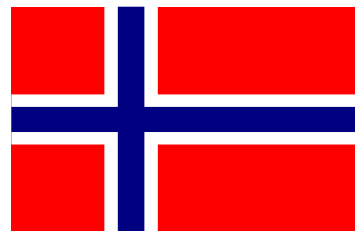


**COUNTRY
CHAPTER**

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NORWAY

BY THE GOVERNMENT OF NORWAY



1. Resettlement Policy

Norway recognizes and supports resettlement as an important instrument of protection, within the framework of UNHCR's three durable solutions.

Norway sets and allocates its resettlement quota on the basis of UNHCR's assessment of current resettlement needs and priorities. The actual resettlement is carried out in close co-operation with UNHCR, and most of the resettlement cases are selected from UNHCR referrals. A limited number of cases have been accepted based on referrals from the Norwegian Helsinki Committee and Norwegian PEN. Every case is considered individually.

In 1992, in response to UNHCR's request for flexibility, the Norwegian Government decided, that following varying needs for resettlement opportunities; a three-year perspective could apply to the use of the annual quota places. This means that it is possible to exceed the quota one year, by making use of quota places from the following year within the three-year period. Likewise, when annual ceilings are not reached, unused places may be carried over to the following year. The current three-year period extends from 2004 through 2006.

The size of the annual quota is determined by the Parliament. For 2005 the quota is 1000 places. The Ministry of Labour and Social Affairs establishes the composition of the quota after consultations with other Ministries and the Directorate of Immigration (UDI).

2. Criteria for Refugee Status Eligibility and Asylum

The Ministry of Labour and Social Affairs determines a framework from within which selection on the quota should take place. First and foremost the individual's need for protection should be confirmed. Secondly, the refugee's ability to integrate in Norway should be taken into consideration.

UDI is responsible for selection, decision-making and settlement into Norwegian municipalities.¹

When UDI accepts a refugee for resettlement in Norway, he or she is given an entry visa and a residence or work permit prior to entering the country. This applies to refugees accepted via dossier selection as well as in-country selection.

A decision on the refugee status of the individual accepted on dossier basis will be taken after the refugee is resettled. For refugee accepted after selection mission, refugee status is normally granted before the refugee arrives in Norway.

¹ As from January 2006 a new Directorate, of Integration and diversity (IMDI), will be responsible for placement and integration of refugees.

In order to obtain refugee status, the refugee has to fulfil the requirements of the Norwegian Immigration Act. A refugee within the meaning of the Act is a foreign national who falls under article 1 A of UNHCR's Convention relating to the Status of Refugees of 28 July 1951 as amended by the Protocol of 31 January 1967. The same criteria apply to individual asylum-seekers and resettled refugees.

3. Criteria for Resettlement

Norway holds the view that resettlement first and foremost is an instrument of protection. In line with this, individual need for protection outside country of origin and country of first asylum is deemed to be the basic criteria for resettlement.

The Parliament has expressed that integrational aspects should be an important factor to be weighed when selecting refugees for resettlement.

Although the criteria related to integration have not been detailed, the essence of the integration factor when selecting refugees is that refugees should have a potential to integrate well into Norwegian society and to support themselves within a reasonable period of time. Elements to be considered are e.g. the refugees' professional and educational background, their proficiency in languages, other skills/factors and family links in Norway. Generally, priority is given to families, because it is easier to find accommodation for families than for single refugees in Norway.

Norway is a small and sparsely populated country, with few city-centres and long travel distances. When resettling refugees, Norway tries, for integration-related reasons, to ensure building up ethnic/national groups of a certain size to enhance sustainability of the group locally and prevent too much secondary movements which create concentrations of refugees in bigger cities.

Traditionally, Norway has been resettling vulnerable groups, e.g. "Woman at risk", children and persons in need of medical treatment. The refugees in need of medical treatment comprise a limited number of the total number of refugees resettled in Norway. Women and children are given priority by Norway.

Norway relies on UNHCR in the process of resettling refugees. Norwegian authorities expect UNHCR, in general, to submit applications for refugees meeting the criteria in the 1951 Convention and that exclusion clauses have been considered. Upon presenting applications to Norway, UNHCR is requested in general to take into consideration the criteria mentioned above.

UNHCR and the Directorate of Immigration have developed a good operational cooperation in preparing, at an early stage towards the end of one year, a detailed plan for the use of following year's quota and selection missions. In 2004 and 2005 this cooperation has been incorporated in the multilateral Indication Process during WGR. Norway wants to build on and develop this cooperation further.

4. Resettlement Allocations / Processing Priorities

The Ministry of Labour and Social Affairs decides the allocation of the quota in consultation with other ministries and based on the assessment of resettlement needs by UNHCR and the Directorate of Immigration. In 2005/2006, the majority of places are allocated to refugees from Africa and South East Asia. For details on the composition of the Norwegian quota, please see <http://www.udi.no>. Within this quota the Directorate of Immigration will resettle refugees in close co-operation with UNHCR.

Norway may also consider cases for resettlement presented by other than UNHCR, e.g Norwegian embassies, NGOs, the International Helsinki Federation or International PEN. This however so far happens to a very limited extent.

Norway is also involved in the UNHCR Trust Fund for Enhancing Resettlement Activities. For the period 2001 – 2005 Norway has contributed by converting between 50 and 100 places annual from the quota.

5. Admissibility for Resettlement

In order to be considered for resettlement in Norway, refugees presented by the UNHCR should satisfy the requirements for refugee status according to the 1951 Refugee Convention and the Norwegian Immigration Act. If the caseload presented exceeds the actual number of quota places, priority is given to persons identified as being in most urgent need of protection and deemed reasonably capable of integrating into Norwegian society.

Military activities are normally not considered as an obstacle to resettlement. However, the exclusion grounds as laid down in article 1F of the 1951 Refugee Convention may be applied whenever this is considered necessary. Refugees with a criminal record are normally not resettled by Norway.

6. Submissions and Processing via Dossier Selection

The quota may be filled by means of dossier selection or by selection missions. In Emergency and 20-or-more cases the dossiers shall be submitted by UNHCR Geneva. As from June 2004 ordinary dossiers may be presented directly from UNHCRs regional HUBs and other UNHCR missions. UDI makes decisions on the basis of information presented in the Resettlement Registration Forms (RRFs).

The UDI decides whether a person is accepted for resettlement or not. This decision is not subject to appeal.

The UDI notifies UNHCR Geneva and the relevant UNHCR mission /field office about decisions. The Norwegian Embassy in the country of temporary protection is informed about positive decisions and is instructed to issue necessary travel documents.

Average time frame for UDI to make a decision in resettlement cases is 3-4 weeks from reception of the dossiers. Emergency cases are normally processed within 48 hours.

7. Submissions and Processing via In-Country Selection

Selection missions are composed of representatives from the Directorate of Immigration (UDI). For in-country selections, UNHCR is usually expected to present a number of cases for pre-screening prior to the actual mission. The delegation interviews the refugees and decides who will be accepted for resettlement. The decisions are presented to the refugees by UNHCR. A rejection is final and thus not subject to appeal.

The responsible Norwegian Embassy issues necessary travel documents.

The UDI will prepare the municipalities for reception of the selected Refugees granted asylum in Norway. UDI in cooperation with IOM arrange travel, and the refugees are brought to Norway when housing, introductory programme, and other preparations have been arranged for.

Normally, refugees selected for resettlement will arrive in Norway within 6 months from the date they were accepted. However, due to difficulties in relation to exit arrangements, and e.g pregnancy, processing time is sometimes prolonged.

8. Emergency Cases

In situations where a refugee's life or freedom depends on emergency resettlement because of potential refoulement, deportation, physical threat to security, undue detention, or other reasons UNHCR may ask for an accelerated processing of the case. Emergency cases are drawn from cases world-wide and not limited to specific areas. A decision in these cases should be made within 48 hours.

In order to facilitate the processing, UNHCR Geneva should notify the UDI by telephone that an emergency case is being forwarded. When the papers are received by facsimile and/or E-mail, the case is given priority.

Cases presented as urgent are being treated as a normal case with regard to time frame, which normally means 3-4 weeks. There are no special procedures for urgent cases, however, they are given priority by UDI and usually treated faster than a normal case.

9. Special Categories

Cases concerning special categories are presented by the UNHCR according to normal procedures. However, when refugees with medical needs and victims of violence and torture require special treatment in Norway, available medical services in Norway are examined before decisions are made. If a person requires special treatment not or scarcely available in Norway, the case will normally be rejected. Refugees with medical needs should have a refugee background and prospects to recover after getting medical treatment in Norway.

In order to be able to make a proper decision, the UNHCR must forward a recent, transparent and complete report of the refugee's medical condition.

10. Family Reunification of Refugees

Family reunification implies that a family member abroad is reunited with one or more family members already living in Norway. The aim of the provisions on family reunification is to protect already established family ties.

Family reunification with a refugee selected for resettlement in Norway may take place according to regulations in the Immigration Act. Normally, only the closest family members such as spouses, co-habitants who have lived together for at least two years and children under 18 years of age are granted a residence permit to be reunited with their family. A registered partner is considered along the same lines as a spouse. Parents and siblings of a single minor who has been granted asylum will also be counted as close family members, and also in some cases parents of children who for other reasons are resident in Norway.

Other family members who may be granted residence permit in Norway:

More distant family members and other persons may also be granted family reunification if they have special ties to Norway, or if there are other strong human considerations. Those persons are e.g: co-habitants with whom the person living in Norway has or is expecting a child, even if they have not been living together for at least two years, elderly parents over 60 without any of their closest relatives in the country of origin, unmarried children older than 18 years of age with special care needs or without care persons in their country of origin and other family members, when strong humanitarian considerations warrant it.

Family members should contact the nearest Norwegian Embassy, or the embassy assigned to handle applications for any particular country, when they wish to apply for family reunion.

Procedure regarding late arriving family members of refugees presented for resettlement:

Norway experience that family members of refugees sometimes arrive in the country of 1st. asylum after the PRA and after the original RRF has been submitted from UNHCR to UDI.

Family members of refugees arriving in country of 1. asylum prior to UDIs decision in the resettlement case of the PRA may be included in the RRF by UNHCR. In such cases, UNHCR should asses thoroughly whether the relationship is genuine and forward an updated RRF including the newly arrived family members to UDI .

Family reunification procedures apply for family members of persons already accepted for resettlement in Norway. This means that if UNHCR have already received the decision from UDI regarding PRAs case, other family members should normally be referred to the nearest Norwegian Embassy and apply for family reunification.

UNHCR may, exceptionally, submit for resettlement the family member(s) of a refugee already accepted for resettlement in a separate RRF. In such a case the family member should normally have an individual protection need.

11. Medical Requirements

Norway sometimes requests IOM to carry out medical checks on refugees already accepted. This in order to prepare for the reception in a Norwegian municipality. Norway does not exclude refugees on medical grounds.

12. Travel

Norway is one of the member States of the International Organisation for Migration (IOM) and makes use of its services. IOM arranges travel for refugees accepted for resettlement in Norway under the quota as well as for persons accepted for family reunification with refugees in Norway. Norway contributes to IOM's general budget besides paying for travel and other assistance. The Norwegian Foreign Service missions issues emergency travel documents (laissez - passers) and visas to refugees before departure.

13. Cultural Orientation

UDI in cooperation with IOM, have implemented a Cultural Orientation Program for Norway-bound refugees. Information about Norway and Norwegian way of life is given before the refugees depart for Norway.

The primary objective of the programme is to promote the smooth integration of the refugees to Norwegian society by preparing them for the initial period after arriving in Norway, addressing unrealistic expectations, and limiting the culture shock.

The Cultural Orientation Programme also provides the receiving Norwegian municipalities with relevant and current information about the resettling of refugees and the refugees' situation prior to arrival to Norway.

14. Status on Arrival

As mentioned under Section 2 above, the question concerning refugee status of the resettled refugee is normally decided upon arrival. When the principal applicant is granted refugee status, the family members are normally given the same status.

After three years of legal residence in Norway, the refugee may apply for a permanent residence permit. This will allow him or her to reside outside Norway for a period of maximum two years without losing the permit. In order to obtain citizenship, the refugee must have stayed 7 years in Norway with a residence or work permit. Other requirements apply if the refugee is married to a Norwegian citizen.

According to Norwegian legislation, asylum may be revoked when the refugee no longer falls under the definition of a refugee, or if this otherwise follows from general rules in public administrative law.

The Norwegian Government has established a voluntary repatriation programme where economic support is given to any refugee who has been resettled, granted refugee status or a residence permit on humanitarian grounds in Norway.

The rates are the following:

- 15,000 NOK per person upon departure from Norway;
- Travel free of charge from the nearest airport in Norway to the country of origin.

15. Domestic Settlement and Community Services

Immigration policy in Norway is based on genuine equal status for immigrants (including refugees) and Norwegians. This means that, as far as possible, immigrants have the same opportunities, rights and obligations as the rest of the population. This objective also requires continued efforts to give immigrants the same opportunities as the rest of the population to acquire education and obtain employment. In addition it implies support for immigrant cultural activities.

The Ministry of Labour and Social Affairs has the overall responsibility for immigration and refugee policy in Norway. Other ministries are obliged to observe the rights of immigrants and refugees in their sectors of responsibility.

The Directorate of Immigration (UDI) has the primary responsibility for implementing the policy. This includes immigration control, reception of asylum-seekers and resettlement and placement of refugees. As from January 2006 a new Directorate, of Integration and diversity (IMDI), will be responsible for placement and integration of refugees.

The municipalities have the same responsibility for those who are allowed to stay in the country as refugees or on humanitarian grounds as they have for the rest of the population. This relates to health, education, housing, vocational training, employment etc.

The NGOs in Norway have no specific responsibility in integration of refugees. Many NGOs do, however, contribute in the integration process.

Resettled refugees are almost always directly settled in a municipality. Only rarely do they have a short stay in a reception centre.

Upon arrival in Norway the refugees will be provided housing by a municipality. The municipality will also provide the refugees with assistance in getting established and give necessary information.

16 The Introductory Programme

The Norwegian Government has established the introductory programme for (newcomer) newly-arrived foreign nationals/refugees between 18 and 55 years of age needing qualifications and who have been settled in a municipality for less than 2 years at the point in time when the municipal authorities make their decision about a potential applicant taking part in the programme. This programme must be full time and include instruction in Norwegian language, social studies and measures preparing for further studies or for working life. The municipalities are responsible for implementing an introductory programme, which consist of an individual programme and an introductory programme allowance. Directorate of Integration and diversity monitors the programs in each municipality. The children may get training in their mother tongue in kindergarten and school as a tool to learn Norwegian.

Schooling is obligatory in Norway. All boys and girls between the age of 6 and 16 must attend school. Most schools and universities are free of cost in Norway.

17 Reference Materials

📖 Act of 24 June 1988 concerning the entry of foreign nationals into the Kingdom of Norway and their presence in the realm (Immigration Act).

📖 Regulations concerning the entry of foreign nationals into the Kingdom of Norway and their presence in the realm (Immigration Regulations), passed by Decree of the Crown Prince Regent on 21 December 1990.

📖 White paper no. 17 (1994-95) to the Storting on Refugee Policy

📖 White paper no. 17 (1996-97) to the Storting on Immigration Policy and Multicultural Norway.

📖 White paper no. 17 (2000-01) to the Storting on Asylum- and refugee policy in Norway.

📖 Various pamphlets giving relevant information on housing, education etc. to foreign nationals who are going to live in Norway.

📖 White paper no. 28 2002-2003) to the Storting on the Introduction Law.