braun & Clarke, 2021b:341). Besides the respective asylum laws, the German Residence Act (*Aufenthaltsgesetz*) and the Swedish Aliens Act (*Utlänningslagen*), the as relevant considered

and analysed policy documents were identified through an initial explorative interview with a member of an organisation I had personal contacts with, documents published about refugees or migrants with disabilities by (non-) governmental organisations as well as through using the official websites of the Swedish and German government and the respective migration and social affair departments. Using the perspective of looking for policies that combined migration, disability and labour market/employment, several contemporary documents were identified both in the realm of disability and migration (for a more detailed overview, see Appendix 1).

In combination with general asylum policies, these policies were used to explore the conceptualisation and structuring of the labour market access for persons with disabilities and forced migration status. First, important sections that targeted or addressed the labour market access for persons with disabilities or forced migration status were identified as well as sections where the intersection was mentioned. Then, these sections were coded through initial codes, though these codes changed after reviewing them and the more policies were read. A document with all codes in the migration and disability context for each country was created. After reading a policy document, a memo⁷ was written to sum up the policy document, note important aspects in regards to the nexus of forced migration and disability, to explore certain formulations further, keep track of the thought process and formulate tentative themes. Inspired by Hankivsky's (2012; 2019) Intersectionality-Based Policy Analysis (IPBA) approach, particular questions regarding the addressed groups and related inequality processes were asked to the policies (Appendix 2) and constituted the last step of the analytical memos about the different policy documents.

In a next step, the policies in relation to the codes were re-read and some codes revised. Then, important codes were highlighted, in relation to the analytical memos and tentative codes, and possible themes formulated. While the themes evolved out of the codes, in a redirected step, the codes were then matched to the themes, in order to assure that the codes related to the themes but also that the themes accounted for the codes. Additionally, analytical memos were written to explain the thought process behind the evolution of themes and possible groupings. Throughout this process, codes were re-arranged and the formulation of themes changed and was adapted.

The policy document analysis is paired with qualitative, semi-structured interviews (Kruse, 2015:209f.). A total of five interviews were conducted, though the first interview was more of an explorative oriented one with a slightly different question and focus, which influenced the formulation of the current focus and research questions. The other four

⁷ All written memos are available upon request.

interviews, were conducted under the research question of how the different pathways to the labour market for persons with disabilities and forced migration look like. The two interviews conducted with German organisations were done in German and the other two with Swedish organisations were done in English. As a result, some of the codes are also in German, though all the themes are in English and important quotes which are used in the analysis are translated into English. The organisations in Sweden were identified through personal contacts and internet based research and the German organisations were contacted based on the research already done about the nexus. One of the interview contacts was forwarded through another organisation that did not engage in the access to the labour market in their work, but that collaborated with a network active in employment and labour market access. All interviewees received a consent form and were informed about the use of the interview, to which all interview partners agreed. The interviews used a guide with questions (in English and German), though formulations changed throughout the research process, as some formulations proved to be hard to understand and the questions were accordingly adapted. Only the main questions were noted down to keep the interview open and allow further questions to arise spontaneously (Appendix 6). In doing so, the principle of “as much openness as possible, as much structuration/standardisation as necessary” (Kruse, 2015:149, transl.) was followed. All interviews were conducted online via the applications of Teams or Big Blue Button and no major problems were experienced. The interviews all lasted around 40 minutes and were transcribed manually without any software. After each interview, a short memo was written to capture important aspect or issues that arose during the interviews. The transcripts were analysed using reflexive TA as well and followed the same steps as the policy analysis: An initial coding, followed by a re-read of the interviews and re-formulations or additions of codes and formulation of themes via analytical memo-writing and rearranging of codes. During the coding and theme-formulation, the issue of intersectionality and questions regarding inequalities and power relations were tried to be kept in mind.

In the following a short overview of the pathway for persons with disabilities and forced migration experience upon arrival in the respective host countries is given, before the particular pathways to the labour market in Germany and Sweden, based on asylum law, current disability and migration policies and interviews are explored.

8. The pathway for persons with disabilities and forced migration experience in Sweden and Germany

The thesis's main interest lies in exploring the pathways to the labour market that exist at the intersection. Using the concept of pathways enables to understand the way to the labour market as structured by policies, but also as being complicated or disrupted through them. The pathway concept therefore enables to look at how policies interact and therein create or disrupt pathways for persons with disabilities and forced migration experience and to also incorporate perspectives and practical experiences from organisations. Due to the scope and the focus of the thesis, the starting point of the analysis is the issuing of a protection status and residence title by the immigration authorities, as they determine whether a person has a permit to work or not. Nonetheless, I deem it important to point out that the intersection of forced migration experience and disability is of crucial importance throughout the forced migration journey, starting from the decision to leave and embark on the journey to another, safer place or country and continuing throughout the asylum process and basically the entire life (for an overview of different identified stations, see Appendix 3).

What becomes evident is that persons with disabilities and forced migration experience stand at the intersection of different systems, actors and policies. Upon arrival in Sweden and Germany, they are treated as asylum-seeking persons and are therefore subject to the respective asylum system. Depending on the forced migrant category and residence permit, persons with forced migration experience have differential access to the national welfare system and disability services.

Even though the focus is on pathways to the labour market, as the recognition of a protection claim is crucial, this precise process warrants some closer inspection. Neither Germany nor Sweden recognize disability as a ground on which one can claim asylum (Handbook Germany 2023a; Migrationsverket 2023a). As Lord, Heideman & Stein (2021) point out, this omission of disability as one of the grounds of persecution is representative for the Refugee Convention of 1951 seeming “facially ill-equipped at best to accommodate refugees and asylum claimants with disabilities” (Lord, Heideman & Stein, 2021:510). As the authors also point out, state practice gradually broadens the narrow refugee definition (Lord, Heideman & Stein, 2021:510). Both Germany and Sweden have adopted further protection categories that open up the claim to asylum outside the bounds of persecution and belonging to a social group, which is particularly difficult and contested for persons with disabilities (see Shuman & Bohmer, 2016:125; Crock et al., 2013:743). In Germany, having a disability can lead to the issuance of a deportation ban and subsidiary protection if people need medical care,

which is not available in their home country or if they are faced with inhumane treatment because of their disability in their home country (Handbook Germany 2023a). In Sweden, the humanitarian protection status because of extraordinary distressing circumstances includes the individual's health conditions, which can open up a pathway for persons with disabilities to be granted a temporary residence permit (Asylrättcentrum, 2022:106). Both countries apply a medical understanding of disability in their asylum policies, which contradicts their respective disability policies. Germany and Sweden base their disability definition on the UN CRPD and the distinction between impairment and disability, therein taking on a more social oriented understanding of disability. In Germany, the Code of Social Law, book IX (*Sozialgesetzbuch IX, SGB IX*) states that

Persons with disabilities are persons who have bodily, mental or sensory impairments, which hinder them in interaction with attitudinal and environmental barriers at the equal participation of society for longer than 6 months. An impairment according to sentence 1 is given when the body or health status differs from the typical state for any given age. (§ 2 Section 2 SGB IX, transl.)

Similarly, Sweden's disability policy is also based on the UN CRPD and aims, with its focus on equality, especially in the context of gender, and on anti-discrimination, at "a more equitable society in which people's different backgrounds or situations should not determine whether they can participate in society" (MFD, 2023:4). According to §5, Nr.4 Discrimination Act (2008:567), a disability is a

permanent physical, mental or intellectual limitation of a person's functional capacity that as a consequence of injury or illness existed at birth, has arisen since then or can be expected to arise. (Unofficial translation by Diskrimineringsombudsmannen, 2022:11)

Even though Germany and Sweden base their disability policies on the UN CRPD, the respective national asylum systems show no link to this international treaty or a more rights-based disability understanding. On international and supranational level, some progress has been made in increasing the visibility and awareness of persons with disabilities in forced migrant populations, so for example in the EU Directive 2013/33 that categorizes persons with disabilities as vulnerable groups and calls for particular provisions and reception measures (Art.21 & Art.22 Directive 2013/33/EU). While this political category of 'vulnerability' has

been criticized, as mentioned in Chapter 6, the implementation of this guideline is furthermore in general rather inadequate. Germany has been criticized for its missing implementation of the Directive, as there exists no comprehensive identification and registration of disabilities among asylum seeking persons (Handicap International 2021:14; Köbsell, 2019:63). While Sweden is not subject to such direct criticism, knowledge about persons with disabilities among asylum-seeking persons and data is missing as well (MFD, 2017:23). In their survey, Handicap International (2021) criticizes that disability is neither upon arrival nor at any later point of time, systematically identified or registered among asylum seekers in Germany, therefore leaving it to coincidence that disabilities are actually recognized in reception facilities, making it especially hard for non-visible disabilities to be identified (Handicap International, 2021:4). Germany and Sweden, then, both contribute to reinforcing the ‘invisibility’ of persons with disabilities and forced migration experience in not including them and a disability-rights narrative in their asylum policies (Lord, Heideman & Stein, 2022:541).

The invisibility of persons with disabilities and forced migration experience continues in politically led discourses. Both in Germany and Sweden, different political party fractions and party members have posed questions regarding refugees with disabilities in different contexts, though the answers provided by the government revealed often more gaps or transfer of responsibilities to the local level than awareness and the inclusion of this group in political actions. In Germany, a group of representatives of the fraction BÜNDNIS 90/DIE GRÜNEN issued in 2017 a question about the situations of refugees with disabilities and in 2022, it was a question issued by the fraction DIE LINKE about the reception of Ukrainians refugees with particular vulnerability. In Sweden, a motion by Sonja Fransson from 1989/99 with the title “Integrationsverket och invandrare med funktionshinder” (Integration agency and immigrants with disabilities) shows a political awareness and engagement with that group of person. Similar to Germany, in 2022, a member of the Swedish party Moderaterna, asked about support for persons coming from Ukraine whose answer pointed to theoretical access and municipal responsibilities (Socialdepartementet 2022).

In both countries, the awareness of the intersection of disabilities and persons fleeing in the context of Ukraine seems to be higher in political discourse than before, it still remains a peripheral subject. The intersection of disability and forced migration therefore rarely features in political discourses and in policies. In regards of asylum laws, having a disability can positively influence the issuing of a protection status, though it does not constitute a ground for asylum on itself. The issued protection status then influences the pathways to the labour market. In addition to asylum laws, in the following chapter I examine how selected policies in the

realm of migration and disability structure this labour market access and how organisations at the nexus perceive the pathways.

9. Pathways to the labour market in German and Swedish policies

In the following, the policy documents and developed themes are explored in order to answer the sub-question of how policies shape the pathways to the labour market for persons with disabilities and forced migration experience. First, the access to the labour market as provided in the German and Swedish asylum policies is summarised. Then, the analysis is structured in the way that first, the developed themes building on Swedish and then on German policy documents are presented, before the two national contexts are compared.

As mentioned before, the pathways to the labour market are determined, primarily, by the permit to work, which in turn is dependent on the concrete protection status and residence permit issued by the immigration authorities. A slightly more detailed overview of the different residence statuses in both countries and the respective access to the labour market and disability related services can be found in the appendix (Appendix 4;5).

In Sweden, asylum seekers are allowed to work when they have a certificate that exempts them from needing a work permit, which is accessible with the LMA card and a coordination number (Migrationsverket 2023d). In Germany, asylum seeking persons living in reception or so-called Anker centres are not allowed to work during the first nine months (Gag & Weiser, 2022:60). Once a decision has been made, the access to the labour market is dependent on the exact kind of residence permit and protection title. Persons having a *Duldung* (Tolerated Stay, the temporary suspension of deportation due to obstacles such as medical issues according to §60a Asylum Act) might not be allowed to work, especially in cases of unclear identities and persons coming from so-called 'safe' countries of origins (Westbalkan states, Ghana and Senegal) (Gag & Weiser, 2022:60). According to the asylum policies, in both Germany and Sweden, the majority of persons with disabilities and forced migration experience then have the permission to work and theoretical access to the labour market. How contemporary policies in the migration and disability realm structure the access to the labour market, is explored in the next sections.

The first theme to be discussed is the issue of framing disability in national asylum policies as 'special cases' (*särkilda skäl*) in Sweden and as 'exemption' in Germany.

German asylum law states that in case of a disability, particular requirements are waived such as the capacity to support oneself, language and societal knowledge, which is required for transitions to more secure residence statuses (e.g. permanent residence permit, §9 Section 2, Sentence 3 AufenthG). This exemption category is not applied consistently and the formulations at times allow for arbitrary decisions on the part of the Immigration authorities or courts. Similarly, Swedish law states, while remaining vaguer with its formulation, that

exceptions from requirements such as financial capacities and language skills are possible in ‘special cases’ (e.g. permanent residence permit, Alien Act Ch.5 §7).

Both countries do not literally frame disability within a vulnerability framework as it is common on international and European level. While the notion of a differential treatment, which should be more in favour of the individual and less in favour of a restrictive and literal understanding of the law requirements, prevails, the reluctance to use the term of vulnerability might refer to the fact that then, more actions and measures would be required, such as the collection of disaggregated data and screening and registration of vulnerabilities among asylum seeking persons.

Persons with disabilities and forced migration status therefore, while at times having a less restrictive application of the respective asylum policies, are not treated any different than any other group of persons seeking asylum, especially if it comes to the access to the labour market as laid out in asylum policies. The missing engagement with the intersection in policies and consequently in political action is also pointed out by research (Otten, 2018:108; Pisani & Grech, 2015:422).

While asylum laws determine the issuance of a work permit, the access to the labour market and the role of employment also features in current policy documents in the realms of immigration and asylum as well as disability in both countries, letting the question arise how these policy documents influence the pathways to the labour market and consequently, to secure residence status.

In Sweden, it is the theme of a ‘restrictive approach and individual responsibility’ that predominantly influences the pathway. This focus on restriction and individual responsibility, as evident in current policy plans of the new Swedish Government (Regeringskansliet 2023), makes employment the lynchpin in the asylum system. Asylum regulations, access to services and accommodation are constructed on the prerequisite that persons seeking asylum from the Swedish state have employment, ignoring the pathway where labour is something that needs previous stations to be met or fulfilled before it can be reached. Furthermore, the aspect of using immigration to fill jobs in skilled employment is also a prevalent theme. Therein, the themes of necessity and the use of available labour potential function as a justification of these restrictive approaches. Building on the notion of migration as one of the biggest problems in Swedish society (Regeringskansliet 2023) and a slightly increasing requirement for a needs-based skilled labour immigration, the pivotal importance of employment in accordance with restricting access to services is justified.

Furthermore, the aspect of individual capacity is stressed, both during the asylum process, the access to the labour market and access to services. While it is already the individual responsibility to inform authorities about disabilities for persons with disabilities or those caring for a family member with disability (The Swedish Agency for Participation, 2023:11), an increasing focus on individual capacity, in the form of requiring or presupposing the capacity to support oneself, to learn the language and the society, to have the needed and required skills for the Swedish labour market, to come up with proof of identification, is evident. The statement by the Swedish government regarding the integration policy sums up this development:

Integration policy needs to do more to ensure that everyone who can is available to the labour market and makes an effort to become self-sufficient, learn Swedish and become part of the Swedish community. (Regeringen, Dir. 2023:42:3(5), transl.)

Additionally, a slightly opposite direction in the disability realm can be observed with the increasing promotion of a disability perspective and following self-determination of persons with disabilities as one of the major national goals of the Swedish disability policy. In regards of disability policies, then, the access to the labour market is emphasised and the notion of getting more persons with disabilities into the labour market is visible. Looking at the national disability strategy and the strategy for the follow-up in connection to the 2022 follow-up done by the Swedish Agency for Participation shows progress towards a mainstreaming of a disability perspective outside of the realm of disability. While in the realm of migration, it is a restrictive approach to human rights and an orientation at the minimum of European guidelines, disability policies are strongly oriented at the UN CRPD and highlight participation, equality and autonomy and therein the right to work for persons with disabilities (Regeringen-Socialdepartement 2021:5(13)).

While Germany uses the same theme of necessity as justification, especially in form of skilled labour shortage, crisis management and modernisation forces (BMAS 2023), it takes a different direction. The identified major theme structuring and influencing pathways to the labour market is the approach towards an ‘inclusive labour market’, which is directly formulated in the realm of disability (BMAS 2023), but constitutes also a tendency within the asylum system. Stating that “[o]nly an inclusive labour market is a strong labour market” (BMAS 2023, transl.), the importance and necessity of having an inclusive labour market is highlighted, while a definition and understanding of ‘inclusive’ is never provided. While policies propagate inclusion, it is more a “limited inclusion” (Pieper & Mohammadi 2014:239) both in the realm of disability and migration that is aimed for. In regards of persons with

disabilities, it is predominantly persons with disabilities that have an economic potential, that are “above average skilled” (Die Bundesregierung 2023, transl.), who should have access to the labour market. In regards of persons with (forced) migration experience, it is foremost those classified as highly skilled that should be included and actively recruited. For persons with tolerated stays, the German Government intends to open up the access to the labour market and to preparative measures such as language courses and also emphasizes the importance to find work and a possibility to change through work into a residence permit through the Opportunity Residence Act (*Chancen-Aufenthaltsrecht*) (Bundesministerium für Arbeit und Soziales, 2022:28-29). As the statement of Caritas (2023) points out, the time limitation of the Opportunity Residence Act on one year might prove difficult for persons with disabilities.

Sweden takes on an explicitly more restrictive approach towards migration and asylum, restricting access to the labour market for asylum seeking persons while at the same time making employment necessary in restricting access to welfare services. Stressing the need to use all labour potential available, both national and international, Germany seems to open up access to the labour market, but at the same time, this access is only granted to those categorised as having a ‘good perspective to stay’ (*Bleibeperspektive*). This concept is not legally defined but widely used and mostly builds on the average protection quotas for nationals of a certain country (Sperling 2022). Current disability policies emphasize the need to use the labour potential of persons with disabilities and to also improve their social participation. While German policies show a very low reference to the UN CRPD and to the right to work according to Article 27, Sweden bases its national disability policy more directly on it. Overall the analysis shows that the intersection of forced migration and disability rarely features in the policies. It is foremost organisations and networks that point towards influences of policies on persons with disabilities and forced migration experience. In Sweden, several disability- and refugee-led organisations have positioned themselves clearly against the planned measures by the Swedish Government, pointing out that it risks making it even harder for persons with disabilities to flee and seek asylum in Sweden (Forsberg et al. 2023). In Germany, the Crossroad Project, which works with refugees with disabilities and their participation for example just published an open letter about the need to respect and include the real living situation of persons with disabilities and forced migration experience in the planned changes for the German citizenship law (Handicap International/NOW! 2023), therein pointing towards the need to include the intersection.

As the aim of the thesis is not to analyse the different asylum and disability policies in depth, but looking at the intersection of forced migration and disability, these shortly sketched

developments in both policy realms in Germany and Sweden let the question arise where these framings of pathways to the labour market leave persons with disabilities and forced migration experience and which actual pathways exist. In order to answer these questions, a look at the pathways as experienced by four organisations and networks working with persons with disabilities and forced migration experience in Sweden and Germany will be taken in the next chapter.

10. Pathways to the labour market in practice

In this section, explicit pathways that are actually open for persons with disabilities and forced migration experience to enter the labour market are presented. Therein, the question of which pathways to the labour market exist in practice as experienced by organisations working at the nexus is answered. Building on interviews with four organisations working at the intersection (two in Germany and two in Sweden), the relevant themes are explained, first in the German, then in the Swedish context, before both contexts are compared. Due to scope issues, I do not explore the themes surrounding the organisations themselves that have come up during the interviews.

While policies under certain conditions allow the access to the labour market, finding employment is a difficult and long process for persons with forced migration experience in general, which might be even more exacerbated if other identity categories such as disability intersect (Steiner, 2019:26). In the case of persons with forced migration experience and disabilities, the experiences of the interviewed organisations show that several issues and challenges conflict with the required capacity to support oneself and find employment on policy level.

Analysing the interviews, different themes on individual and policy level that structure possible pathways to employment were developed. One theme, which was mentioned in all interviews and was nearly always mentioned when I asked about the possibilities to enter the labour market and experienced challenges, is the issue of language.

In constituting a “key to integration” (Esser, 2006:i), language knowledge constitutes an important issue when it comes to persons with forced migration experience and their situation in host countries. In the interviews with German organisations, the interview partners stressed the importance of having a certain level in German for both accessing the open labour market and sheltered workplaces, so-called *Werkstätten für Menschen mit Behinderungen (WfbMs)*. These sheltered workplaces constitute segregated employment opportunities for persons with disabilities with a specific focus on the employment of persons with intellectual disabilities and offer vocational training and work sectors as well as care services (BHM 2022b). Persons with disabilities are entitled to an internship, employment or care of the sheltered workplace (BIH 2022b). Even though sheltered workplaces are therefore called upon taking in persons with disabilities and forced migration experience, the lack of an adequate language level is brought up as a ground for refusal:

So they send people to do an internship, refugees, that they can do an internship in a sheltered workplace [WfB, Werkstatt für behinderte Menschen] and later the sheltered workplace said, no, the people cannot speak enough German, they should better learn German again. (Interview D_2)⁸

While German knowledge is therefore required, access to language courses is dependent on the protection title. Most language and integration courses are not accessible and there exist no courses that are designed to include persons with intellectual disabilities (Steiner, 2019:12). One interview partner reported that the migration authority, *Bundesamt für Migration und Flüchtlinge (BAMF)* has planned a pilot project to conceptualise courses for persons with intellectual disabilities, hinting at a positive development in that regard.

In Sweden, at least basic Swedish knowledge is required for both employment in the open labour market and through *Samhall*, a governmental limited liability company that offers sheltered employment to person with disabilities who have been assigned to them through the Employment Agency and that matches them with jobs in different companies (Arbetsförmedlingen 2023b; Samhall 2023).

So they [Samhall] do have the requirement that you have to have a basic Swedish but their Swedish is pretty basic, so it is possible to get in there and they employ people with immigrant background. (Interview S_2)

While accessible courses exist in Sweden, they are only in specific cities and the offer is by no means nationwide. The language level of Swedish and German is therefore a decisive factor in order to access employment and at least a basic level is required by all employers. On the other hand, there is a limited number of course places in both countries, a lack of accessible courses and specifically a lack of language courses for persons with intellectual disabilities.

Closely connected to language is the theme of ‘individual experiences and prerequisites’, including individual work and education experiences, contacts, the kind of impairment one has, self-confidence and motivation to work. Contacts refers to both contacts to counselling services that can support in the search of jobs and can inform about the Swedish or German labour market and access and eligibility to support, but also to personal contacts in form of diaspora networks, friends and family.

⁸ All quotes from the interviews in German (labelled D_1 and D_2) are translated into English by myself.

One interview with a Swedish organisation revealed that someone from the target group managed to find a job on the open labour market due to contacts within Eritrean and Somali diaspora communities in Sweden, which are well-established since the 2000s (Kleist 2018:17). The education level and previous work experiences can also influence the pathways as individual skills are decisive for if and where someone is employed. One interviewed person also stressed the importance of digital skills, as basic digital skills are both needed for applications and demanded by companies, but they often lack among the target group.

Personal prerequisites encompass not only the kind of impairment one has, but also the familiarity one has with living with a disability. Persons that have become impaired later on in life might be missing work experience with having a disability and therein experience increasing insecurity. Insecurity can also be caused through the new environments, for example in sheltered workspaces, where oftentimes an “intercultural opening” (Interview D_2) is still missing. Drawing on reports from a sheltered workplace in Germany, the interviewed person pointed out that especially among traditional disability service providers or actors, knowledge, awareness and sensibility towards different national, ethical and cultural backgrounds is often limited and therein reinforces insecurity and unfamiliarity experiences on the part of persons with disabilities and forced migration experience.

Having the required personal requisites can pose a particular challenge for persons with disabilities, as they might have limited access to education due to their impairment. Furthermore, many might have acquired a disability later on in life, or through violent conflicts or during their forced migratory journey.

In addition to these personal and individual requirements, a list of structural challenges exists along the pathway to the labour market. While the individual requirements are already difficult to achieve or fulfil, the structural ones might be exacerbating the difficult pathways further. One of the most important issues among structural themes influencing the pathways is the issue of accessibility. Accessible work places not only mean that they have ramps and elevators, it also means height-adjustable work-surfaces, visual and audible guiding systems, flexibility in working times, accessible facilities and so on. As one interview in the Swedish context revealed, knowledge about accessibility is even among state-actors limited:

Another problem we had was when somebody did get job through the state company called Samhall but it was a wheelchair user and there was no elevator so the person

couldn't really use the facility and this was a state agency and they know damn well what accessibility is but it still happens. (Interview S_3)

In the Swedish context, the issue of accessibility was also stressed in relation to transportation services. It is therefore not enough that the workplace in itself is accessible, it also needs to be in accessible distance for the individual. Public transportation services are not always accessible, and the access of the special transportation service *färdtjänst* in Sweden takes a lot of time, effort and paperwork. Furthermore, these services are often limited to the duration of the residence permit, which results in the need of applying again and again for services, an increased insecurity or even in the denial of access to services. Having access to services, such as *färdtjänst*, is crucial in order to turn up at work on time, underlying the fact that the access to work needs other steps or stations to be fulfilled and not just a permit to work. Not having a reliable means of transport can impede to arrive on time for important meetings with public actors or at work, which can in turn have negative consequences for the individual, if it is perceived as them not following the system. As actors, to a certain extent, work together, such a perception can lead to the fact that persons with disabilities and forced migration experience are “*locked out of the system*” (Interview S_1) due to reasons outside of their influence. Getting back into employment, the system of the Employment Services, immigration agencies or disability services requires knowledge of the system and requires time and resources.

Similarly, an interviewed person of a German organisation stressed that accessibility therein not only refers to physically accessible spaces for wheelchairs for example, but it also means assistance if needed, the height of working spaces, guiding systems and especially transportation means.

The accessibility of workplaces plays an important role for persons with disabilities and forced migration experience, as missing accessibility disrupts the pathway to work. In both countries, accessibility seems furthermore very much dependent on the employer. While among the state-owned company *Samhall* in Sweden and the sheltered workplaces in Germany, accessibility should be expected, it is not the default on the open labour market. In both countries, it seems to be more social oriented businesses or smaller companies such as *Inklusionsbetriebe*, companies that employ a certain percentage of persons with severe disabilities, in Germany and smaller private companies or supermarkets in Sweden that are accessible, more flexible and willing to deal with and invest in support possibilities in order to employ persons with disabilities and forced migration experience.

As mentioned before, the asylum system has a foremost biomedical approach and understanding of disability (Burns, 2017:12). An ‘official (medical) attestation’ of having a disability is also important in order to access support services or assistive tools required to work and to be eligible to certain adaptations in the work process, such as reduced working hours. Even though the Aliens Act does not include any guidelines concerning the use of medical certificates during the asylum process or the broader forced migration system (Asylrättcentrum, 2022:61), in practice, medical certificates and professional reports are required to ‘prove’ one’s disability and resulting specific requirements. As one interviewed person reported, the Swedish Employment Agency for example requires a doctor’s certificate if a person with a disability and forced migration experience cannot work full time because of pain or health problems. The obtaining of such certificates is often a resource- and time-consuming process.

And then the person need to go to the health care to have a doctor certificate. Then you need to start, in Sweden here you go to, it’s called *vardcentralen*, a health clinic in your local environment, where you live. And it’s starting there, you often need a special, you may go to a special doctor. (Interview S_1)

In Germany, the attestation of a disability is needed for the severely disabled pass (*Schwerbehindertenausweis*), which is a prerequisite in order to access certain services, for example integration specialised services (*Integrationsfachdienste*) that support the participation of persons with disabilities on the labour market (BIH 2022a). The prerequisite for obtaining a severely disabled pass is having a ‘habitual residence’ (*gewöhnlichen Aufenthalt*), which is not automatically given for persons labelled as asylum-seekers or with a tolerated stay permit (BIH 2022). While the validity period of the pass is restricted to the duration of the residence permit (Gag & Weiser, 2022:106), the concept of ‘habitual residence’ is differently applied in the different Federal States in Germany, leading to a differential access depending on the forced migrant status and on the Federal State one resides in. Another issue seems to be the official attestation of employability, an assessment done through the vocational psychology training of the employment agency (*Berufspsychologischer Dienst der Arbeitsagentur*) in Germany and which evaluates a person’s capacity to work and whether they are employable in open or sheltered employment or not at all (Bundesagentur für Arbeit 2023). These assessment seem oftentimes to be wrong:

And they examined him and stated, he was not fit to work at all. So not even for the occupational unit in the sheltered workplace. [...] Either they say we cannot examine them, they cannot speak German or they say somehow, they can't do anything, they have to go to the occupational unit. So I heard several times from people and this time again, they found a training place on the first labour market, so this assessment cannot have been right completely. He is now in training and then the entire process has been done again, because the company said that he needs some support and then the result of the examination was, no, he is completely fit to work, he does not need any support, we don't approve anything. (Interview D_2)

Another issue of getting doctor's certificates is the need to actually find an expert that can issue such a certificate and get an appointment. Getting appointments in general is already difficult even for 'national' citizens, this difficulty might then be exacerbated if it intersects with language issues and unclear payment responsibilities.

The need to attest one's disability relies on a medical and individual understanding of disability, which might not only contradict the individual's perception but it also stands in contrast to a more social, cultural and rights-based understanding of disability as expressed in the UN CRPD and emphasized by the organisations working with them.

Related to the medical certificates is the theme of 'unclear responsibilities', as there seems to exist uncertainty as to whether the individuals themselves, the doctors or the Swedish insurance agency should pay for the examination and the certificates. Connected to unclear knowledge, this theme relates to the position of persons with disabilities and forced migration experience 'between the systems' of, for example, asylum and disability services, counselling, support and education providers, which is often mentioned in the literature (Steiner, 2019:5; Köbsell, 2019:71).

As an interviewed person in Sweden said, persons with disabilities and forced migration experience are pushed back and forth between different actors, both within and between the asylum and disability system: "The target group can be like a ping pong ball between different authorities" (Interview S_3, addition).

In Germany, uncertainty and unclear responsibilities exist also in regards of the provision of accessible language courses.

It is always said on part of the Employment Agency that they don't have anything to do with German training, language training, that's what the BAMF [Federal Migration

Agency] does. And the BAMF does not do that [...] and even the other courses for persons with sensory impairments are even in [the city] connected with endless waiting times and in the country side, that gets even worse. (Interview D_2)

Even though the unclear responsibilities refer to slightly different situations, both in Germany and Sweden, knowledge as well as the assignment of responsibilities seems to be missing among actors, reinforcing the fact that persons with disabilities and forced migration experience are not perceived as a group and are therefore not “planned for” (Köbsell, 2019:71, translated) and instead invisible, not warranting clear-cut actions and responsibilities.

Another, already hinted at theme is the need to understand the access to employment as a pathway that needs other requirements to be met in order to be successful and that is characterised by waiting times. Long waiting times for access to support, services and language or integration courses put furthermore increased and additional responsibilities on the close social surroundings. Waiting times and denied access to services can also negatively impact those that have care responsibilities towards a family member with a disability, which is often a gendered care responsibility placed on women.

But I mean the, the, how do you say, the authorities, if they see a chance of minimizing the support of somebody, they'll give them the minimum support. They are not really looking into the CRPD and if this person has a right to full participation and full self-determination. And of course you can make things go round but it's not a very, how do you say, not an ideal way of, or an ideal living situation that these people are getting. But then there is those people, that they say your family can help you. So they get no access to services whatsoever. And then you have, whoever that person is helping means that both of these people aren't getting to the job market because the ones helping the other one, whether it's a parent to a child or a child to the parent or if it is a brother, a sister, whoever, you are busy supporting the other person so you are not accessing the training that you need or the courses that you should be taking or the job that you should have. (Interview S_3)

What becomes evident in this quote and what has been also repeatedly mentioned in the interviews, is the fact that there is a restrictive use of access to services by authorities. Refused applications and denied access have not only far-reaching consequences for the individual with disabilities, as it prevents them from leading a self-determined life and access the labour market,

they also negatively impact family members with care responsibilities as they are also prevented from access and participation due to them having to deliver the required support.

While the access to disability related services in Germany is in general related to paper work and waiting times, these issues might be exacerbated if they intersect with issues of temporary residence permits and forced migration status:

I would say yes, it is also a problem [to question regarding access to services]. Often, these people wait way too long for the severe disability pass or the severity level and then one can also apply for integration assistance [Eingliederungshilfe], but that takes always long. But principally, yes, it works, if one justifies well, one can do it. (Interview D_1)

Another important aspect, which has also been identified as a theme, is the missing disability-rights perspective. Access to services is at times granted more out of pity than on a rights-based understanding as one interview in Sweden highlighted:

You must make yourself pitiful, in front of the bureaucrat so they say ‘poor you’, they look at you, you don’t have this, they may like pity you and give it to you. But if you want to access it like right-based, there will be a problem. (Interview S_1)

One interview partner in Germany reported that they organise trainings for counselling to be aware “that these exclusions [social law and residency exclusion of forced migrants with disabilities] are not necessarily lawful, even though they might be legally formulated, but that higher law exists, such as the UN CRPD and the UN Human rights Convention” (Interview D_2).

Both quotes highlight again that asylum policies do not have a disability-right perspective or any perspective to account for any form of diversity. Additionally, employment for persons with disabilities in general is not seen as their right, as laid out in Art. 27 of the UN CRPD and highlighted in the committee’s Comment Number 8, but rather as something that is highly dependent on the efforts of the employer and the individual themselves or their social environment. Connected to the missing disability rights perspective, is also the issue of missing knowledge about the intersection or the respective ‘other’ topic (either migration or disability). Taken together, these structural issues with the more personal situated requirements further exacerbate the situation and create a messy and complex situation for the in policies so simply required employment or capacity to support oneself.

While policies, authorities and persons with disabilities and forced migration experience often expect to work immediately or within a short span of time, in reality, it takes time. It furthermore heavily relies on the employer, on their flexibility, openness and knowledge of available support measures for the employment of persons with disabilities. It takes time to arrive in a new country, to have accessible accommodation, friends, a certain degree of stability, to be then in a position to embark on the long pathway towards an employment, which itself includes long waiting times again for accessing services, for getting support granted, etc.

All the afore-mentioned issues have resulted in a missing existence of persons with disabilities and forced migration experiences in the structures in Germany. In Sweden, the connection with the Employment Agency seems to have improved and persons are linked to them and registered in their system, where then the issue of the missing knowledge about the intersection comes in and the case of “*being locked out of the system*” (Interview S_1) if one does not meet the requirements. Once one does not fulfil the requirements, such as a provision of a doctor certificate, or arriving to internships on time due to transportation or personal issues, one might be ‘locked out’ of the system and needs good knowledge of the system to get back into it. Nonetheless, I think the issue of a missing presence and visibility holds true for both countries. The following statement from one of the interviews sums up the situation of pathways to the labour market for persons with disabilities and forced migration experience and hints at the issue of gaps and ‘invisibility.’

So they are not even there, the people, they don’t get there either. So they are not in many counselling services, not in the Arbeitsagentur [Employment Agency], and also not in the sheltered workplaces, and of course also not on the first labour market, so there is really a striking gap so far. (Interview D_2)

11. Results

Coming back to the research question, after having analysed relevant policies and the interviews with organisations in Germany and Sweden, how do pathways to the labour market look like for persons with disabilities and forced migration experience?

In Germany as well as in Sweden, there seem to be predominantly two pathways to employment that are open for persons with disabilities and forced migration experience, given the fact that their forced migrant title and residence status includes the permission to work: A direct pathway to the open labour market, for example through personal contacts, a pathway to either a job or internship placement through the registration with the Employment Agencies combined with an assessment of one's capacity to work built on medical certificates or a redirecting towards sheltered employment (*WfbMs* in Germany) or workspaces (*Samhall* in Sweden) with a possibility to enter the open labour market through them.

In both countries, organisations offering support and counselling at the intersection take on an important role, as they offer information and support not only to the persons with disabilities and forced migration experience themselves, but also to other actors such as Employment Services, companies and other governmental and public actors.

The pathways as structured by policies are therefore similar to those for persons with forced migration experience and without disabilities. Therein, the policies also interrupt pathways, as access to services, which in some cases is crucial for persons with disabilities to access employment or internship opportunities, is not always allowed and is restricted by being linked to temporary residence permits. Furthermore, the answers to the questions of how organisations experience the pathways in practice shows that, while pathways might exist in theory, in practice a variety of issues arise, ranging from the afore-mentioned lack of clear-cut policies looking at the particular situation of persons with disabilities and forced migration experience to required personal prerequisites, which at times might be harder to have or achieve for persons with disabilities due to the nature of their impairment and due to the missing accessibility of society.

Comparing Sweden and Germany shows that despite two different national European contexts, asylum systems, welfare states with Sweden as the model of a Scandinavian social democratic welfare regime with a strong focus on universalism (Blomqvist & Palme, 2020:116) and Germany as the continental model of a conservative corporatist welfare state (Sainsbury 2012:54), and different support structures, the pathways do not diverge that much. Of course, each national context has their own particularities for example in regards to specific services such as *färdtjänst* in Sweden or the issue of a *Schwerbehindertenausweis* in Germany. The

countries are also slightly different in regards to the role the Employment Agency plays, as from the interviews and based on policies regarding the establishment process, *Arbetsförmedlingen* seems to take a more important role in Sweden. Despite these differences, the pathways in the sense of how they are structured and impeded by policies and how they are perceived and experience by organisations, are quite similar.

The impeding effect of the missing engagement of policies in both countries with persons with disabilities and forced migration experience as well as the role of intersectionality for the pathways is discussed in the next chapter.

12. Discussion: The role of intersexuality - Discrimination and the pathways to employment

In the following, a closer look at the question regarding intersectionality is taken and its role for the pathways is discussed. Understanding intersectionality as an analytical sensibility in the sense of an “intersectional way of thinking about the problem of sameness and difference and its relation to power” (Cho et al., 2013:795) foregrounds societal power relations, inequalities and social constructions of group belongings and attribution processes (Afeworki Abay 2022:99). The interviews contained one particular intersectional question concerning further intersecting categories, which in most cases could not be significantly answered. Therefore, the intersectional analysis focuses on the two categories of forced migration and disability, although it needs to be stressed that these two categories intersect with other categories of race, gender, sexual orientation and age and create situations of inequality, discrimination or privilege in different contexts.

Research about the nexus has repetitiously pointed towards the issue of discrimination, racism and ableism (Afeworki Abay, 2022:99f; Handicap International, 2021:8). In the interviews, the issue of discrimination and ableism featured both directly and indirectly. In the following, the role of intersectionality in the sense of discrimination experiences for the pathways to the labour market is discussed.

Discrimination in form of racism and ableism can be understood as constituting power relations that function as social practices of distinction and hierarchisation in a meritocratic society, creating segregation- and exclusion mechanisms (Afeworki Abay, 2022:102). The analysed policies showed a varying awareness towards discrimination, but as they never mentioned the intersection, they were silent on inequality experiences of persons with disabilities and forced migration experience. The skilled labour migration strategy of Germany mentions “racism and discrimination experiences” (Bundesministerium für Arbeit und Soziales, 2022:29, transl.) alongside missing perspectives as one of the reasons causing skilled labour migrants leave Germany. In Sweden, the follow-up of the Swedish Agency for Participation (2023) points out the need to combat discrimination based on disability and furthermore shows that some agencies have chosen to work in an integrated manner with issues relating to gender equality, children's rights and disability issues to identify how different power structures and grounds for discrimination affect each other.

In the interviews, the issue of discrimination at the intersection has been mentioned more in-depth. The interviews showed that persons with disabilities and forced migration experience

themselves as well as organisations often experienced processes of discrimination as either based on their disability or their perceived forced migration background, as this quote reveals:

People most often think the treatment is a discrimination only due to them being foreign and do not understand that even Swedish people with disability have troubles accessing the labour market. (Interview S_3, addition)

Analysing the pathways to the labour market and looking at asylum policies with their lack of a disability-rights perspective and their unitary character, which lead to mutually exclusionary mechanisms of asylum and disability policy, I argue that these discriminatory and exclusionary processes arise precisely because of the intersection of forced migration and disability. Therein, they are subject to systems of able-bodiedness in intersection with mechanisms of asylum systems that create hierarchies among persons seeking protection and restricted and differential access to service and therein, drawing on Bhambra (2016) are built on exclusionary practices.

The issue of able-bodiedness becomes particularly apparent in the realm of the labour market. Persons with disabilities and forced migration experience are measured against an ableist worker ideal (El-Lahbi, 2017:648; Blattner, 2020:14). They continue to be stigmatized as being less ‘able’, less productive and their employment might be perceived as more of a burden and investment on part of the company than a mutually valuable relation (Blattner, 2020:2). This is also expressed in the following quote:

Some employer do not like to - you know, disabled people, we see that with people, who have taken cases to the Swedish Ombudsman, who are raised and born in Sweden, that they didn’t like the kind of [people] or, it’s a big problem, or they don’t want to buy accessible office equipment so that the person can get the employment. (Interview S_2)

Even though the interviewed persons could not report on the influence of the kind of disability on the pathway to the labour market, the fact that they could not might already reveal that the ‘kind of disability’ one has is of crucial importance. Those that access organisations have already managed to find their way to them. Persons without an official diagnosis or persons with intellectual disabilities might be, already in the asylum process, put in a particular situation of exclusion and unequal power relation, as they are either not recognized or constructed as being of “deficient intelligence” (Altermark, 2019:6) and therein among the farthest away from an ableist ideal. What the quote also reveals is that there is low openness or inclination to adapt

contemporary conceptualisations of ‘work’, furthermore contributing to the discrimination of persons that do not fit ableist ideals and might only work for a shorter time, require assistance or simply cannot work (Blattner, 2020:3).

At the same time that persons with disabilities and forced migration experience are confronted by contemporary ableist understandings of work and employability (Blattner, 2020:14), they are also faced with uniform formulations and applications of asylum policies.

In Sweden, persons with disabilities and a residence status can enter the establishment process, which encompasses a period of two years, where they develop an action plan with the Employment Agency and are expected to learn Swedish and find a job (Arbetsförmedlingen 2023a). This establishment period of two years is applied uniformly for everyone, ignoring that persons with disabilities might require more time to fulfil the requirements. Reasons therefore are not only related to individual reasons but also to the issue of service access as

to get färdtjänst, it needs months and during that time, their time is counting and after two years, they expect them to learn Swedish, to gain education, to get a job and move out of the municipal housing, which is not realistic (Interview S_2).

In the case of the establishment guidelines, the uniform application discriminates against persons with disabilities and forced migration experience, as they stand at the intersection of forced migration policies that require them to move out after two years and disability-related issues that cause them to need more time as they require adapted housing options or support services in order to access employment.

Moreover, if persons with disabilities and residence status manage to find a so-called ‘new start job’, their salary does not count as income, as it is subsidized by the Swedish Employment Agency (Arbetsförmedlingen 2023c). Employers are furthermore not obliged to take on the employee after the two years of the establishment time or when the compensation from the Employment Agency ends, which leads to the fact that many lose their jobs with the justification that they “did not meet the criteria” (Interview S_2).

If persons with disabilities and forced migration experience manage to find employment through *Samhall*, the wages also do not count as income in the asylum system as they are also subsidized (Migrationsverket 2023c; Kusarinen 2022). Therein, persons with a disability and forced migration experience are specifically put into a disadvantaged position as oftentimes, employment in sheltered workplaces is the only employment that is accessible to them due to

their disability and their residence status. At the same time, their work and income is not recognized as such within the asylum system. Even when they find employment outside of *Samhall*, they might lose it after the establishment time because they have a disability in intersection with being a *'newcomer'*. It becomes clear that a purely additive understanding does not adequately capture the situation, but that it is exactly the intersection of forced migration status and disability that leads to a disadvantaged position. The missing acknowledgement of wages as income prevents a transition to more secure residence status such as a permanent residence status as this requires a capacity to support oneself (Migrationsverket 2023c).

In the German context, while the issue of not recognising subsidized wages as income has not been raised, the missing awareness towards differential requirements and the uniform formulation and application of policies is also expressed. In regards to the labour market access, one interviewed person stated: "It is like other refugees, there are no particular rules" (Interview D_1). This quote shows that in the case of the labour market access for persons with disabilities and forced migration experience, there exist no specific guidelines and they are treated as every other person with a forced migration experience. Due to the fact that the labour market and the wider society are still not fully accessible or *'inclusive'*, persons with disabilities might require particular policies or at least policies that are more flexible and include individual particular requirements.

The analysis has shown that this is so far not the case. Persons with disabilities and forced migration experience are *'invisible'* in policies, which aligns with previous research about the intersection (Yeo 2017; Straimer 2010). Current policy formulations with categories such as *'exemption'* (German Aufenthaltsgesetz), *'special reasons'* (Swedish Aliens Act) or *'vulnerability'* (EU Reception Directive 2013/33/EU) that demand a presentation of vulnerability and of precariousness in order to be visible, rather contribute to inequality than offering sustainable solutions.

Wendy Brown (1993), in a different context of an anti-discrimination ordinance in a town in the United States in the 1990s, analyses the complex relationship between categories on political level that are meant to create visibility and emancipation, but that also require subordination in order to acquire these rights. As Brown (1993) put it: "Indeed, here is a perfect instance of how the language of unfreedom, articulation in language, in the context of liberal and disciplinary discourse, becomes a vehicle of subordination through individualization, normalization, and regulation, even as it strives to produce visibility" (Brown 1993:399).

Exception and vulnerability categories, aimed at creating visibility and inclusion of persons with disabilities and forced migration experience in asylum measures and policies, also demand of persons with disabilities and forced migration experience to present themselves as less able and in need of protection. The danger therein lies in a generalisation of the perception of persons with disabilities and forced migration experience as inherently vulnerable (Straimer, 2010:8). Such a notion ignores that every life is in itself precarious and “requires support and enabling conditions in order to be livable life” (Butler, 2009:21). Consequently, it is the lack of these enabling social, political and economic conditions at the intersection of forced migration and disability that make persons with disabilities and forced migration experience vulnerable.

Keeping in mind current directions in the asylum system in both countries, the way persons with disabilities and forced migration experience are constructed and treated - having to navigate ‘vulnerability’ and agency, having their existence and identity questioned, and being requested to prove it, while at the same time being expected to exercise agency and work in environments that do not accommodate individual requirements - might indeed lead to a “wear and tear that the people get sick during that time” (Interview S_2).

What is needed might be less policies that particularly focus on persons with disabilities and forced migration experience, but rather policies that apply from the very beginning a disability-rights or an intersectional-perspective. Such an all-encompassing approach would prevent a ‘limited inclusion’ as stated by Pieper & Mohammadi (2014), where only certain groups of persons with disabilities and forced migration experience, namely those that are deemed as ‘able’ and that fulfil the personal prerequisites and manage structural challenges, are included. It would mean that policies are constructed in the sense that they account for individual situations, difference and intersectionality from the very start.

Analysing both national contexts of Germany and Sweden shows how persons with disability and forced migration experience are subject to asylum policies that are built on unequal power relations and restrictive access to services and society, while at the same time being faced with ableist attitudes. While organisations, specific actors and persons with disabilities and forced migration experience themselves work for more awareness and the reduction of these power inequalities, this should and needs to be mirrored on policy level as well.

Despite all that, these tendencies to create precarious lives and reinforce unequal power relations, good examples exist. It is the story of someone finding a job through personal contacts, the story of enabling persons from the target group to intern or volunteer within the

project or network, the story of persons learning a new profession, acquiring new digital skills, getting used to new work environments and learning the language, the story of finding job placements or internships through the contacts of the projects or with the help of the employment agencies.

13. Reflection

Throughout the research process, reflection played an important part. As the issue of actually finding a particular focus took quite a lot of time, the writing of memos constituted the basis of the first section of the research process. Influenced by previous engagements with Grounded Theory (Glaser & Strauss 1967), the writing of memos was understood as keeping track of thought processes in one on-going word-document, to note down ideas, explore them, keep track of promising websites, and summarise articles. During the research process, a constant coming back to the memos, reading and re-reading literature and engaging with possible data occurred, creating quite an iterative approach. With the increasing engagement with the material and with the start of the analysis, less memos were written, and instead, analytical memos constituted the main way to track the analysis process and to reflect and explain own interpretations and steps in the analysis.

The process of interviewing constituted a personally challenging process with a slow improvement over time. Doing the interviews online constituted a crucial factor for the feasibility of the comparative oriented research within the time- and budget-limited frame of a master thesis. Thanks to the flexibility and openness of the interviewed persons the online format did not negatively impact the research. The organisations were contacted through personal contacts and forwarding of contacted organisations. Due to time limitations, the interviews were restricted to four (five with the exploratory one), and while these four interviews presented a very rich material, further interviews would enable a deeper understanding. The interviews were furthermore conducted with either fieldworkers or the leading figures of the project

Another aspect worth mentioning is the issue of languages. Engaging in a comparison of Sweden and Germany meant that interviews in Sweden were done in a common ‘foreign’ (second or higher) language (English), while the interviews in Germany were done in my first language and in the interviewee’s first and second (or higher) language. As a result, I felt a bit more comfortable conducting the interviews in German than in English, which might have influenced the way of conducting the interviews. Swedish policies were translated and where my Swedish knowledge was not sufficient, different online translation tools were used to ensure the correct understanding.

Another important role during the research process constituted the seminars within the university setting and within the EuMIGS network with peer feedback as well as the counselling through the supervisor.

From an intersectional point of view, the research engages with categories, re-iterates them and therein also creates its own categories. Furthermore, in using the pathway construct, a certain amount of generalisation is invoked. Nonetheless, the thesis has tried to obtain a critical relation towards categories and categorisations and as the knowledge is limited about the situations of persons with disabilities and forced migration experience, overview-like approaches are helpful. Nonetheless, it should be emphasized that the presented research just represents a small cut –out of reality and furthermore, is influenced by the personal interpretations and therefore limited in its representative character. Further limitations are the restricted numbers of interviews and policies as well as the missing subjective perspectives, which could be further explored in a following research project.

14. Conclusion and future research

In conclusion, the pathways to the labour market for persons with disabilities and forced migration experience are quite complex. While policies show a missing engagement with the intersection, organisations working at the nexus offer insight into how pathways look like in practice and reveal in addition to policies a complex and challenging interplay of structural and individual factors that determine the success of the pathways. Comparing Germany and Sweden shows that, while both countries have their peculiarities, they share challenges surrounding the pathways to employment at the intersection of forced migration and disability. Moreover, current developments towards restriction raise the question of how the future will look like. At the same time, an increasing networking between organisations and different actors is observable as well as a slowly increasing awareness about the intersection. The intersection poses challenges that persons with disabilities and forced migration experience have in common with persons with forced migration experience and persons with disabilities, but it also brings unique challenges. Applying an intersectional lens furthermore enabled to look at this group of person and explore existing power relations and dynamics. Using the pathway concept opened up to account for the way in which policies structure and disrupt access to the labour market and to include perspectives from organisations, while highlighting that in order to access the labour market, further requirements need to be met and fulfilled first. Persons with disabilities and forced migration experience are therefore confronted with unequal power relations that include a constant change between presenting one's vulnerability in order to access required services and support and claiming demanded agency. While employment constitutes such a form of agency that is both demanded by authorities as well as desired by individuals, the pathways open to it are quite challenging for this group of persons. While the focus of the thesis has been on the pathways to employment, it is important to note that having an employment does not miraculously solve or end all the struggles and unequal power relations persons with disabilities and forced migration experience have to face.

What has become evident is that while policies both in Sweden and Germany show a lack of interacting with any kind of diversity, the dealing with this intersectionality of human life is the everyday life for persons themselves and organisations working with them. Therein, the thesis has tried to contribute on a small-scale to research about the intersection of forced migration and disability, and particularly about “conditions of participation and exclusion in regards to employment” (Afeworki Abay, 2022:94, transl.). While a lot of research nowadays is making steps towards giving such a detailed and comprehensive empirical picture, there is still a lot that needs to be done. Starting to engage with the access to the labour market has made

it clear that further interviews with more organisations at the nexus, but also further actors, such as the sheltered workplaces and employment providers, the Employment Agencies in both countries and disability service providers would provide a more comprehensive picture than the one presented in the thesis.

Further possible research directions that have come up during the thesis writing process are persons with care responsibilities among people with forced migration experiences as well as children and youth in the education system and the transition from school to vocational training and labour market. A so far neglected issue is furthermore the institutionalization of persons with disabilities and (forced) migration experience and therein the role of migration in accommodation options for persons with disabilities. Future research could also look at the case of Ukraine and how the discourse of and response towards Ukrainian refugees has paid more attention to disability. Last but not least, the need of including persons with disabilities and forced migration experience themselves in the research has to be re-iterated. While their subjective experiences, perspectives and knowledge are always important, engaging with organisations working at the intersection has also revealed how important it is to actually know more about their work, how they network and navigate the difficulties coming along with including intersectionality in one's work.

15. References

- Adhikari, P. (2013). Conflict-Induced Displacement, Understanding the Causes of Flight, *American Journal of Political Science*, 57(1), 82-89.
- Afeworki Abay, R. (2019). Disabled BIPoC: Intersectional Analysis of Ethnic Disparities in Contemporary Education and the Labour Market in Germany, *EPRIE Journal for Regional Integration in East Asia and Europe*, 14-21.
- Afeworki Abay, R. (2022). Rassismus und Ableism: Same, Same but Different? Intersektionale Perspektive und konviviale Visionen auf Erwerbsarbeit in der Dominanzgesellschaft. In B. Konz & A. Schröter (Eds.), *DisAbility in der Migrationsgesellschaft. Betrachtungen an der Intersektion von Behinderung, Kultur und Religion in Bildungskontexten* (pp. 93–110). Verlag Julius Klinkhardt.
<https://doi.org/10.25656/01:24524>
- Altermark, N. (2018). *Citizenship inclusion and intellectual disability: Biopolitics post-institutionalisation. Routledge advances in disability studies*. Routledge Taylor & Francis Group.
- Amirpur, D. (2016). *Migrationsbedingt behindert? Familien im Hilfesystem - Eine intersektionale Perspektive. Kultur und soziale Praxis*. Transcript.
- Arbetsförmedlingen - Swedish Public Employment Services. (2023a). *Etableringsprogrammet*. <https://arbetsformedlingen.se/for-arbetssokande/extra-stod/stod-a-o/etableringsprogrammet>
- Arbetsförmedlingen - Swedish Public Employment Services. (2023b). *Jobba inom Samhall*. <https://arbetsformedlingen.se/for-arbetssokande/extra-stod/stod-a-o/samhall>
- Arbetsförmedlingen – Swedish Public Employment Services. (2023). *Nystartsjobb*. <https://arbetsformedlingen.se/other-languages/english-engelska/additional-support/support-a-o/nystartsjobb>
- Asylrättcentrum – Swedish Refugee Law Centre. (2022). *Country Report: Sweden, Update 2022, aida Asylum Information Database*.
<https://asylumineurope.org/reports/country/sweden/>
- Bacchi, C. & Eveline, J. (2003). Mainstreaming and Neoliberalism: A Contested Relationship, *Policy and Society*, 22:2, 98-118, DOI: 10.1016/S1449-4035(03)70021-6
- Bastia, T.; Datta, K.; Hujo, K.; Piper, N. & Walsham, M. (2023). Reflections on intersectionality: a journey through the worlds of migration research, policy and advocacy, *Gender, Place & Culture*, 30:3, 460-483,
DOI:10.1080/0966369X.2022.2126826.

- Behrensen, B., & Westphal, M. (Eds.). (2019). *Fluchtmigrationsforschung im Aufbruch*. Springer Fachmedien Wiesbaden. <https://doi.org/10.1007/978-3-658-26775-9>
- Ben-Moshe, L., & Magaña, S. (2014). An Introduction to Race, Gender, and Disability: Intersectionality, Disability Studies, and Families of Color. *Women, Gender, and Families of Color*, 2(2), 105–114. <https://doi.org/10.5406/womgenfamcol.2.2.0105>
- Bešić, E., & Hochgatterer, L. (2020). Refugee Families With Children With Disabilities: Exploring Their Social Network and Support Needs. A Good Practice Example. *Frontiers in Education*, 5(61), 1–18. <https://doi.org/10.3389/educ.2020.00061>
- Bhambra, G. K. (2015). Citizens and Others: The Constitution of Citizenship through Exclusion. *Alternatives: Global, Local, Political*, 40(2), 102-114.
- Blattner, C. E. (2020). Right to work or refusal to work: Disability rights at a crossroads. *Disability & Society*, 36(9), 1375–1398. <https://doi.org/10.1080/09687599.2020.1788511>
- Blomqvist, P.; Palme, J. (2020). Universallism in Welfare Policy: The Swedish Case beyond 1990. *Social Inclusion*, 8(1), 114-123.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77–101. <https://doi.org/10.1191/1478088706qp063oa>
- Braun, V. & Clarke, V. (2021a). Can I use TA? Should I use TA? Should I not use TA? Comparing reflexive thematic analysis and other pattern-based qualitative analytic approaches, *Counselling and Psychotherapy Research, Couns Psychother Res.*, 21, 37–47. <https://doi.org/10.1002/capr.12360>
- Braun, V. & Clarke, V. (2021b). One size fits all? What counts as quality practice in (reflexive) thematic analysis? *Qualitative Research in Psychology*, 18(3), 328–352. <https://doi.org/10.1080/14780887.2020.1769238>
- Brown, R. L., & Moloney, M. E. (2019). Intersectionality, Work, and Well-Being: The Effects of Gender and Disability. *Gender & Society*, 33(1), 94–122. <https://doi.org/10.1177/0891243218800636>
- Brown, W. (1993). Wounded Attachments. *Political Theory*, 21(3), 390-410.
- Buchner, T.; Pfahl, L.; Traue, B. (2015). *Zur Kritik der Fähigkeiten: Ableism als neue Forschungsperspektive der Disability Studies und ihrer Partner_innen*. *Inklusion online*, 8(2). <https://www.inklusion-online.net/index.php/inklusion-online/article/view/273>
- Bundesagentur für Arbeit. (2023). *Der berufspsychologische Dienst*. <https://www.arbeitsagentur.de/ueber-uns/berufspsychologischer-service>

- Bundesarbeitsgemeinschaft der Integrationsämter und Hauptfürsorgestellen (BIH) e.V. (2022a). *Integrationsämter – Schwerbehinderung*.
<https://www.bih.de/integrationsaemter/medien-und-publikationen/fachlexikon/detail/schwerbehinderung/>
- Bundesarbeitsgemeinschaft der Integrationsämter und Hauptfürsorgestellen (BIH) e.V. (2022b). *Werkstatt für Menschen mit Behinderungen (WfbM)*.
<https://www.bih.de/integrationsaemter/medien-und-publikationen/fachlexikon/detail/werkstatt-fuer-menschen-mit-behinderungen-wfbm/>
- Bundesministerium für Arbeit und Soziales (BMAS) (ed.). (2022). *Fachkräftestrategie der Bundesregierung*.
<https://www.bmas.de/DE/Service/Publikationen/Broschueren/fachkraeftestrategie-der-bundesregierung.html>
- Bundesministerium für Arbeit und Soziales (BMAS). (2023). *"Nur ein inklusiver Arbeitsmarkt ist ein starker Arbeitsmarkt"*, Rede des Ministers im Plenum zur ersten Lesung "Inklusiver Arbeitsmarkt" am 2. März 2023.
<https://www.bmas.de/DE/Service/Presse/Reden/Hubertus-Heil/2023/2023-03-02-rede-bundestag-1-lesung-inklusive-arbeitsmarkt.html>
- Bundesministerium für Gesundheit. (2023). *Erstuntersuchung und Versorgung in der Aufnahmeeinrichtung*.
<https://www.bundesgesundheitsministerium.de/themen/internationale-gesundheitspolitik/migration-und-integration/fluechtlinge-und-gesundheit/online-ratgeber-fuer-asylsuchende/erstuntersuchung-und-versorgung.html>
- Bundesministerium des Innern und für Heimat. (2023). *Asyl- und Flüchtlingspolitik in Deutschland*. <https://www.bmi.bund.de/DE/themen/migration/asyl-fluechtlingsschutz/asyl-fluechtlingspolitik/asyl-fluechtlingspolitik-node.html>
- Bundesamt für Migration und Flüchtlinge (BAMF). (2019). *Ankunftscentren und AnKER-Einrichtungen*.
<https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/Ankunftscentren/ankunftscentren-node.html;jsessionid=58D7C28AEFC586E86157706225EB4163.intranet241>
- Burns, N. (2017). The human right to health: exploring disability, migration and health. *Disability & Society*, 32(10), 1–22. <https://doi.org/10.1080/09687599.2017.1358604>
- Butler, J. (2009). Introduction: Precarious life, grievable life. In J. Butler (Ed.), *Frames of war: when is life grievable?* (pp. 1-32). Verso.

- Castles, St. (2003). Towards a Sociology of Forced Migration and Social Transformation. *Sociology*, 37(1), 13–34.
- Cho, S., Crenshaw, K. W., & McCall, L. (2013). Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis. *Signs: Journal of Women in Culture and Society*, 38(4), 785–810. <https://doi.org/10.1086/669608>
- Choo, H. Y., & Ferree, M. M. (2010). Practicing Intersectionality in Sociological Research: A Critical Analysis of Inclusions, Interactions, and Institutions in the Study of Inequalities. *Sociological Theory*, 28(2), 129–149. <https://doi.org/10.1111/j.1467-9558.2010.01370.x>
- Clarke, A. E. (2014). "Biomedicalization". *The Wiley Blackwell Encyclopedia of Health, Illness, Behavior, and Society*, 137–142.
- Collins, F. L. (2022). Geographies of migration II: Decolonising migration studies, *Progress in Human Geography*, 46(5), 1241–1251.
- Crock, M., Ernst, C., & AO, R. M. (2013). Where Disability and Displacement Intersect: Asylum Seekers and Refugees with Disabilities. *International Journal of Refugee Law*, 24(4), 735–764. <https://doi.org/10.1093/ijrl/ees049>
- Dahlstedt, M. & Neegrard, A. (2019). Crisis of Solidarity? Changing Welfare and Migration Regimes in Sweden. *Critical Sociology*, 45(1), 121-135.
- Delić, A., Kourtis, I., Kytidou, O., Sarkodie-Gyan, S., Wagner, U., & Zölch, J. (Eds.). (2022). *Globale Zusammenhänge, lokale Deutungen: Kritische Positionierungen zu wissenschaftlichen und medialen Diskursen im Kontext von Flucht und Asyl*. Springer Fachmedien Wiesbaden. <https://doi.org/10.1007/978-3-658-37356-6>
- Deutscher Bundestag. (2023). *Gesetzesentwurf der Bundesregierung - Entwurf eines Gesetzes zur Förderung eines inklusiven Arbeitsmarkts*. Drucksache 20/5664,. <https://dserver.bundestag.de/btd/20/056/2005664.pdf>
- Deutscher Caritasverband e.V. (2023). Stellungnahme Referentenentwurf des Bundesministeriums des Innern und für Heimat für ein Gesetz zur Einführung eines Chancen-Aufenthaltsrecht (Chancen-Aufenthaltsrechtsgesetz – ChARGesetz). <https://www.bmi.bund.de/SharedDocs/gesetzgebungsverfahren/DE/chancen-aufenthaltsrecht.html>
- Die Bundesregierung. (2022). *Mehr Teilhabe, mehr Respekt. Integrationspolitik*. <https://www.bundesregierung.de/breg-de/suche/einwanderung-integration-2146120>

- Die Bundesregierung. (2023). *Der Arbeitsmarkt soll inklusiver werden, Teilhabe von Menschen mit Behinderung*. <https://www.bundesregierung.de/breg-de/themen/arbeit-und-soziales/inklusive-arbeitsmarkt-2154512>
- Diskrimineringsombudsmannen (DO). (2022). *Act concerning the Equality Ombudsman, Discrimination Act and Parental Leave Act*. <https://www.do.se/download/18.71c46fcf184c78ffadd1164/1675674872643/stod-laws-act-ombudsman-discrimination-parental-leave.pdf>
- Duda-Mikulin, E., Scullion, L., & Currie, R. (2019). Wasted lives in scapegoat Britain: overlaps and departures between migration studies and disability studies. *Disability & Society*, 35(9), 1373–1397. <https://doi.org/10.1080/09687599.2019.1690428>
- Duell-Piening, P. (2018). Refugee resettlement and the Convention on the Rights of Persons with Disabilities. *Disability & Society*, 33(5), 661–684. <https://doi.org/10.1080/09687599.2018.1444582>
- Egilson, S. P., Ottósdóttir, G., & Dís Skaptadóttir, U. (2020). The Intersection of Childhood Disability and Migration in Family Lives. *Scandinavian Journal of Disability Research*, 22(1), 25–34. <https://doi.org/10.16993/sjdr.689>
- El-Gamal, S. & Hanefeld, J. (2020). Access to health-care policies for refugees and asylum-seekers. *International Journal of Migration, Health and Social Care*, 16(1), 22–45.
- El-Lahib, Y. (2017). Theoretical dimensions for interrogating the intersection of disability, immigration and social work. *International Social Work*, 60(3), 640–653. <https://doi.org/10.1177/0020872816651704>
- Emery, S. D., & Iyer, S. (2022). Deaf migration through an intersectionality lens. *Disability & Society*, 37(1), 89–110. <https://doi.org/10.1080/09687599.2021.1916890>
- Esser, H. (2006). Migration, Language and Integration. *AKI Research Review*, 4. Arbeitsstelle Interkulturelle Konflikte und gesellschaftliche Integration (AKI) Wissenschaftszentrum Berlin für Sozialforschung (WZB). <https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=25b8de137577ce4090aaf463c2d748036759a815>
- European Commission. (2020). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Action plan on Integration and Inclusion 2021-2027*, COM/2020/758 final. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0758&qid=1632299185798>

- European Commission/ Directorate-General for Employment, Social Affairs and Inclusion.(2021). *Union of equality: strategy for the rights of persons with disabilities 2021-2030*, Publications Office. <https://data.europa.eu/doi/10.2767/31633>
- Federal Office for Migration and Refugees. (2023). *The stages of the German asylum procedure- An overview of the individual procedural steps and the legal basis – Englisch*.
<https://www.bamf.de/SharedDocs/Anlagen/EN/AsylFluechtlingsschutz/Asylverfahren/das-deutsche-asylverfahren.html?nn=282388>
- Forsberg et al. (2023). "Tidöavtalet slår hårt mot nyanlända med funktionsnedsättning", Dagens Sämhalle. <https://www.dagensamhalle.se/opinion/debatt/tidoavtalet-slar-hart-mot-nyanlanda-med-funktionsnedsattning/>
- Gag, M. & Weiser, B. (2022). *Leitfaden zur Beratung von Menschen mit einer Behinderung im Kontext von Migration und Flucht*, 3rd edition.
<https://www.caritas-os.de/themen/migration-und-integration/aktuelles/leitfaden-zur-beratung-von-menschen-mit-einer-behinderung-im-kontext-von-migration-und-flucht>
- Geuijen, P. M., Vromans, L., & Embregts, P. J. C. M. (2021). A qualitative investigation of support workers' experiences of the impact of the COVID-19 pandemic on Dutch migrant families who have children with intellectual disabilities. *Journal of Intellectual & Developmental Disability*, 46(4), 300–305.
<https://doi.org/10.3109/13668250.2021.1947210>
- Glaser, B., & Strauss, A. (1967). *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Sociology Press.
- Goodwin-Gill, G. S. (2014). The International Law of Refugee Protection. In E. Fiddian Qasmiyeh et al. (Eds.), *The Oxford Handbook of Refugee and Forced Migration Studies*, Oxford Handbooks Online.
- Halfmann, J. (2014). *Migration und Behinderung*. Kohlhammer.
- Handbook Germany. (2023a). *Asylum and Right of Residence for People with Disabilities*.
<https://handbookgermany.de/en/asylum-disability>
- Handbook Germany. (2023b). *Living with Disability*. <https://handbookgermany.de/en/special-needs>
- Handicap International. (2021). *Grundlegende Informationen zur Lebenssituation geflüchteter Menschen mit Behinderung*. <https://www.hi-deutschland-projekte.de/crossroads/capacity-building/roadbox/grundlegende-informationen-zur-lebenssituation-von-gefluchteten-menschen-mit-behinderung/>

- Handicap International & Selbstvertretungsgruppe NOW! Nicht ohne das Wir. (2023). *Geflüchtete Menschen mit Behinderung und pflegende Angehörige bei der Neuregelung des Staatsangehörigenrechts nicht vergessen: Offener Brief anlässlich der Neuregelung des Staatsangehörigengesetzes an die Berichterstatter*innen der Regierungskoalition im Bundestag: Hakan Demir, Filiz Polat, Stephan Tomae sowie an die behinderungspolitischen Sprecher*innen der Regierungskoalition im Bundestag: Jens Beeck, Takis Mehmet Ali, Corinna Rüffer*. <https://www.hi-deutschland-projekte.de/crossroads/offener-brief/> [15.05.2023].
- Hankivsky, O. (Ed.). (2012). *An Intersectionality-Based Policy Analysis Framework*. Institute for Intersectionality Research and Policy, Simon Fraser University.
- Hankivsky, O. & Jordan-Zachery, J. (Eds.). (2019). *The Palgrave Handbook of Intersectionality in Public Policy*. Palgrave Macmillan.
- Hirschberg, M. (2022). Modelle von Behinderung in den Disability Studies. In A. Waldschmidt (Ed.), *Handbuch Disability Studies*, (pp.93-108). Springer Fachmedien Wiesbaden.
- Inter-Agency Standing Committee (IASC). (2019). *Guidelines - Inclusion of Persons with Disabilities in Humanitarian Action*, IASC Task Team on inclusion of Persons with Disabilities in Humanitarian Action. https://interagencystandingcommittee.org/system/files/2020-11/IASC%20Guidelines%20on%20the%20Inclusion%20of%20Persons%20with%20Disabilities%20in%20Humanitarian%20Action%2C%202019_0.pdf
- King, J., Edwards, N., Correa-Velez, I., Darracott, R., & Fordyce, M. (2016). Restrictive practices on refugees in Australia with intellectual disability and challenging behaviours: a family's story. *Advances in Mental Health and Intellectual Disabilities*, 10(4), 222–232. <https://doi.org/10.1108/AMHID-02-2016-0004>
- Kleist, N. (2018). *Somali Diaspora Groups in Sweden ma– Engagement in Development and Relief Work in the Horn of Africa*. Delmi Report 2018:1. <http://sirclund.se/wp/wp-content/uploads/2018/06/Kleist-2018-Delmi-report.pdf>
- Korntheuer, A., Hynie, M., Kleist, M., Farooqui, S., Lutter, E., & Westphal, M. (2021). Inclusive Resettlement? Integration Pathways of Resettled Refugees With Disabilities in Germany and Canada. *Frontiers in Human Dynamics*, 3, Article 668264, 1–15. <https://doi.org/10.3389/fhumd.2021.668264>
- Kruse, J. (2015). *Qualitative Interviewforschung - Ein integrativer Ansatz*, 2nd edition. Beltz Juventa.

- Kusarinen, A. (2022). Städaren Mohamad får inget permanent uppehållstillstånd – för att han jobbar på Samhall. *Fastighets Folket*. <https://fastighetsfolket.se/2022/05/12/stadaren-mohamad-far-inget-permanent-uppehallstillstand-for-att-han-jobbar-pa-samhall/>
- Köbsell, S. (2019). „Disabled asylum seekers? ... They don't really exist“ - Zur Unsichtbarkeit behinderter Flüchtlinge im Hilfesystem und im behindertenpolitischen Diskurs. In M. Westphal und G. Wansing (Eds.), *Migration, Flucht und Behinderung*, (pp.63-80). Springer Fachmedien Wiesbaden. <https://doi.org/10.1007/978-3-658-15099-04>
- Lemberg-Pederson, M.; Fett, Sh.M.; Mayblin, L.; Sahraoui, N.; Stambol, E.M. (2022). *Postcoloniality and Forced Migration – Mobility, Control, Agency*. Bristol: Bristol University Press. Available at: https://muse-jhu-edu.e.bibl.liu.se/book/102113#info_wrap [15.05.2023].
- Lollar, D. J., Horner-Johnson, W., & Froehlich-Grobe, K. (Eds.). (2021). *Public Health Perspectives on Disability: Science, Social Justice, Ethics and Beyond*. Springer US. <https://doi.org/10.1007/978-1-0716-0888-3>
- Lord, J.E.; Heideman, E. & Stein, M.A. (2022). Advancing Disability Rights-Based Refugee and Asylum Claims, *Virginia Journal of International Law*, 62(3), 501-558.
- McCall, L. (2005). The Complexity of Intersectionality. *Signs: Journal of Women in Culture and Society*, 30(3), 1771–1800. <https://doi.org/10.1086/426800>
- Meekosha, H. (2011). Decolonising disability: thinking and acting globally. *Disability & Society*, 26(6), 667–682. <https://doi.org/10.1080/09687599.2011.602860>
- Mehring et al. (2022). Geflüchtet, be*hindert, vulnerabel? Wie Soziale Arbeit von Betroffenen diskriminierender Verhältnisse lernen und Handlungsfähigkeit (unter)stützen kann. In B. Konz & A. Schröter (Eds.), *DisAbility in der Migrationsgesellschaft. Betrachtungen an der Intersektion von Behinderung, Kultur und Religion in Bildungskontexten*, (pp. 212-225). Verlag Julius Klinkhardt.
- Migrationsverket. (2023a). *Asylregler*. <https://www.migrationsverket.se/Privatpersoner/Skydd-och-asyl-i-Sverige/Att-ansoka-om-asyl/Asylregler.html>
- Migrationsverket. (2023b). *Asylum – from application to decision*. <https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Applying-for-asylum/Asylum---from-application-to-decision.html>
- Migrationsverket. (2023c). *Special requirements for permanent residence permits*. <https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum->

- in-Sweden/Extending-a-residence-permit/Special-requirements-for-permanent-residence-permits.html
- Migrationsverket. (2023d). *Working while you are an asylum seeker*.
<https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/While-you-are-waiting-for-a-decision/Working.html>
- Myndigheten för Delaktighet (MFD). (2017). *Personer med funktionsnedsättning i asyl- och etableringsprocessen – situationen i dag och behoven framåt*.
<https://www.mfd.se/contentassets/a9c6aeb1c4ef4742b5aebfe4f1b2d64b/personer-med-funktionsnedsattning-asyl-etablering-2017-20.pdf>
- Myndigheten för Delaktighet (MFD) (Swedish Agency for Participation). (2022). *Disability Policy in Sweden - An overview*.
<https://www.mfd.se/contentassets/ce5c28c151bd440f954cef9f8037f2a6/2023-20-disability-policy-in-sweden-an-overview.pdf>
- Nordic Refugee Council (NRC). (2022 (2020)). These 10 countries receive the most refugees.
<https://www.nrc.no/perspectives/2020/the-10-countries-that-receive-the-most-refugees/>
- Otten, M. (2018). Flucht, Behinderung und Inklusion: Wechselwirkungen und Widersprüche der Policy Regime und der professionellen Sozialen Arbeit. In M. Pfaller-Rott; E. Gómez-Hernández & H. Soundari (Eds.), *Soziale Arbeit - Internationale Soziale Arbeit aus interkultureller und dekolonialer Perspektive*, (pp. 89-114). Springer Fachmedien Wiesbaden.
- Pieper, M. & Mohammadi, J.H. (2014). Partizipation mehrfach diskriminierter Menschen am Arbeitsmarkt Ableism und Rassismus – Barrieren des Zugangs. In G. Wansing & M. Westphal (Eds.), *Behinderung und Migration. Inklusion, Diversität, Intersektionalität*, (pp. 221-252). Springer Fachmedien Wiesbaden.
- Pisani, M., & Grech, S. (2015a). Disability and Forced Migration: Critical Intersectionalities. *Disability and the Global South*, 2(1), 421–441.
- Pisani, M. & Grech, S. (Eds.). (2015b). *Special Issue: Disability and Forced Migration, Disability and the Global South (DGS)*, 2(1). <https://dgsjournal.org/volume-2-number-1/>
- Poole, J.M.; Jivraj, T., Arslanian, A.; Bellows, K.; Chiasson, Sh.; Hakimy, H.; Pasini, J. & Reid, J. (2012). Sanism, ‘Mental Health’, and Social Work/Education: A Review and Call to Action. *Intersectionalities: A Global Journal of Social Work Analysis, Research, Polity, and Practice*, 1, 20-36.

- Presse- und Informationsamt der Bundesregierung. (2023). *Rede von Bundeskanzlerin Merkel beim Festakt zum 40-jährigen Bestehen des Amtes der Beauftragten der Bundesregierung für Migration, Flüchtlinge und Integration*, Mittwoch, 12. Dezember 2018 in Berlin. <https://www.bundestkanzler.de/bk-de/aktuelles/rede-von-bundestkanzlerin-merkel-beim-festakt-zum-40-jaehrigen-bestehen-des-amtes-der-beauftragten-der-bundesregierung-fuer-migration-fluechtlinge-und-integration-1560794>
- Puar, J. (2019). *The Right to Maim – Debility, Capacity, Disability*. Duke University Press.
- Regeringen. (2021). *Strategi för systematisk uppföljning av funktionshinderspolitiken under 2021–2031*. <https://www.regeringen.se/informationsmaterial/2021/09/informationsmaterial-strategi-for-systematisk-uppfoljning-av-funktionshinderspolitiken-under-20212031/>
- Regeringen. (2023). *Kommittédirektiv - Tilläggsdirektiv till Utredningen om en förbättrad arbetsmarknadsetablering för utrikes födda kvinnor (Ju 2022:05)*, Dir. 2023:42. <https://www.regeringen.se/rattsliga-dokument/kommittedirektiv/2023/04/dir.-202342>
- Regeringskansliet. (2023). *Regeringens första 100 dagar: Migration*, <https://www.regeringen.se/artiklar/2023/01/regeringens-forsta-100-dagar-migration/>
- Roberts, K., & Harris, J. (2001). *Disabled Refugees and Asylum Seekers in Britain: Numbers and Social Characteristics*.
- Sainsbury, D. (2012). Conservative Welfare States and Immigrants' Social Rights. In D. Sainsbury (Ed.), *Welfare States and Immigrant Rights: The Politics of Inclusion and Exclusion*, (pp. 53-81). Oxford University Press.
- Samhall. (2023). *Så funkar Samhall för dig!* <https://samhall.se/sa-funkar-samhall/>
- Schalk, S. (2013). Coming to Claim Crip: Disidentification with/in Disability Studies. *Disability Studies Quarterly*, 33(2). <https://doi.org/10.18061/dsq.v33i2.3705>
- Socialdepartementet – Socialministern. (2022). *Stöd till ukrainska flyktingar med funktionsnedsättning - Svar på skriftlig fråga 2021/22:1322 besvarad av Socialminister Lena Hallengren (S)*. https://www.riksdagen.se/sv/dokument-lagar/dokument/svar-pa-skriftlig-fraga/stod-till-ukrainska-flyktingar-med_H9121322
- Soldatic, K., Sommers, K., Buckley, A., & Fleay, C. (2015). 'Nowhere to be found': disabled refugees and asylum seekers within the Australian resettlement landscape. *Disability and the Global South*, 2(1), 501–522. <https://disabilityglobalsouth.files.wordpress.com/2012/06/dgs-02-01-06.pdf>

- Sperling, S. (2022): „Bleibeperspektive.“ In I. Bartels; I. Löhr.; Ch. Reinecke; Ph. Schäfer, ; L. Stielike (Eds.), *Inventar der Migrationsbegriffe*,. www.migrationsbegriffe.de/bleibeperspektive
- Steiner, M. (2019). *Umfrage zur Versorgungslage geflüchteter Menschen mit Behinderung in Deutschland innerhalb des Deutschen Caritasverbandes*. Freiburg.
- Straimer, C. (2010). Vulnerable or invisible? Asylum seekers with disabilities in Europe, *New Issues In Refugee Research*, Research Paper No. 194, Policy Development and Evaluation Service, United Nations High Commissioner for Refugees. <https://www.unhcr.org/media/30655>
- Turton, D. (2003). *Conceptualising Forced Migration*, University of Oxford, RSC Working Paper.
- UN Department of Economic and Social Affairs. (2023a). *Disability – Refugees and Migrants with Disabilities*. https://www.un.org/development/desa/disabilities/refugees_migrants_with_disabilities.html
- UN Department of Economic and Social Affairs. (2023b). *International Day of Disabled Persons 2004- Nothing about Us, Without Us*. <https://www.un.org/development/desa/disabilities/international-day-of-persons-with-disabilities-3-december/international-day-of-disabled-persons-2004-nothing-about-us-without-us.html>
- United Nations High Commissioner for Refugees (UNHCR). (1993). *The State of The World's Refugees 1993: The Challenge of Protection*. <https://www.unhcr.org/publications/sowr/4a4c6da96/state-worlds-refugees-1993-challenge-protection.html>
- UNHCR. (2011). *Convention and Protocol Relating to the Status of Refugees*. <https://www.unhcr.org/3b66c2aa10>
- UNHCR. (2022). *Asylum-seekers*. <https://www.unhcr.org/asylum-seekers.html>
- UNHCR Refugee Population Statistics Database. (2022). *Refugee Data Finder - Measuring forced displacement and statelessness*. <https://www.unhcr.org/refugee-statistics/methodology/>
- UNHCR. (2023). *Global Trends*. <https://www.unhcr.org/globaltrends.html>
- United Nations Enable. (2007). Frequently Asked Questions. <https://www.un.org/esa/socdev/enable/faqs.htm#:~:text=The%20term%20persons%20with%20disabilities,in%20society%20on%20an%20equal>

- Union of Physically Impaired Against Segregation (UPIAS) & Disability Alliance. (1976). *Fundamental Principles of Disability* - Being a summary of the discussion held on 22nd November, 1975 and containing commentaries from each organisation. <https://disability-studies.leeds.ac.uk/wp-content/uploads/sites/40/library/UPIAS-fundamental-principles.pdf>
- Waldschmidt, A. (2019). Behindertenpolitik (in) der Europäischen Union - Geschichte und aktueller Stand. In Th. Degener & M. von Miquel (Eds.), *Aufbrüche und Barrieren - Behindertenpolitik und Behindertenrecht in Deutschland und Europa seit den 1970er Jahren*, (pp. 79-106).
- Waldschmidt, A. (Ed.). (2022). *Handbuch Disability Studies*. Springer Fachmedien Wiesbaden. <https://doi.org/10.1007/978-3-531-18925-3>
- Wansing, G., Schäfers, M., & Köbsell, S. (Eds.). (2022). *Teilhabe-forschung – Konturen eines neuen Forschungsfeldes*. Springer Fachmedien Wiesbaden. <https://doi.org/10.1007/978-3-658-38305-3>
- Wansing, G., & Westphal, M. (Eds.). (2014). *Behinderung und Migration: Inklusion, Diversität, Intersektionalität*. Springer Fachmedien Wiesbaden. <https://doi.org/10.1007/978-3-531-19401-1>
- Welti, F. (2019). Zwischen unteilbaren Menschenrechten und gegliedertem Sozialsystem Behindertenpolitik erster und zweiter Ordnung von 1990 bis 2016. In Th. Degener. & M. von Miquel (Eds.), *Aufbrüche und Barrieren - Behindertenpolitik und Behindertenrecht in Deutschland und Europa seit den 1970er Jahren*, (pp.15-42).
- Windsong, E. A. (2016). Incorporating intersectionality into research design: an example using qualitative interviews. *International Journal of Social Research Methodology*, 21(2), 135–147. <https://doi.org/10.1080/13645579.2016.1268361>
- Wong, A. (2020). *Disability Visibility – First Person Stories from the Twenty-First Century*. Penguin Random House LLC.
- World Health Organisation (WHO). (2022). *Towards a Common Language for Functioning, Disability and Health ICF*, WHO/EIP/GPE/CAS/01. https://cdn.who.int/media/docs/default-source/classification/icf/icfbeginnersguide.pdf?sfvrsn=eead63d3_4&download=true
- Yeo, R. (2017). The deprivation experienced by disabled asylum seekers in the United Kingdom: symptoms, causes, and possible solutions, *Disability & Society*, 32(5), 657-677. DOI: 10.1080/09687599.2017.1320268

16. Appendix

Appendix 1: Analysed policy documents

Sweden	
Tidö-avtalet	<p>Tidö-Avtalet Regeringen första 100 dagar https://www.regeringen.se/artiklar/2023/01/regeringens-forsta-100-dagar-migration/ Positioning Civil Rights Defenders and DRW https://disabledrefugeeswelcome.se/2022/11/mer-om-tido-avtalet/ https://www.dagenssamhalle.se/opinion/debatt/tidoavtalet-slar-hart-mot-nyanlanda-med-funktionsnedsattning/</p>
Behövsprovad invandring	<p>En behövsprovad arbetsinvandring https://www.regeringen.se/rattsliga-dokument/kommittedirektiv/2022/06/dir.-202290</p> <p>Förbättrade regler för högkvalificerad arbetskraft https://www.regeringen.se/pressmeddelanden/2023/03/forbattrade-regler-for-hogkvalificerad-arbetskraft/ Stricter conditions https://www.government.se/government-policy/swedens-new-migration-policy/skarpa-villkoren-for-arbetskraftsinvandring/ Tilläggsdirektiv https://www.regeringen.se/rattsliga-dokument/kommittedirektiv/2023/02/dir.-202325</p>
Integration policy	<p>https://www.regeringen.se/pressmeddelanden/2023/04/integrationspolitiken-ska-bli-effektivare/ (Swedish) https://www.government.se/government-policy/swedens-new-migration-policy/stalla-krav-pa-integration/ (English) Foreign born women https://www.regeringen.se/rattsliga-dokument/kommittedirektiv/2023/04/dir.-202342</p>
Disability	<p>No particular current policies in regards of disability https://www.regeringen.se/regeringens-politik/funktionshinder/ but positioning of national target in regards of disability and strategy to follow-up target of national disability policy https://www.regeringen.se/informationsmaterial/2021/09/informationsmaterial-strategi-for-systematisk-uppfoljning-av-funktionshinderspolitiken-under-20212031/</p> <p>MFD uppföljning https://www.mfd.se/vart-uppdrag/publikationer/rapport/uppfoljning-av-funktionshinderspolitiken-2022/</p>

Germany	
Migrationpaket	Introduction Migration Package, press statement https://www.bmi.bund.de/SharedDocs/pressemitteilungen/DE/2022/07/chancen-aufenthaltsrecht.html
Chancen AufenthaltsR	Chancen Aufenthalt Gesetz (Opportunity Residence Act) https://www.bmi.bund.de/SharedDocs/gesetzgebungsverfahren/DE/chancen-aufenthaltsrecht.html;jsessionid=473AD8931E55261BF10436CD36713062.2_cid373 Positioning organisations, e.g. Caritas https://www.bmi.bund.de/SharedDocs/gesetzgebungsverfahren/DE/chancen-aufenthaltsrecht.html
Strategy Skilled labour migration	Bundesregierung/Governmental statement about skilled labour strategy https://www.bundesregierung.de/breg-de/suche/fachkraefteeinwanderungsgesetz-2182168 Skilled labour strategy (report federal government) https://www.bmas.de/SharedDocs/Downloads/DE/Publikationen/fachkraeftestrategie-der-bundesregierung.pdf?__blob=publicationFile&v=8
Inclusive labour market	Statement on website of Federal Government (Bundesregierung) https://www.bundesregierung.de/breg-de/themen/arbeit-und-soziales/inklusive-arbeitsmarkt-2154512 Hubertus Heil Statement https://www.bmas.de/DE/Service/Presse/Pressemitteilungen/2022/bessere-chancen-fuer-menschen-mit-behinderungen.html Gesetz https://www.bmas.de/DE/Service/Gesetze-und-Gesetzesvorhaben/gesetz-zur-foerderung-eines-inklusive-arbeitsmarktes.html

Appendix 2: Selected questions from Hankivsky's (2012) Intersectionality-Based Policy Approach (IPBA)

2. What is the policy 'problem' under consideration?*

- What assumptions (e.g., beliefs about what causes the problem and which population(s) is/are most affected) underlie this representation of the 'problem'?

3. How have representations of the 'problem' come about?

- What was the process in framing the 'problem' this way?
- Who was involved and why was the 'problem' defined in this way?
- What types of evidence were used?
- How has the framing of the 'problem' changed over time (e.g., historically) or across different places (e.g., geographically)?

4. How are groups differentially affected by this representation of the 'problem'?

- Who is considered the most advantaged and who is the least advantaged within this representation? Why and how?
- How do the current representations shape understandings of different groups of people?
- What differences, variations and similarities are considered to exist between and among relevant groups?

6. What inequities actually exist in relation to the problem?

- Which are the important intersecting social locations and systems? For example, how do 'race', ethnicity, class, sexuality and other social locations and systems of inequality (racism, colonialism, classism, heterosexism) interact in relation to this policy problem?
- What are the knowledge/evidence gaps about this problem across the diversity of the population?

9. How will proposed policy responses reduce inequities?

- How will proposed options address intersectional inequities and promote social justice? How will you ensure that the proposed options do not reinforce existing stereotypes and biases or produce further inequities for some populations?
- How will the solutions interact with other existing policies?
- What might be the challenges and opportunities for proposed policy solutions?

(Hankivsky et al. 2012:39-41).

Hankivsky, O.; Grace, D.; Hunting, G.; Ferlatte, O.; Clark, N.; Fridkin, A.; Giesbrecht, M.; Rudrum, S. & Laviolette, T. (2012). Intersectionality-Based Policy Analysis. In Hankivsky, O. (ed.). *An Intersectionality-Based Policy Analysis Framework*, 33-46.

Appendix 3: Different asylum pathway stations for persons with disabilities and forced migration experience in Germany and Sweden*

Pathway stations	Germany	Sweden
Arrival	Inadequate implementation of EU Directive 2013/33 No information or data about persons with disabilities	Implementation of EU Directive 2013/33 but missing knowledge about persons with disabilities among displaced populations seeking asylum
Interview and health check	First instance to report about disability but no comprehensive identification system Health check as obligatory Informing about disability as responsibility of individual	Encouragement to report about disability during interview and during health check to which asylum seekers are invited to by local health clinic Informing about disability as responsibility of individual
Initial accommodation during asylum process	Mandatory stay in initial reception centres, then collective or decentralised accommodations Inaccessibility of accommodations, overcrowding and bad conditions	Accommodation centres by Migration Agency (apartment in normal housing or centre) Different perceptions of accessibility, living conditions
Integration and language courses	Mandatory integration courses depending on protection status Limited course offer for persons with sensory or intellectual impairments Availability of free and accessible places	Social orientation classes and Swedish language course (SFI) Inaccessibility of courses and dependency on protection status Establishment process with formulation activity plan and support in job seeking
Education	Special needs schools Issue of 'inclusive' education	Different forms of schools, adapted schooling, special needs schools
Asylum process, information	Limited accessibility and flexibility Limited availability of (sign language) interpreters	Limited accessibility and flexibility Limited availability of (sign language) interpreters
'Integration': transportation, service access, counselling, society	Lack of counselling services Long waiting time Difficulties in applying for services if temporary residence permit Different attitudes towards persons with disabilities and 'migration background'	Issues of temporary residence permits and access to services (e.g. <i>färdtjänst</i>) Lack of counselling services Long waiting time Issues entering free-time activities Different attitudes towards persons with disabilities and migration experience
Work	Access to work/sheltered workplaces depending on employers and individual 'qualifications' Issue of inaccessibility, discrimination, racism,	Registration with <i>Arbetsförmedlingen</i> Access to work/sheltered employment depending on employers and individual 'qualifications' Issue of discrimination and racism
Long-term accommodation/housing, personal assistance, institutionalisation	Possibility of coverage of rent by local social welfare/job centre up to 'adequate' level Difficult housing market situation and availability of accessible housing Missing research about intersection of migration and institutionalisation	Municipal obligation to provide housing for people granted protection/other grounds to stay for two years Difficulties of finding accessible housing and long waiting times Discourse about abuse of personal assistance in migration context
Renewal residence permit, transition to other status, naturalisation	Possible exemption from German knowledge and capacity to support oneself for permanent residence permit (§9 Section 2, Sentence 3 AufenthG)	Possible exemption from maintenance requirements for permanent residence permits (Alien Act Ch.5 §7)

Living with disabilities and 'forced migration experience'	Issue of migration discourse and 'inclusiveness' of society in general Discrimination, racism, ableism in society?	Issue of migration discourse and 'inclusiveness' of society in general Access to personal assistance as crucial Discrimination, racism, ableism in society?
--	---	---

*The table makes no claim to completeness and only serves purposes for better clarity.

References

- Asylrättcentrum – Swedish Refugee Law Centre. (2022). *Country Report: Sweden, Update 2022*, aida Asylum Information Database. <https://asylumineurope.org/reports/country/sweden/>
- Swedish Agency for Participation. (2023). *Information for people with disabilities who have recently arrived in Sweden*. <https://www.mfd.se/verktyg/migranter/broschyr-for-migranter/>
- Gag, M. & Weiser, B. (2022). *Leitfaden zur Beratung von Menschen mit einer Behinderung im Kontext von Migration und Flucht*. <https://www.caritas-os.de/themen/migration-und-integration/aktuelles/leitfaden-zur-beratung-von-menschen-mit-einer-behinderung-im-kontext-von-migration-und-flucht>
- Stiller, M. & Hoffmeyer-Zlotnik, P. (2022). *Country Report: Germany, Update 2022*, aida Asylum Information Database. <https://asylumineurope.org/reports/country/germany/>

Appendix 4: Germany Asylum status, access to labour market and to services (for labour market participation)*

Protection titles	Definition and residence permits	Labour market access	Access to services for labour market participation (see Gag&Weiser 2021)
Asylum seeking persons	Ankunftsnachweis §63a AsylG (certificate of arrival) or Aufenthaltsgestattung §61 AsylG (allowance to stay: during asylum process after formally stating application and valid for duration of asylum process until decision)	Limited access and no self-employment After 3 months for communal housing After 6 months for housing in initial reception centre with children/9 months without Permission to work restricted on one particular job, need to inform Ausländerbehörde	Less than 18 months: basic services acc. §3 AsylbLG, less than maintenance services (Social services) No access to Eingliederungshilfe §90 SGB IX (Discretion) Acute medical services and support No unemployment money/Sozialgeld from Jobcenter and no help for maintenance/basic security from Social Services If stay at least 18 months access to services acc. to §2 AsylbLG (support for maintenance) (equal to SGB XII) (Social services)
Refugee	Geneva Convention §25 Section 2 Sentence 1 Alternative 1 Aufenthaltsgesetz in relation to §3 Section 1 Asylgesetz AE for three years Blue card (mobility)	Permission to work	Access to services provided by Bundesagentur für Arbeit Unemployment money from jobcentre (some exceptions in case of residence due to looking for work §20 AufenthG) Support for maintenance or basic security from Social services

Person entitled to asylum acc. to constitution (Asylberechtigte)	Art.16a GG (no immigration through third country) AE nach §25 Section 1 or 2 AufenthG Residence permit for 3 years Blue card (mobility)	Permission to work Support by jobcentre (Bürgergeld/ Sozialhilfe)	Access to services provided by Bundesagentur für Arbeit Unemployment money from jobcentre (some exceptions in case of residence due to looking for work §20 AufenthG) Support for maintenance or basic security from Social services
Subsidiary Protection (Subsidiärer Schutz)	§ 25 Section 2, Sentence 1, Alternative 2 AufenthG in relation with §4 Section 1 Asylgesetz Residence permit for 1 year	Permission to work Complicated family reunification process	Access to services provided by Bundesagentur für Arbeit Unemployment money from jobcentre (some exceptions in case of residence due to looking for work §20 AufenthG) Support for maintenance or basic security from Social services
Other beneficiaries of protection (Anderweitig Schutzberechtigte)	Deportation ban § 60 Section 5 and §60 Absatz 7 Aufenthaltsgesetz (concrete danger to life, body or freedom) Residence permit for 1 year acc. to §25 Section3 AufenthG Blue card (mobility)	With permission Ausländerbehörde allowed to work	Access to services provided by Bundesagentur für Arbeit Unemployment money from jobcentre (some exceptions in case of residence due to looking for work §20 AufenthG) Support for maintenance or basic security from Social services
Person tolerated to stay (Geduldete)	Duldung §60a AufenthG No residence title but only residence paper very limited time frames (several days to months for duration of perseverance of deportation obstacles)	Only allowed to work with permission of Ausländerbehörde	No unemployment money/Sozialgeld from Jobcenter and no help for maintenance/basic security from Social Services

	<p>Deportation cannot be done due to legal or factual obstacles (Ermessen in case of medical/care related issues)</p> <p>Variety of Duldung (formation §60c AufenthG, unclear identity §60b AufenthG; employment §60d AufenthG; §104c Opportunity Residence Act</p> <p>Possible transitions to residence permits due to humanitarian grounds (§25 Section 5 AufenthG); good integrated adults (§25b AufenthG) or youth/young adults (§25a AufenthG); skilled Geduldete (§19d AufenthG)</p>		<p>If stay at least 18 months access to services acc. to §2 AsylbLG (support for maintenance) (equal to SGB XII) (Social services)</p> <p>Less than 18 months: basic services acc. §3 AsylbLG, less than maintenance services (Social services)</p> <p>Possibility to reduce services due to self-inflicted deportation obstacles acc. to §1a AsylbLG</p>
<p>Temporary protection (Vorübergehender Schutz)</p>	<p>EU Directive Temporary Protection 2001/55/EG in relation to §24 AufenthG</p> <p>Valid until 04.03.2024 with possibility of extension</p>	<p>Access to employment (Fiktionsbescheinigung) and permission to self-employment</p>	<p>Access to required medical and other services for persons with 'special requirements' acc. to §6 Section 2 AsylbLG</p>

*The table makes no claim to completeness and only serves purposes for better clarity. It furthermore does not include resettled refugees.

References:

- Flüchtlingsrat Niedersachsen e.V. (2020). *Übersicht Zugang zum Arbeitsmarkt, zur Ausbildungsförderung und zu Sprachkursen für Menschen im Asylverfahren und mit Duldung* (Stand: Januar 2020). <http://azf3.de/wp-content/uploads/2020/03/Handouts-zusammengefasst-ohne-Logo-10-01-2020.pdf>
- Gag, M. & Weiser, B. (2022). *Leitfaden zur Beratung von Menschen mit einer Behinderung im Kontext von Migration und Flucht*. <https://www.caritas-os.de/themen/migration-und-integration/aktuelles/leitfaden-zur-beratung-von-menschen-mit-einer-behinderung-im-kontext-von-migration-und-flucht>
- Handbook Germany. (2023a). *Aufenthaltserlaubnis für Geflüchtete*. <https://handbookgermany.de/de/right-of-residence>
- Handbook Germany. (2023b). *Bekomme ich eine Arbeitserlaubnis?* <https://handbookgermany.de/de/work-permit>
- Handbook Germany. (2023c). *Bleiberecht für Geduldete*. <https://handbookgermany.de/de/bleiberecht>
- Handbook Germany. (2023d). *Ukraine*. <https://handbookgermany.de/de/ukraine-info?themen=aufenthalt#lc-start>

Appendix 5: Sweden Asylum status, work permit and access to services related to labour market*

Protection titles	Definition and residence permits	Labour market access	Access to (disability related) services
Asylum seeker (Asylsökande)	Person seeking protection during asylum process (Ch.5 §1b Aliens Act) LMA card	In general access to work from first day LMA card with AT-UND certificate (QR code) indicating access to labour market Exemption from requirement of work permit for employment in unskilled sector Possibility for track change from asylum to 'labour migrant'	Access to adapted housing (Migration agency) and financial support, also particular for disabilities Optional medical health check Difficulties registering with fardtjänst, LSS Emergency medical health care Different patient fees for health care beyond emergency need → possibility to apply for special allowance
Refugee (flyktingsstatus)	Geneva Convention Ch.4 §1 fear of persecution Residence permit for 3 years (Ch.5 §1 Sentences 1-2 Aliens Act)	Access to labour market Registration with population register and application for Personal number and opening of bank account as pre-requisites of starting employment	Access to language courses Registration with Arbetsförmedlingen for establishment process → newcomer Support job search, access to Samhall
Alternative protection (Subsidiary protection in European Directive)	Risk of being sentenced to death, risk to corporeal and inhuman treatment or punishment or serious risk due to armed conflict (Ch.4 §2 Aliens Act) Residence permit for 13 months (Ch.5 §1 Sentences 3-4 Aliens Act)	Right to work for duration of temporary residence permit (13 months) Registration with population register and application for Personal number and opening of bank account as pre-requisites of starting employment	Access to medical health Access to language courses Registration with Arbetsförmedlingen for establishment process → newcomer Support job search, access to Samhall
Skydd på grund av humanitära övervägande	No qualification for international protection but certain grounds prevent removal: Exceptional inhuman circumstances such as health condition, adaptation to Sweden and situation in country of origin (Ch.5 §6 Aliens Act) and traumatising, human trafficking experience	Right to work for duration of temporary residence permit (13 months)	Access to medical care Possibility to register with Arbetsförmedlingen and enter establishment process Access to language training, Swedish society introduction courses, educational and vocational planning

	<p>Particular inhuman circumstances for children and for adults that have proven particular affiliation to Sweden</p> <p>Temporary residence permit for 13 months, extension for 2 years</p>		
<p>Impediment to enforcement (Skydd mot verkställighet)</p>	<p>Arising of new information preventing implementation of refusal of entry/deportation Ch.12 §1 risk of torture or degrading treatment in country of origin Ch.12 §2 risk of persecution Ch. 12 §3 indiscriminate violence harms corresponding to alternative protection (injuries caused by violence due to armed conflict) Temporary residence permits (Ch.12 §18, No.1 Aliens Act) or due to medical or other special reasons Risk for persecution 3 year residence permit, others 13 months (Ch.12 §18a Aliens Act),</p>	<p>Depending on enforcement halt entitled to right to work according to AT-UND under condition of cooperation</p>	<p>Application for financial and accommodation support after application for re-examination is passed During examination no entitlement to support</p>
<p>Temporary Protection Directive (Massflyktingsdirektiv)</p>	<p>Ch.21 Aliens Act Temporary protection for persons from Ukraine, excluding third country nationals and stateless persons living in Ukraine</p>	<p>Grant of work permit for duration of temporary protection (Ch.21 §7)</p>	<p>No registration as immigrant in Sweden → Coordination number No right to language courses (SFI) Eligible for adapted housing Emergency medical care and economic support Possibility to register with Swedish Employment Agency for support in seeking employment</p>

*The table makes no claim to completeness and only serves purposes for better clarity. It furthermore does not include resettled refugees.

References:

- Asylrättcentrum – Swedish Refugee Law Centre. (2022). *Country Report: Sweden, Update 2022*, aida Asylum Information Database. <https://asylumineurope.org/reports/country/sweden/>
- Migrationsverket. (2023). *Working while you are an asylum seeker*. <https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/While-you-are-waiting-for-a-decision/Working.html>
- Migrationsverket. (2022). *New events after refusal of your application for asylum*. <https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/When-you-have-received-a-decision-on-your-asylum-application/If-your-application-is-refused/New-events-after-refusal.html>
- Stoyanova, V. & Karageorgiou, E. (2022). *Hur gemensamma är de gemensamma EU-reglerna? Svensk asylrätt i europeiskt perspektiv*, Delmi (Delegationen för Migrationsstudier) Report 2022:6. <https://www.delmi.se/en/publications/report-2022-6-swedish-asylum-legislation-from-a-european-perspective/>
- Swedish Agency for Participation. (2023). *Information for people with disabilities who have recently arrived in Sweden*. <https://www.mfd.se/verktyg/migranter/broschyr-for-migranter/>

Appendix 6: Guideline Interview Questions

Interview guide

Research question: How does the intersection of forced migration and disabilities influence the pathways to the labour market?

Interview questions:

- Your organisation offers services and support at the nexus of forced migration and disabilities in Sweden. Could you shortly introduce the organisation and your work and tell us what role the access to the labour market plays in your work?
- Has the importance of the access to the labour market changed in your work? Has it always been an issue, does it constitute something with which a lot of people come to you?
- Like asylum law in Sweden theoretically allows persons with asylum status to work, once they have the LMA card and a coordination number. Which possibilities actually exist for persons with the like different migration statuses and disabilities to actually enter the labour market in Sweden?
- Which challenges do you experience in your work and which challenges do newcomers with disabilities report?
- Do you collaborate with other actors? How does this collaboration look like?
- Are there any particular policies you mainly work with?
- After having talked a lot about the challenges and issues, do you have some good examples where people managed to access the labour market and find employment?
- The focus is on the intersection of forced migration and disability. In how far does the kind of disability/disability, physical, visual impairment or severity/ existence of multiple impairments, influence the pathways? Which role do further categories such as age, gender, that play?
- The access to the labour market is often connected to access to support and services. How does the access to services needed to participate in the labour market look like?
- How do you perceive the increasing correlation btw capacity to support yourself and asylum status/residence permits in your work?
- In your opinion, is there anything needed or something you wish for in the future, like a particular policy or more awareness?
- That would be it from my side. Is there anything else you would like to point out, or mention or emphasis?