People in Tolerated Stay in Iceland:

A claim for a dignified life

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Abstract

Tolerated Stay is a term used to refer to people who have received a final negative decision in their asylum application in Iceland, however, their situation prevents authorities to send them back to their home country for various reasons. This group has been living in a legal limbo, with no clear definition of their current or future situation, resulting in the neglect of their basic rights. Several people in Tolerated Stay in Iceland have been living in this situation for over 5 years. As a result of the inexistent information on this group, the Icelandic Red Cross carried out qualitative research during the second half of 2022 to understand their current circumstances and needs. This report gathers knowledge on people in a Tolerated Stay situation in Iceland, explaining the results from the 13 semi-structured interviews conducted. The research highlights the urgency for change, and the need to pay closer attention to the undignified situation they are living.

Key words: Tolerated Stay; asylum seeker; human rights; semi-structured interviews

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TABLE OF CONTENTS

1. INTRODUCTION 4

2. LITERATURE REVIEW 5

2.1. Topical issue 5

2.2. The situation of people in a TS in the European Union 6

3. PEOPLE IN A TS SITUATION IN ICELAND 7

3.1. Rights and access to services 9

3.2. Children with unrecognized citizenship 10

3.3. Future: a reduction of rights 11

4. RESEARCH METHODOLOGY 11

4.1. Design 11

4.2. Participants and recruitment 12

4.3. Procedure and challenges 13

5. FINDINGS 14

5.1. Need and desire to obtain a legal status in Iceland that allows them to move beyond being in TS 15

5.2. Need and desire to be able to cover their basic needs 21

5.3. Extreme deteriorating wellbeing 30

5.4. Moving forward: the need and desire to live a dignified life 32

6. CONCLUSION AND RECOMMENDATIONS 33

Bibliography 35

1. INTRODUCTION

Tolerated Stay (TS), also referred to as *Duldung* in Austria and Germany, *Befogadott* in Hungary, *Leave to remain* in Ireland, *Permission to stay* in Slovenia, and *Discretionary leave* in the UK, is defined as one of the *protection* statuses granted to people in the application process for international protection (EMN, 2010). For Member States, EU immigration and asylum law requires them to issue people seeking international protection with a return decision. Nevertheless, the enforcement of such decisions might be postponed by the competent Member State due to different reasons. Some of them being legal barriers (Directive 2008/115/EC), postponement removal on humanitarian grounds due to the physical state of the returnee (Schoukens & Buttiens, 2017), or based on the obligation to protect family and private life (Weatherhead, 2016). Moreover, enforcement of removal can be complicated if legal grounds are found to contravene the core principle of the Refugee Convention: non-refoulement (Strban *et al*., 2018). According to this principle, it is prohibited to expel or return a refugee in any manner whatsoever to the frontiers of territories where their life or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group, or political opinion. Furthermore, it is also prohibited to expel or return a refugee to a State, if this State would then expel or return an individual to a further territory where their life or freedom would be threatened (UNHCR, 2007).

The rights of people in TS differ in great measure depending on the country where they are located. In cases when rejected applicants of international protection are faced with one of the above-mentioned barriers for returning to their country of origin, they can be issued with one of the following *protection* statuses: *de facto* toleration, a formal toleration status (FRA, 2011) or, in some cases, a temporary residence permit (Schoukens & Buttiens, 2017). This will depend on the internal legislation of each country.

This report has found that, in Iceland, there is a group of people that share similar characteristics as those of the countries mentioned above. The commonalities among these characteristics are the outcome of their asylum application and their prolonged stay in the country that issued the decision. When inquiring on this specific topic, the Icelandic Police Authorities (*Ríkislögreglustjóri*) referred to this group as being in a *tolerated stay* situation. Henceforward, TS will be used throughout the report to describe this group of people in Iceland and their conditions. However, it must be noted that this is not a legally binding concept on a national level like some of the above-mentioned in their internal legislation. The reason why this report

focuses on the tolerated stay status is due to the willingness to understand the situation and needs of this group.

It is important to clarify here that people in a TS in Iceland have gone through the application process for international protection and have received two or more negative decisions on their application from the Immigration Authorities (ÚTL, for its initials in Icelandic *Útlendingastofnun*) (Foreign National Act 2016 no. 80). Although this result has not led to a formal protection status, their specific situation for remaining in Iceland currently prevents the authorities to send them back to their home countries. As a result, people in this group live under the same conditions as applicants for international protection for an undetermined period of time.

This report is an account of the current situation that people in a TS are experiencing in Iceland and an attempt to compile data to fill the information gap that exists with regard to this vulnerable group and their status within the country.

The main concern in this report is the prolongation of a situation that neglects the lives of people in a TS situation and their frustrated desire to live a dignified life. The focus is on the perpetuation of an environment that leaves people in a TS in a *limbo* with limited control over their present and future lives. Emphasis is given to the lack of a legal framework that defines their status in Iceland rendering them to face an unknown future. In consequence, being in a never-ending situation of TS prevents this group from accessing essential services and covering their own basic needs, contributing to the deterioration of their physical and mental well-being.

2. LITERATURE REVIEW

2.1. Topical issue

According to the United Nations High Commissioner for Refugees (UNHCR, 2022a), new waves of violence and continued conflict in countries such Afghanistan, Ethiopia, Burkina Faso, Myanmar, the Democratic Republic of the Congo, Nigeria, and Ukraine are contributing to the increase in the number of forcibly displaced people. At the time of writing this report, the number had reached the staggering figure of 100 million worldwide (IDMC, 2022).

Conflict, violence, and natural disasters are decisive factors behind the current wave of migration having a direct impact on the lives of thousands of people. Furthermore, the

aftermaths of those events are also felt in the long run, translated into insecurity, economic hardship, and loss of livelihoods and networks (UNHCR, 2009).

The year 2021 witnessed a sharp increase in the number of asylum applications worldwide compared to previous years. Not only due to changes in travel restrictions resulting from the COVID-19 pandemic but also because of specific events such as the Taliban takeover of Afghanistan, the rise of violence in Northern Iraq (Eurostat, 2022), and the continuation of the humanitarian crisis in northeast Nigeria (UNHCR, 2022b). In fact, Afghanistan, and Iraq along with Syria were the main sending countries of first-time applicants of international protection in Europe during 2021 (Eurostat, 2022).

It is only after an application for international protection is resolved with a negative outcome that states might decide to regularise individuals through the protection statuses mentioned in the introduction. Examples of these types of statuses are humanitarian-based regularisation programs in Sweden, Germany, the Netherlands, and Luxemburg (Brick, 2011). However, the regularisation of rejected asylum seekers is a contested topic and its implementation is often challenged by a fear of negative effects: the need for social assistance and not being able to provide for themselves and their families or the possibility to move to another country other than the one granting legal status (Kraler, 2018).

2.2. The situation of people in a TS in the European Union

Those who do not receive a legal status through regularisation, and neither can return nor be removed from a specific territory, may receive a TS status if that country considers it. Their situation regarding rights diverges depending on the approach adopted in the territory where they are located. Data on the number of people in a TS is difficult to gather on a European Union (EU)-wide scale, mainly due to the lack of consensus among the different Member States. By mapping the characteristics of people in a TS in these EU countries, this report seeks to contextualize the situation of people who have one of the defined TS statuses mentioned in the introduction as well as those who, despite not being considered *de facto* in national legislation, are granted certain rights.

In relation to accessing employment, for rejected applicants of international protection with postponed removal is to be determined by each Member State individually. Countries like Czech Republic (ILO, 2004), Germany (Beschäftigungsverordnung, BeschV) and Poland (ILO,

2004) allow rejected applicants of international protection to access the labour market if they have obtained a formal toleration status. Other Member States such as Finland, which do not include a formal toleration status in their legislation, might grant access to the labour market through the concession of a temporary residence permit (Aliens Act, 2004).

Among the Member States providing access to free emergency health care are Croatia, Cyprus, Lithuania, Romania, Slovakia, Slovenia, and Spain. Furthermore, the provision of primary and secondary health care as a minimum right is granted in Belgium, France, Italy, and the Netherlands (EMN, 2010).

Perhaps one of the broadest legislations regarding people in TS has been approved in Germany. The Opportunity Residence Law (*chancen-aufenthaltsrecht*) came into force on the New Year in 2023 and benefits those who have been on *Duldung* in the country for a determined number of years. The new law offers the right to stay with an 18-month residence permit, with the possibility to extend in the future, allowing people in this situation to secure their livelihood and clarify their identity status (Bunderministerium des Innern und für Heimat, 2022).

This report recognises the limitations found in the bibliography from the information presented due to language restrictions and the relevance with the current state of rights for people in TS in such countries. The reasons being the lack of a harmonised legal framework surrounding people in a TS situation and the scarcity of information relevant to the rights involving this specific group.

3. PEOPLE IN A TS SITUATION IN ICELAND

The information available about people in a TS situation in Iceland is very limited. There are no studies or public information available regarding this group in Iceland. The data presented in this report has been provided by the Icelandic Police authorities on demand from the Icelandic Red Cross (RKÍ for its initials in Icelandic, *Rauði krossinn á Íslandi*) and is the result of the internal expertise from current and former staff members of the RKÍ that have worked one on one with people in TS in Iceland.

The definition provided by ÚTL and the Icelandic Police Authorities on demand from the RKÍ defines people in a TS as *those who have received a final decision in their asylum application, but the Icelandic authorities cannot send them back to their home country*. To further develop

on the definition given by the authorities, is it important to note that their specific situation for remaining in Iceland is what currently prevents the authorities to send them back to their home countries. This definition applies to applicants of international protection who have received a final rejection of their applications.

As of September 2022, in Iceland, there were a total of 64 people in TS. Most people in this group are from Nigeria, whose identity documents have expired. The second group is composed by people from Iraq, and this is mainly due to the lack of political ties between Iceland and Iraq, making it difficult to remove rejected applicants of international protection from the country and back to Iraq. Finally, a group of people from unidentified countries has been in Iceland in TS due to other unknown reasons. It remains unclear if the total number also includes children, as there was no response regarding this question from the Icelandic Police Authorities before the release of this report. See Table 1 (below) for more information.

Country of origin	Nigeria	Iraq	Unknown
The reason given by the Icelandic Police Authorities as to why they cannot be deported back to their home country	ID have expired	Lack of political ties between Iceland and Iraq.	Unknown
Number of people	25	16	23

Table 1. Table with information about people in Tolerated Stay in Iceland with the following: their country of origin, reason given by Icelandic authorities as to why they cannot be deported back to their home country, and the number of people in that specific group. Source: authors' creation based on data provided by the Icelandic Police Authorities.

This group is given the option to return to their home country through Assisted Voluntary Return and Reintegration (AVRR), a service provided by the International Organization of Migration (IOM) (UTL, 2022a). However, when speaking to participants during the interviews conducted, they explained how their situation in their home country made it unsafe for them to return, leading them not to use this service. This matter will be explored later in the report (see section 5.2.3).

3.1. Rights and access to services

People in TS in Iceland are entitled to the same type of services as any other applicant for international protection. This translates into access to basic health care and access to the educational system for children under the age of 18. If they do not have income, social housing along with a financial stipend of 10.400 Icelandic Krona (ISK)[1] per week is offered for individuals in TS and a maximum of 28.000 ISK for families[2] (Reglugerð um útlendinga nr. 540/2017).

One of the main differences, when compared to the rights of people in TS in the countries mentioned above, is access to an unlimited residence permit. This is not something granted to applicants for international protection because their situation is supposed to be short-term until a decision is made on their application. However, it does pose a problem when that situation of uncertainty is prolonged in time for an indefinite period. This translates into people in TS in Iceland not receiving any type of formal legal status or residence permit. In normal circumstances, a foreign national must reside in Iceland on a specific residence permit for a continuous period of 4 years to obtain a permanent residence permit (Foreign Nationals Act, 2016; UTL, 2022b). In the case of most people living in a TS situation, they already fulfill the time period criteria. However, a person needs to have lived in Iceland during those 4 years on a specific temporary residence, something that people in TS have not had access to. Therefore, they do not qualify to access a permanent residence permit.

There is a possibility for people in TS to get a temporary work permit (Reglugerð um útlendinga nr. 97/2002), nonetheless, there are barriers to acquiring it. Legally, to obtain access to a work permit in Iceland, this group needs to apply for a temporary residence permit first. To obtain a temporary residence permit they need to present an original copy of their passport. That condition may be waived in special circumstances, for example, when it's considered unfair or impossible to expect an applicant to provide adequate identification. (Foreign Nationals Act, 2016). However, that exemption does not apply if the applicant has already received a final rejection on their application for international protection and they must, therefore, present a passport (UTL, 2022b), being the case for people in TS in Iceland. However, having this valid identification can be challenging for many people in TS, whose legal documents may have expired while waiting for a decision on their asylum application in Iceland. Renewing one's

[1] Aproximately 68€.

[2] Aproximately 182€.

identity documents proves no simple task, especially when to renew said ID, the person in question needs to travel to the nearest Embassy of their home country. In the case of the participants in the interviews taken place for this report (from Iraq and Nigeria) the closest embassies available for their home countries are in Sweden. Traveling to such a country would require special permission (*laissez-passer)* from ÚTL, which is only provided to people with a residence permit on the grounds of international protection[3]. Therefore, it is not possible for a person in TS to renew their passport once it has expired.

If a person in TS manages to obtain a temporary work permit, this must be renewed every six months or a year, and comes attached to a temporary *kennitala* (Icelandic social security number). However, this type of identification does not hold the same rights as a permanent one and, therefore, restricts the access of people in TS to many rights and services in Iceland.

3.2. Children with unrecognized citizenship

Children born in Iceland whose parents are in a situation of TS currently have unrecognized citizenship. When interviewing participants for this report, it was brought to light that their children born Iceland did not have any legally recognizing documents.

According to Icelandic law, a child acquires their parents' citizenship (Lög um íslenskan ríkisborgararétt nr 100/1952). In this case, since the parents have a situation that prevents them from returning to their home country, and said country is not recognizing them as nationals[4], the child falls between the legal gaps and is left with no recognized nationality.

In very specific occasions, a person with no recognized citizenship can be defined as Stateless, meaning they are not recognised as nationals by any State's domestic law (UNHCR, 2019). Following the Icelandic Citizenship Act (Lög um íslenskan ríkisborgararétt nr 100/1952), a person that is born in Iceland and has been Stateless since birth shall acquire Icelandic Citizenship. However, the children of people in TS are not recognized as *de facto* stateless as, in practice, it is difficult to obtain and a complicated process. Therefore, this group cannot access this option.

[3] Information provided by *Útlendingastofnun* (The Directorate of Immigration) upon request of RKÍ.

[4] Information provided by participants during interviews conducted for this report.

3.3. Future: a reduction of rights

At the time of publication of this report, a bill is being pushed in the Icelandic Parliament that seeks to reduce the rights of asylum seekers who have received a negative result in their case, giving them a maximum period of 30 days to leave the country and ending all rights and access to services after that period (Frumvarp til laga um breytingu á lögum um útlendinga nr. 80/2016). This bill does not consider the situation of people in TS whose option to return to their home country is not viable, meaning if this legal framework were created, their already limited rights and limited access to services would be furthermore reduced. This bill has been pushed to be approved in the past but has not been passed.

4. RESEARCH METHODOLOGY

The RKÍ first encountered people in a TS situation through the legal team that previously worked on their asylum applications. After receiving a negative decision on both administrative levels, meaning they were not granted International Protection, many of them reached out to the RKÍ to ask them to assist with their situation. During this time, it became clear the existing gap in the Icelandic system that left people in TS with limited options on how to move forward in a dignified manner.

After realizing the scarce information available and knowledge on this group, it was decided that research would be conducted to get to know people in a TS situation in Iceland and their needs.

4.1. Design

This research was designed using a qualitative method to gain better insight into people's experiences, allowing them to voice their opinion openly. This was done using a needs analysis approach, where the objective of the interviews was to answer the following two questions:

- What are the needs of people in TS in Iceland?
- Are the basic needs of people in TS in Iceland covered?

To do so, a semi-structured interview template was created, with questions revolving around the following areas: access to appropriate clothing; access to dignified housing; dignified access to water, sanitation, and hygiene promotion; access to food and healthy nutrition; access to

healthcare; the free practice of spirituality; access to and the existence of a supportive network (friends and family); perception of real safety, security, and protection.

The questions were based on the priority sectors used by the International Federation of Red Cross and Red Crescent Societies in emergency assessments (ICRC, 2008). This selection provides a good overview of the needs people in TS have and, simultaneously, highlights the length of time for such living conditions that are only meant to be temporary. Furthermore, to guarantee that the well-being of the participants was seen and reflected in results and a Mental Health and Psychosocial Support (MHPSS) approach was assured, parameters were added (spirituality; friends; family).

After questions related to the areas listed above, participants were asked to rate the specific topics from most important to less important. If they could not decide on a rating, they were asked to select the most important for them, followed by the second most important, and then the third.

Moreover, participants were asked about their relationship with their access to public transport, the Icelandic language, Social Services, and ÚTL.

To conclude the process, as the interview was designed to be the initial phase of a needs analysis, participants were asked how they believed the RKÍ could assist them with their situation. From the response to this question, it became clear that participants wanted their current circumstances to change. They asked the RKÍ to assist with said task, leading to this report, along with other advocacy actions, to highlight their voices and situation.

In addition, to encourage participants' answers, the set of questions was accompanied by a printed document with animated pictures related to the topic.

The questions presented were previously run through specialists in the areas of psychology and health prevention; and protection, gender, and inclusion from the RKÍ to ensure the application of the core humanitarian principles.

4.2. Participants and recruitment

This report defines participants as those people over the age of 18 that took part in interviews. The people who participated in these interviews were contacted in different ways. Firstly, several people in TS from Iraq had been very vocal about their situation with the RKÍ, leading

to them being contacted first to participate. Subsequently, a snowball effect occurred, and those who had heard from fellow Iraqi acquaintances about the interviews, and were interested in participating, contacted the RKÍ to participate. This led to a total of 9 Iraqi participants in interviews. All 9 Iraqi participants identified as Kurds and spoke Sorani Kurdish. Secondly, the RKÍ contacted people from Nigeria based on internal information, leading to a total of 6 Nigerian participants.

In total, 15 participants were interviewed[5]. Participants ranged between the ages of 25 and 59, 11 male and 4 women. Due to the difficulty in accessing this group, gender balance could not be guaranteed and was not achieved. Participants arrived in Iceland between 2017 to 2022, with 9 out of 15 participants having lived in Iceland for 4 or more years. Out of the 15 participants, 7 identified as Muslims, 7 identified as Christians, and one person was an Atheist. Of the total of participants, 9 stated to actively practice their religion.

4.3. Procedure and challenges

A total of 13 semi-structured interviews were conducted from June 2022 to August 2022, with 15 participants that are currently in a TS situation. 12 of these interviews were conducted in person and 1 online. Interviews conducted with more than one person included partners as expressively requested by the participants. The interviews lasted from 45 minutes to an hour and a half, depending on whether an interpreter was needed or not, and the length of the answers given by the participant.

Participants were asked to sign a consent form where they were informed of the confidentiality of the meeting, the use of the information afterward, and the possibility of withdrawing information at any moment. Participants were given space to ask questions as well as the contacts of the RKÍ staff members carrying out the interviews in case they had questions posteriorly.

Of the total of interviews, one was conducted with an in-person translator (Sorani Kurdish to English), 6 with telephone translators (Sorani Kurdish to English), and 6 fully in English. Challenges presented themselves when it came to selecting translators. The first interview conducted was done with an in-person translator, where the person was asked to sign a

[5] Considering the total amount of people in TS in Iceland is 64 (as of September 2022), 23% of the group was interviewed.

confidentiality agreement. Due to the nature of the interview, the in-person translator seemed deeply affected by the conversation. In response to this situation, it was decided to proceed with telephone translators as it was presumed they could detach themselves more from the situation. They were booked beforehand giving a warning of the potential sensitive content of the interview.

Moreover, when it came to challenges, participants showed concerns about whether the interview could affect their asylum applications. RKÍ staff members assured confidentiality in all the process. However, this report recognizes that this concern may have influenced the participant's answers.

The interviews were conducted by two RKÍ staff members. The sessions were recorded and later transcribed to ensure that the answers were fully registered, and that information and tonality were fully understood. Recordings were deleted two weeks after the interviews were conducted.

5. FINDINGS

One main theme was interpreted and identified: the frustrated desire of people in Tolerated Stay in Iceland to live a dignified life. Subsequently, the following three subthemes were interpreted and identified according to the importance given to the topic by participants and its relevance:

- Need and desire to obtain a legal status in Iceland that allows them to move beyond being in TS.
- Need and desire to be able to cover their own basic needs.
- Extreme deteriorating well-being.

All subthemes are simultaneously related and interconnected, as seen in the image below.

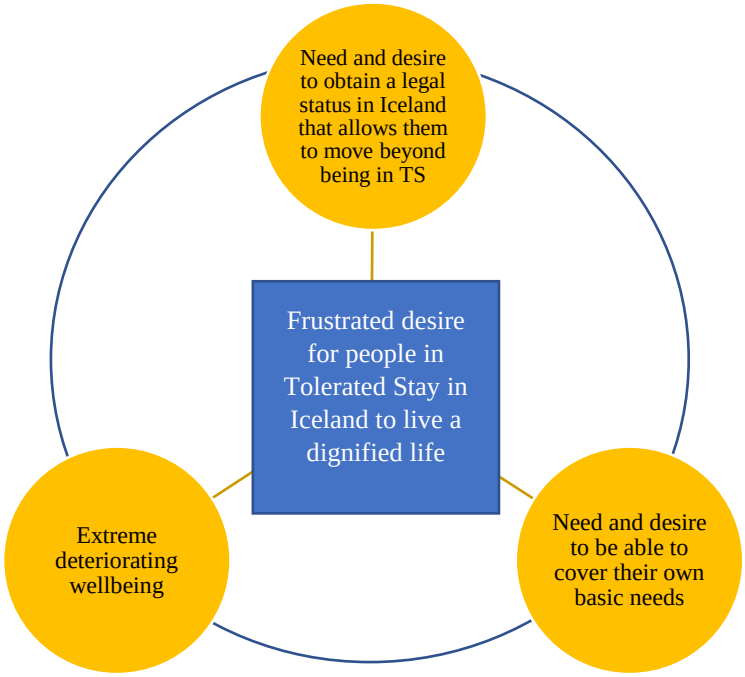

Figure 1. Graphic representation of the relationship between the main theme and the subthemes. The main theme is represented with a blue square in the centre with the subthemes represented in yellow circles surrounding the main theme. All themes are simultaneously related and graphically represented with interconnected lines between all subthemes and with the main theme. Source: author's creation.

Primarily, the subthemes will be described, and subsequently, the main theme, explaining how their relationship and interconnectedness have been hypothesised.

5.1. Need and desire to obtain a legal status in Iceland that allows them to move beyond being in TS

People in a TS situation in Iceland live in a legal limbo, meaning there is no specific Icelandic legislation for their cases. This leads them to having very limited options when it comes to obtaining a legal status within the country that goes beyond their TS situation. Their situation makes obtaining a work permit almost an impossible task and leads to their children that are born here in Iceland to have an unrecognized citizenship. These are two topics that will be explored more in-depth in this subtheme.

People in TS live in a long-term legal situation with the same rights as a person seeking asylum in Iceland and, therefore, do not have access to a *kennitala*. Not having these 10 digits supposes

a barrier to accessing many rights and services in Iceland, such as opening a bank account, or registering a legal domicile (MCC, 2022a; Þjóðskrá, 2022a).

When interviewing participants, the word *kennitala* was recurrent: not having an Icelandic ID made them feel excluded from society and, in some cases, hated.

> *"I feel like [I am] rejected; I feel like people hate me. Because when people see me, they will say – ah! They don't want to give you kennitala […]"*

This feeling of rejection from people interviewed has one of its main roots in the negative response to their asylum case. The topic of why they sought asylum in Iceland was not questioned during the interviews[6], however, some participants were comfortable sharing their stories and wanted to explain their journey. For two of the women from Nigeria, Iceland is the country where they have been able to escape from human trafficking and prostitution schemes that led them to Europe. Both women vividly explained how they had been trafficked from Nigeria to Libya, and then to Italy, under the false promise of being offered a job as a nanny, describing the sexual abuse and exploitation they had suffered.

> *"I was a victim of human trafficking. […] She [the head of the human trafficking scheme] is very connected, I cannot run from her. Anywhere she gets me. I can give her my money or disappear from her life. She is going to make sure she uses me as an example for everyone in that case. So, she keeps calling me. Even in Africa, she would send people to my parent's house. She is harassing my people. Because of that, my people even get angry with me. And then I came to Iceland. So that is what brought me to Iceland."*

This is a well-known reality that has been studied over the decades[7], with numerous reports written by different entities[8] trying to understand the situation and the experiences of these

[6] Since the main goal behind the interviews was to understand the needs of people in TS in Iceland and the extent to which these needs were covered in the present moment, it was seen as unnecessary to ask participants their reasons for seeking asylum in Iceland, along with why their cases were rejected. Moreover, in the initial phase of contacting people in TS for the interviews, many explained that they did not want to talk about the past as they felt "tired" of repeating their life stories and feeling as though they were not being heard.

[7] See Baye, 2012; Baye, 2014; Carling, 2005; Carling, 2006; Iacono & Heumann, 2014; Mancuso, 2013.

[8] See Danish Immigration Service, 2008; EASO, 2021.

Nigerian women. However, the number of women that have lived this experience remains unclear (Plambech, 2014). As seen in the quote above, participants explained they fear returning to Nigeria. Apart from the debt accumulated with traffickers and the horrors they have been through, they are also fearful of the *juju* oath[9] they have sworn and the terror that surrounds it. Research shows that, if returned to Nigeria, women in this position are at serious risk of violence or re-trafficking (Cherti *et al*., 2013).

On the other hand, participants from Iraq explained they had experienced violence in their home country, leading them to Iceland. Kurds have been experiencing repression in Iraq for decades, from the Anfal campaign at the end of the 80s[10], to current ongoing conflicts, protests, and arrests[11]; all while the UN urges the Iraqi government to end torture as an instrument in places of detention (UNAMI, 2021). However, participants explained they have been told on many occasions that their home country is safe and that they can therefore return. The following quote highlights the confusion and anger of one of the participants explaining his situation.

> *"My issue was with a very powerful political figure and there is no way for me to be safe in the country. Kurdistan is not safe, there are two major political parties, and issues with the Iraq government too, and I am not safe at all, and if I think I would be safe at all I would have not have left my country."*

These sentiments were common in the interviews when people spoke about their cases: they did not understand why they were rejected to begin with. Moreover, they expressed an overall feeling of unfair treatment in their asylum cases. This extract of one participant explains that the interviewer did not allow him to complete his initial interview.

[9] Before leaving Nigeria, an oath ritual, known as *juju oath*, is imposed on women to ensure they pay their debt and keep silent about the identities of traffickers. If broken, threats of illness or death to the oath-taker or her family members are made. This is used as a control mechanism that causes great psychological distress on these women (Millett-Barrett, 2019).

[10] Anfal was a destruction campaign of the Iraqi army and government carried out against the Kurdish population where chemical weapons were used (Human Rights Watch & Physicians for Human Rights, 1993). The campaign resulted in the destruction of 3.000 villages, killing between 150.000 and 180.000 people and leaving more than 180.000 missing (Middle East Watch, 1990; cited in Bahar & Toivanen, 2017).

[11] See Human Rights Watch, 2022a; Human Rights Watch, 2022b.

"[...] the initial interview with the lady [interviewer], I thought she was very racist, and she did not allow me to have a proper interview. In the interview she didn't like the way I talked to her, she didn't like my response, <<I'm not going to interview you>>. She deleted the whole script. And she said I'm not going to give you the ticket to go back to your address. That's how she treated me at that time."

Another participant explains an issue with the interpreter during his interview. He feel this led to misunderstandings that he claims are the reason he did not receive International Protection.

"I think the reason for the refusal [...] is because the interpreter was Irani Kurd and he learnt Kurd in Farsi, not in Arabic, so I think that was the reason for the refusal, he didn't interpret very well. He interpreted it [the explanation of why I need International Protection] in the wrong way."

This generates an overall sense of frustration: participants feel as though their experiences are not valid. They sense they are not trusted because, if it were the case, they would have been granted International Protection, a legal status that would allow them to live their everyday life in Iceland.

"Only the system [frustrates me], Immigration, when they don´t believe us. I think if they believed us they would grant us [International Protection] so I think they don´t believe us."

5.1.1. Children with unrecognized citizenship

The absence of a legal status for participants has consequences for their children born in Iceland. For those participants in this case (6 participants, 3 families), they spoke about how their children do not have any legal documents that prove their identity.

"They do not have it [nationality]. It's just the kennitala they give in the hospital when they give the baby."

This *kennitala* that the participant mentions in the quote above is the same *kennitala* given to businesses in Iceland; it is not meant for a person and therefore does not entitle the same rights and services as a permanent one (Þjóðskrá, 2022b).

By not being recognized by any state, nor the country they were born in nor their parents', these children are at grave risk of being denied essential rights such as identity documents, employment, education, and health services, while including grave psychological impact for the children themselves and their families (UNHCR, 2019). This was reflected during the interviews, where parents expressed great concern. They are worried about the impact this situation can have on their children's everyday life, such as their identity when it comes to feeling part of a country or a community.

"What will I say to my children when they ask me where they are from?"

Moreover, parents expressed frustration as well as preoccupation and anger. The following quote highlights these sentiments in a mother when talking about her child.

"Will our baby have a future? We have not received information about our baby, we don't have a birth certificate or any other information."

Although parents can apply for birth certificates for children born in Iceland, it highlights the lack of information given and the confusion of not having any other supporting documentation about citizenship for the recently born child. Furthermore, parents feel helpless at the idea of not being able to give their children a better tomorrow.

"I would like to give my kids a better future. And you feel you can't do that."

5.1.2. Barriers to obtaining a work permit

The absence of a *kennitala* also means participants face more barriers when applying for a work permit. A total of 12 participants out of 15 did not have a work permit of any kind.

As explained in the beginning of this report, a valid passport is mandatory to obtain a temporary residence permit which is necessary to access a temporary work permit in Iceland. However, most participants do not have such document and cannot obtain it due to the impossibility of obtaining a permission that would allow them to travel to renew it.

Henceforth, a clear difference in results was identified, that is having a work permit and a job versus not having a work permit and, therefore, not being able to access a job. On one hand, if the participant –a person in TS– has a work permit and a job, they have access to economic

independence and can cover some of their basic needs themselves (such as food, housing, or clothing). On the other hand, participants who do not have a work permit/job do not have access to economic independence. Therefore, the latter depend on other entities to cover their basic needs. Moreover, the impact of not having a job is seen in other aspects of participants' life: work provides individuals with time structure, and allows for social interaction and a sense of participation, while also giving a sense of status and identity (Feather 1990, cited in Linter & Elsen, 2017). Furthermore, integration in the labour market is key as it diminishes the need for assistance, while dignity and self-respect are enhanced (UNHCR, 2001). Not having access to such raised a mixture of frustration and defeat in participants without a work permit. This group wants to be active agents of society, and fend for themselves and their families. They feel they will be able to do so with a job.

"I want to work like everyone, I want to pay my taxes, I have no problem. I don't want any money [...]"

The limitation of not being able to pay for their own expenses supposes a cost that the Icelandic institutions must cover. A study in Germany showed that the employment bans installed on people in the asylum process in the country had a cost, on average, of 40 million euros per year in terms of welfare expenditures and tax revenues from unemployed asylum seekers (Marbach *et al.*, 2018). Participants are aware of these costs and want to find a job. They have tried to apply for a work permit but are not allowed to due to existing limitations, harming their human right to work (UN, 1948).

"I first applied for work permit in 2019, they didn't give it to me."

This was the case for most participants. The quote below highlights the fact that a participant was not given a permit, despite having a job offer and the desire to work.

"I looked for work. Somebody wanted to give me work. At the school my son is going, there is also a lady there. She told me she knew a place if I wanted to work. I said yes. Then I went to Immigration to get a paper. They said to me that I'm not going to get my permit. They just said to me they are not granting me the permit. I asked why. They said because I stayed so long in Iceland, I have no permit to stay in Iceland. So I have no rights to work."

Moreover, this has grave impacts on their health. Studies show that people who are unemployed for a long duration of time are more likely to show symptoms of depression (Lautsou & Geitona,

2018; Stankunas *et al*., 2006). Not having work causes people to reflect both on their past and their present, leading to what is described as a *state of personal uselessness* that reduces their physical and psychological well-being (Litner & Elsen, 2017). This feeling was described by a participant as being kept in a dark room.

> *"It really affected me mentally, to be sincere. I am not a lazy person. I like working. Because you don't have the privilege, you don't have the kennitala, you cannot work. You cannot get that stuff, you know. Just like you've been kept in a dark room."*

Participants expressed that having a job would be a step forward in the right direction, as it would allow them to move on with their lives and leave behind the reasons that have led them to Iceland in the first place.

> *"When they give me kennitala now give me everything, I start looking for work, then I'm going to be busy, I cannot remember, maybe I do something […], they treat me bad […], I will not remember. When I come back from work I will be tired."*

Providing easier access to work permits would allow people in a TS situation to be able to fulfil their own needs and not rely on other entities to do so. Apart from saving the Icelandic institutions a great cost, it could better their overall health and allow them to feel a sense of fulfilment and purpose.

5.2. Need and desire to be able to cover their basic needs

This report defines basic needs as the following: access to appropriate clothing; access to dignified housing; dignified access to water, sanitation, and hygiene promotion; access to food and healthy nutrition; access to healthcare; free practice of spirituality; access to and existence of a supportive network (friends and family); and perception of real safety, security, and protection. This coincides with the topics participants were asked during the interviews. For this report, a job is not being considered a basic need but a means to achieve basic needs. This has been decided upon the answers of the participants and the difference made between the two groups established.

As previously stated, a difference in results was identified based on participants with work permits and employment versus participants without a work permit and, therefore, no access to a job. The outcomes differed mainly on their access to basic needs, primarily based on the condition of having economic independence or not. Subsequently, this section will be divided into differences and common points of having a work permit versus no work permit.

5.2.1. Differences in access to basic needs: participants with work permit

Those participants who have a work permit stated that they did not have any issues when it came to the following areas: clothing; water, sanitation, hygiene promotion; and food and nutrition. This is mainly because the wage they earn from their job allows them to cover their own basic needs while also giving them a choice in preferences.

However, frustrations appeared when it came to the topic of **housing**. One participant stated his frustration on not being able to register his address: having a registered legal domicile in Iceland means you are entitled to different public services and assistance (MCC, 2022b). Another participant talked about this topic with sadness at the feeling that all his future possibilities were closed, including buying a house with the wage he has been earning. One of the reasons as to why this is not possible is that people in TS in Iceland cannot open a bank account[12].

> *"The difficulty that I have without a legal status is that everything is closed – all the doors are closed for me. For example, if I want to buy a house, I cannot buy it because I don't have a legal status, I want to open a business but because I don't have a legal status, I won't be able to do anything. This is quite difficult without a legal [status]..."*

When talking about **health care**, a participant spoke about his frustration related to the benefits that are supposed to be attached to earning a wage in Iceland. In Iceland, nearly 40%[13] of earnings go into paying taxes that benefit provide benefit the person, for example, when it

[12] To be able to open a bank account in Iceland, you need a *kennitala* and a residence permit if you are from a country outside the EEA/EFTA area (Íslandsbanki, 2022).

[13] In Iceland, the amount you pay in taxes depends on your salary: if you earn between ISK 0 – 370.482 (0€ – 2.560€ approx.) per month you pay 31,45%; if you earn between ISK 370.483 – 1.040.106 (2.400€ - 6.750€ approx.) per month you pay 37,95%; if you earn over ISK 1.040.106 (6.750€ approx.) per month you pay 46,25% in taxes (Skatturinn, 2022).

comes to paying health services. The participant, as a person in TS, needs to pay a specific and costly private insurance that is renewed yearly and that does not cover all medical procedures. Subsequently, he needs to pay great amounts for health services that are not included in his health insurance.

> *"I pay the insurance and when I go to the hospital, they took three tubes of blood and I pay 130.000 [ISK][14] and when I call the insurance, they say <<we don't cover this>> so it means that I pay [insurance] for nothing."*

This was a reiterant topic for the participant, who wanted to make sure his frustration was clear and understood.

5.2.2. Differences in access to basic needs: participants with no work permit

Participants with no work permit, as stated above, depend on income that is intended for asylum seekers for a limited period. This means they do not have access to economic independence and must use their weekly allowance to cover all their basic needs or depend on non-governmental organizations (NGOs) to assist them.

When it comes to **clothing**, most of them use the RKÍ clothing cards. These are cards given to people in the asylum-seeking process that they can later use to purchase clothes at specific Red Cross stores[15]. However, the Icelandic weather presents itself with specific clothing needs that can be difficult to find in such stores, as well as underwear or specific sizing, for them and, when it applies, for their children.

> *"We haven't been able to use them [clothing cards] because there are not enough clothes with sizes that fit us."*

When it came to **housing**, participants spoke mainly about the overall undignified space. People in TS with no income live in social housing available for people in the asylum process during the period they wait for the decision on their case. Although all participants stated to be very

[14] Approximately 850€.

[15] Individuals in the asylum process in Iceland receive 2 clothing cards every 3 months. Each clothing card has a value of 25.000 Icelandic Krona (162 euros approximately).

grateful to have a place to live, it had a great impact on their mental health to live in housing that is meant to be temporary, often with broken facilities, and uncomfortable bedding.

> *"No, no [it is not comfortable housing]. It's really bad, the bed that I have, for nearly 4 years I am sleeping on that [bed], and it is causing severe back pain because it is old and not useful at all."*

Those participants with no work permit who live in Iceland as an individual (8 participants) live in shared housing. In their case, they share the space with people coming and going constantly, because they are, on most occasions, granted asylum. Participants explained how the negative impact this has on their mental health. This is a concept that Brekke (2004) describes as *relative waiting*: the participants compare their wait to others, which is clearly shorter, making this time even more agonising.

> *"I feel bad in this position, all these people come and go, they get granted [International Protection] after a few months, they get their results, they get their accommodation, and I am still in my same position here."*

For another participant, it made him feel different, making him constantly question why he was never granted protection.

> *"[…] most of the people [at social housing] they come and stay for a short time 2 or 3 months and then they get visa, and they move out. I'm the only one who lives there really long time. The thing is it's the mental torture. Because I've been here for about 5 years 6 months now, the other people who come here they just stay here for a few months, and they get status and they leave so what's the difference? Why am I different? Why they getting status and I'm not?"*

The shared housing situation impacts their **sanitation and hygiene promotion**. The broken facilities and the come and going of people makes sanitation an undignified task for the participants.

> *"If you see the bathroom, maybe you don't want to go there…"*

In connection to the previous paragraph, one of the participants explained how this sanitation situation impacted him in terms of **spirituality.** He explained he needed to be clean as well as

having a clean space to pray and, due to the untidiness of other people using the area, he felt his time was constantly reduced to washing this shared space.

> *"The bathroom, it is not clean when I have to use it. And as a Muslim person, I can't take a shower in a dirty place, because I am praying, I am preparing for my praying so the bathroom should be clean. I clean it every single day when I use it."*

For those who lived as a family unit in social housing (4 participants, 2 families), they all shared a space, this being a small room where up to 5 people cohabitate. Again, this is a space that is meant to be temporary, but for people in TS, it has turned into their everyday life and does not have a foreseen outcome.

> *"We live in a one-bedroom [social housing] apartment, and we are four. It's a bit difficult because we have a big wardrobe on the side. That wardrobe is not enough, not for four. It's just one bed, you know. Especially now that I am pregnant it's tight."*

In the area of **food,** they all initially stated that it was okay. When diving deeper into the topic, some of them stated that it was a difficult task, at times, to balance all their spending with the money they received and make sure food is covered, especially with the rise in food prices in Iceland (Ledbetter, 2022). It is important to note that the amount that an asylum seeker receives every week was last updated in 2017. Since then, prices have risen by 28.1%, with inflation currently at 9.4% (Hagstofa Íslands, 2022) –in contrast with January 2017 when it was at 1.9% (Hagstofa Íslands, 2022)–.

> *"Obviously, the money that we get we can't spend them on things that we want to eat like… because it's not enough. If we want to buy the food you want to eat, the food that you love, especially now, food is very expensive."*

Moreover, it impacts participants' freedom of choice. In the photos shown as a reference to help participants with ideas on what to discuss about, on this particular topic there was an animated photo of a slice of pizza. Upon seeing this, one of the participants begins to point at the photo and doing a "no" movement with his finger to the interviewer with a small smile; he has been in Iceland for over 4 years now.

"It's not enough if we want to eat pizza or go to restaurant, for example. If we spend the money to go to a restaurant for a dinner or on a meal it will affect us, and the money won't be enough for the end of the week. So that's why no, we can't say it is not enough, but we need to organize that money."

When talking about access to **health** in Iceland, it varied depending on the needs of each participant. Those who need procedures that go beyond a check-up stated that their doctors said that they could not proceed as the cost was not covered by Immigration.

"I have a kidney stone and the doctor they don't take surgery because the Immigration they not pay for me. [sic]"

This leads to a feeling as though they are not cared for. Participants without a work permit stated they wanted to look after their health but felt they could not do so; they felt they were getting treated differently for not having *kennitala*.

"When you go to the hospital they will tell you <<it's normal, you can just go home>>. If we are feeling pain and we tell them they say it is normal. It is normal, you have to go. Sometimes I feel maybe because we are not paying, you know. [...] But I feel if we were paying, you are going to look for a solution for me. [...] If we can get kennitala, they are going to support us as well. At least we know we are paying our part of the money."

The solutions proposed by the medical health care providers are short-term, often including different medication that is within the limits of what Immigration covers.

"My heart is making a sound so I´m taking drugs. I'm taking it for hyper pressure. […] I have a problem in my leg. I have serious pressure in my leg. It´s paining me. I go to hospital. They can´t move the iron [stuck in his leg]. They gave me ibuprofen. I have just been managing."

On top of the deterioration of their physical health, participants explained the great negative effect of not having access to do anything during the day—like a job or studying—has on their mental health.

"Normal people they just wake up, go to work, integrate, socialize with people. With me I feel like I'm isolated, I don't know… I don't have

anything to do apart from eating or sleeping in this house. For the 5 years I haven't had work, no going to college, nothing."

5.2.3. Common points on access to basic needs

Although there are key matters where participants vary depending on whether they have a work permit or not, there are many common points among all participants.

As stated at the beginning of this report, participants were asked to rank all topics spoken about (clothing; housing; water, sanitation, hygiene promotion; food and nutrition; health; work; spirituality; friends; family; safety, security, protection) from most important to less. This was a difficult task for all participants because, to put it in one of the participant's words, "all of it is important for a normal life". In the cases needed, the question was rearranged, and they were asked to select a *top 3* of the most important things for them.

On the topic of **spirituality**, 3 out of 15 participants made it the top 3 of their most important areas. Participants coincided that they felt in Iceland they could practice their religion freely.

"Yes, I practice religion, we have a place to pray. We have never really experienced discrimination for our religious practices, everyone is very good here."

From the total of participants, 6 saw **health** as one of their top three most important things. On this topic, many frustrations arose. When talking about access to health, participants who had used health services in Iceland talked about the impossibility of getting a family doctor. To get one, you need a registered address, something that is not available to participants due to their legal situation. Without a family doctor, it is difficult for them to follow up on the results of any medical procedure they do. Participants expressed a feeling of mistreatment due to this situation.

"Last year I went to hospital for my hand, they did x-ray, everything, and I never got the results back, I asked, and they didn't give it to me. Is this because I don't have kennitala? I don't know."

People in TS ultimately receive limited access to health care, an exclusion that has grave consequences on their overall well-being. One of the main justifications behind this reasoning is normally that the cost of full access to health care has on Governments is very high. However,

an extensive study in Germany (Bozorgmehr & Razum, 2015) found evidence that the cost of exclusion from health care and other welfare services among Asylum Seekers and Refugees was higher in this country—in terms of incident health expenditures—than granting regular access to these much-needed services.

Also, on the topic of health, when asked about access to a psychologist, 13 out of 15 participants stated that they had tried this service at least once. 12 of the participants concluded it was not helpful.

> *"I went to psychologist 4 times, but I stopped because she ask me about the past. I need to stay strong for my family."*

Some participants were frustrated at the question, as they explained that their well-being was conditioned by their current legal status: if they had a legal status such as International Protection, they would not suffer so much distress.

> *"Also once I went to psychologist and I also explained that to the doctor, that my condition is not a mental health issue, it is just that I have stress about my situation in this country, causing that kind of feeling, and this stress, so if I get granted [international protection] everything will be sorted out."*

One of the most emotional topics for participants was **family**, with 13 out of 15 participants stating it as the most important thing for them or the second most important in their life. Most participants have family in their home countries that they hope to bring to Iceland one day; to safety, as they explained. Being separated from their families is a difficult topic.

> *"This paper, I wrote it <<my daughter she has no… [pause from the translator after getting emotional] my daughter did nothing, why does she have to live without me. I'm here, but she is in another country, and she did nothing wrong>>. When I got here, she was only two years, now she is six years, and she goes to the school and she talks."*

They have a need to help their families who also worry about them.

> *"Even though my mother is sick, she have stroke because of the amount of stress thinking of me. But I don't know how to help them [sic]."*

While they are away, family members have passed away, making them worry about other family members and their future together.

> *"[…] when I left the country, I had noticed my dad had passed away and I am very worried that my mum is going to pass away, and I am never going to see her again."*

Their current situation not only affects their relationships with their current family but with their aspirations to have a family of their own in Iceland. One participant explained that he would to start a family, but he felt that in his situation he could not provide for them.

> *"And now, when I am thinking, I have no family here, and the because of the religious restrictions I can't make any relationships, I have to get married, and I can't do that without the status, I have no job to do."*

For 7 out of 15 of the participants the topic of **safety, security and protection** was in their top three of what was most important to them. When elaborating on the reason, it was made clear why they came to Iceland and have endured for so long in this situation: Iceland is where they felt safe.

> *"Yes [I feel safe in Iceland], sometimes [it is] the only reason for waiting for 5 years to get something to be able to start my life."*

However, the safety they feel in Iceland is accompanied by the constant fear of being sent back to their home country.

> *"Iceland is safe 100%, but I am scared that they will send me back."*

As described in the introduction, people in TS are given the option to be returned to their home country through IOM. Participants explained authorities "visit" them—at their home or their workplace—and ask them if they want to return to their home country. When talking about this experience, two of the participants described their deep discontent.

> *"I am not really happy with this. In 2018, the two cops came and told me to go back, <<this is not your place, you cannot stay here>>, so I am not really happy about this, I have been thinking about this from 2018 until now."*

The second participant explained an overall feeling of not being respected by Immigration.

"Like many other families in my situation, Immigration doesn't treat well our situation. Immigration threatened with sending my family back to Kurdistan. In 2019, the police came to my house and told me that they would send me back but nothing has happened since […]. Police are very racist, forcing people to be sent back. We don't feel respected by Immigration."

Moreover, participants thought about the unsafety in their home country when talking about this situation.

"In Iceland there is peace. When I'm coming home late I see the teenagers in the evening at the bus stop. This does not happen in Nigeria. The peace is most important."

This situation is engraved by what they explained is expecting them if they would return to their home country. In the case of one participant, it would be death.

"If they deport me to Nigeria I will die."

This makes it clear that although being returned to their home country is presented as an option for people in TS, they see it as not a real, viable alternative: living in their current situation is better than death.

5.3. Extreme deteriorating wellbeing

All participants explained the deterioration of both their physical and mental health. When asked if they slept, participants coincided it was difficult for them, with most of them explaining they need to take medicine.

"Unless I take pill, I don't sleep. Any day I will not take pill I will not sleep."

Their struggle to sleep is due to constantly thinking about their situation and what their future holds.

"I don't get enough sleep because I'm still thinking. I don't know where to go. If you ask me to leave now today, I have no place to go. Here [Iceland] is my only home."

This circumstance leads to a constant state of stress that is affecting their health in many ways. 2 of the participants came to the interview with results from their medical tests, showing how their blood pressure and physical health had visibly deteriorated since they received the negative decision on their asylum cases.

> *"A few days ago my blood pressure just went up like 200 and I could nearly die or have a stroke because of this situation, because of the thinking, I am really anxious about it. […] But if they keep us like that, for one more, a few months I am pretty sure I will die, I will have a stroke, that is my life because of the thinking and the conditions that I have."*

The overlapping of mental health and physical health problems presented itself as common during the interviews. Participants explained how, as time went on and their situation did not change, their well-being worsened.

> *"Once I entered this country I had good health, I was eating healthy, but once I had the first refusal from Immigration services [on my asylum case] then I was feeling shocked and feeling unwell with myself, and gradually it was getting worse. […] Once I got my second refusal, I felt unwell, I had breathing difficulties, and I couldn't sleep well and my health was not as well as before. I went to the doctor and my blood pressure is 17 and a half and my blood glucose is high and I was shocked because previously my health was better than that."*

The decisions surrounding their life have an impact on their health. This falls in line with Juárez *et al*., (2019) who conducted a study that examined the effect of non-health-targeted public policies on migrant health—including asylum seekers—and found evidence for negative effects on their mental health and grave health inequalities. These negative effects on their mental health and extreme deterioration of their well-being leads, on some occasions, to suicidal tendencies. 3 of the 15 participants openly stated having suicidal thoughts.

> *"I'm not working, they don't accept me. So, this is making me… [Pause] I feel like maybe I want to end my life because if I don't take tablet to sleep I no sleep. See, it's depress medicine [medication for depression], they give me. Without this, I cannot sleep. This for sleep and this for depression. I don't know sleep, so I look myself and think that I want to kill myself."*

One of the participants spoke in great distress about how he had been in the hospital on many occasions due to his attempts to take his life.

> *"I stay one month in hospital, like psychiatrist, all doctor lie to me, I don't know. I don't believe in myself even, how can I believe in someone else when [they] talk, you know [sic]."*

These quotes highlight the urgency of the situation of participants, making it clear the need for change.

5.4. Moving forward: the need and desire to live a dignified life

Throughout the interviews, participants talked about wanting to move forward with their lives, of wanting what they define as a *normal life*. This *normal life* is only achievable once they have a legal status and can cover their basic needs, meaning that they will be able to then look after their wellbeing. They experience *directionless time* (Brekke, 2001; Brekke, 2004), meaning they are stuck with an unclear future, causing them to not know how to act in the present and not knowing what comes after the waiting. This group encounters constant structural barriers that do not allow them to access a dignified life. When discussing this topic, one participant questioned if they were even counted as human beings.

> *"I want to live normal activities, sexually, just normal life like everyone, just because I haven't been granted and that's why I feel very disgusting, I feel like nobody is looking at me like a human."*

Moreover, this constant static situation makes participants feel "trapped" or "in jail"; this was a repetitive theme throughout the interviews, highlighting their overall sentiment of disempowerment due to their circumstances.

> *"I feel like I'm in prison like a jail but I'm also free. All I'm doing is eating, sleeping and I have a roof above my head, so just basic social needs, that's all fulfilled in my life, otherwise, there are so many missing things in my life."*

A participant even explained that his situation was worse than being in jail: their lives are conditioned by others' decisions and there is no knowing when it would end, when he would be allowed to be free, to be human again.

"It's worse than jail, because somebody in jail they have one day, they have sentences so maybe after 2-3 years you will be human, a free. But I'm in the social house, but there is no way…I don't know when."

Participants in TS want to move forward and begin a life in Iceland, one that allows them to live with dignity, and fend for themselves and their families.

"Yes, I want to stay in Iceland, I want to have my family here, I want to get married here, I want to have kids before I have anything I cannot do none of it. I want to have something legal; I don't want to do something illegal, I want to have my own things. I want to get married and make a family for myself."

6. CONCLUSION AND RECOMMENDATIONS

This report seeks to highlight the voices of people in a TS situation in Iceland aiming to bring attention to the challenging conditions they have been living in for the past years and encourage active change. People in TS want to live a dignified life, however, the limited legislation and knowledge on this group in Iceland has led them to live in a stagnant legal situation with difficulties to cover their basic needs, all while their well-being is suffering extreme deterioration due to this ever-on-going circumstance.

The following recommendations are proposed:

- **Creation of a legal framework that recognizes the existence of people in TS and that provides them a pathway to access a legal status in Iceland beyond a TS.**
- **Easier access to residence permits for people in TS in Iceland.** To obtain a residence permit in Iceland, a person must be living in the country for 4 or more years (Reglugerð um útlendinga nr. 540/2017). This is the case for most people in TS who live in Iceland. This report urges that people in TS are given easier access to residence permits, allowing them to regulate their situation in Iceland and access a dignified life.
- **Easier access to work permits for people in TS in Iceland.** The right to work is a fundamental human right (UN, 1948). This report shows the grave difference presented between people in TS in Iceland who have a work permit and those who do not. Giving

easier access to work permits would allow people in TS to be economically independent and could better their overall well-being.

- **Inquire into the current situation of children of people in TS born in Iceland with unrecognized citizenship**. This report urges the Icelandic Government, as a driving force in children's rights and a country that acceded to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (UNHCR, 2021), to assess the current legal state recognition of the children of people in TS born in Iceland.

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