

## UNHCR recommendations to Norway

### for strengthened refugee protection in Norway, Europe and globally

This document sets out a number of recommendations, which the Representation for the Nordic and Baltic Countries of the United Nations High Commissioner for Refugees (UNHCR) has developed, with a view to further strengthening the protection of refugees in Norway, as well as to support Norway's engagement in European and international fora where issues of refugee protection and asylum are being discussed. The recommendations are addressed to the Norwegian Government, parliamentarians and all other relevant actors and stakeholders within the Norwegian society and aim at contributing to constructive discussions on improvements of the protection and integration systems for refugees and stateless persons at the national, regional and international level.

UNHCR offers these recommendations as the agency entrusted by the UN General Assembly with the global mandate to provide international protection to refugees and, together with Governments, seek permanent solutions to their plight.<sup>1</sup> UNHCR is responsible for supervising the application of the 1951 Convention relating to the Status of Refugees (1951 Convention). The UN General Assembly has further entrusted UNHCR with a global mandate to provide protection to stateless persons worldwide and for preventing and reducing statelessness.<sup>2</sup>

#### 1. Executive Summary

For decades, Norway has made important contributions to international refugee protection through a well-established asylum and reception system, by engaging in comprehensive integration efforts, providing substantive financial support to UNHCR's global programmes and participating in UNHCR's resettlement programme. As one of the first Contracting Parties to sign the 1951 Convention, Norway has a long tradition of providing safety to those who seek it. Norway is also a State party to both the 1954 and 1961 Statelessness Conventions and has demonstrated strong support towards efforts to end statelessness.

UNHCR is grateful for the strong partnership with Norway in supporting the protection of the high number of refugees and internally displaced people around the world and the search for solutions. Norway is a very important strategic partner and donor, including of flexible and unearmarked funding, enabling UNHCR to address the critical humanitarian needs of the most vulnerable refugee populations and strengthening capacity in host countries.

UNHCR commends Norway for its leading role in placing durable solutions, gender equality, education and development interventions in its international agenda. UNHCR welcomes Norway's strong support for the Global Compact on Refugees (GCR) and the encouraging levels of progress of the implementation of the pledges made at the Global Refugee Forums.

#### 2. Strengthening protection in Norway

UNHCR welcomes the efforts made by Norway to develop a sustainable immigration policy and maintain contingency arrangements to respond to sudden increases in the number of asylum seekers and refugees. UNHCR acknowledges that unexpected events can pose challenges for governments, such as in 2015,

<sup>1</sup> UN General Assembly, UNHCR Statute, 14 December 1950, [www.refworld.org/docid/3ae6b3628.html](http://www.refworld.org/docid/3ae6b3628.html), para. 1.

<sup>2</sup> UN General Assembly Resolution A/RES/50/152, 9 February 1996, <http://www.unhcr.org/refworld/docid/3b00f31d24.html>, reiterated in subsequent resolutions.

when an increased number of asylum seekers and refugees arrived in the country, and again in 2022 following the full-scale invasion of Ukraine. In response to the situation, Norway has introduced a series of restrictive measures aimed at discouraging arrivals of asylum seekers. UNHCR is concerned that some of the restrictive asylum policies that were adopted by Norway as temporary measures have become permanent, and new restrictive policies are being added.

Since Norway's legislative package in 2015, introducing more restrictive provisions in the *Norwegian Immigration Act*, UNHCR has submitted observations on a range of Norwegian asylum and integration related law proposals and expressed concerns that the proposed changes fall short of the standards set out in international law, including the 1951 Convention. These measures include restrictions on access to territory; increased use of "cessation" to end protection status; temporary permits for unaccompanied children; expanded use of "internal flight alternative" to deny protection; increased use of accelerated and admissibility procedures; restrictions on family reunification; increased requirements to obtain permanent residence; and enhanced use of coercive measures, including administrative detention.

## 2.1 Access to territory and quality asylum procedures

The legislative and policy changes in recent years with regard to border control make access to the Norwegian territory and asylum procedures more difficult for asylum seekers. UNHCR is concerned that the combined effect of increased use of admissibility procedures, weakened procedural safeguards and provisions for automatic rejection at the point of entry in emergency situations will place asylum seekers and refugees at risk of *refoulement* and other violations of the 1951 Convention.

Norway's legislation permits the transfer of asylum-seekers to safe countries outside Europe if they have come to Norway via this country. UNHCR is concerned that asylum-seekers can be returned without the required procedural safeguards being enshrined in the law. As a precondition to return or transfer of an asylum-seeker or refugee to another country, it has to be established that s/he will be (re)admitted and has access in that country to standards of treatment commensurate with the 1951 Convention and international human rights standards. UNHCR recommends that Norway has protection-sensitive border management in place which fully maintains a fair and efficient identification of persons in need of protection and provides the necessary procedural safeguards in border procedures. UNHCR would also like to emphasize the importance of in-merits procedures in lieu of admissibility considerations as the latter tend to create procedural inefficiencies and shift the responsibility onto countries outside Europe.

UNHCR notes the continued use of the concept of "internal flight alternative" (IFA) in Norwegian practice to deny protection on the grounds that the applicant can find protection in another part of his/her home country. Since the "reasonableness" requirement was removed from the *Norwegian Immigration Act* in 2016, decision-makers are no longer required to assess whether it would be reasonable to expect the applicant to relocate within his/her country and live a relatively normal life without undue hardship. UNHCR maintains that a reasonableness assessment is integral to a lawful and protection-sensitive IFA analysis and recommends that Norway reinstate this criterion in its national legislation.

A number of processing changes in 2024 and 2025 has affected the quality of asylum and family immigration procedures. Although applications in the regular procedure decreased in 2024, pressure on reception remained high following the autumn 2023 surge of forcibly displaced persons from Ukraine. The Directorate of Immigration (UDI) responded by reorganizing and digitizing workflows across the entire migration sector. In its 2024 annual report, UDI records increased backlogs and waiting times for interviews and decisions between 1-2 years, particularly in family immigration and regular asylum cases. Approximately 5,000 asylum cases in the regular procedure remained pending at the end of 2024 (up from 4,600 cases in 2023). UNHCR commends Norway for investing in more efficient procedures for directing new arrivals to the appropriate migration and asylum channel. However, it is equally essential

to dedicate adequate resources to cases in the regular asylum procedures, including cases concerning family unity and children, to mitigate lengthy waiting times and backlogs.

UNHCR is also concerned about Ministerial Instruction GI-15/2022 issued in September 2022, which regards the assessment of the conditions for asylum when an applicant already holds a residence permit in Norway.<sup>3</sup> The instruction is currently the subject of ongoing court proceedings in Norway.<sup>4</sup> UNHCR is of the view that the existence of a residence permit or legal stay in the host country does not form part of the assessment of the applicant's well-founded fear of persecution under the 1951 Convention refugee definition and should not serve as an impediment to accessing asylum.

#### UNHCR recommends that Norway:

1. Ensure that all asylum seekers and refugees have effective access to territory and to fair and efficient asylum procedures by providing minimum procedural safeguards and protection from *refoulement*;
2. Reinstate the reasonableness criterion as part of the assessment of whether an internal flight alternative is available to the applicant;
3. Ensure that its asylum system remains resilient and adaptable while maintaining procedural fairness and the integrity of case processing to effectively deal with backlogs while attending to new arrivals; and
4. Re-visit Ministerial Instruction GI-15/2022 to ensure the correct interpretation of the refugee definition under the 1951 Convention.

## 2.2 Temporary protection for persons fleeing Ukraine

Following the invasion of Ukraine in February 2022, Norway activated Section 34 of the *Norwegian Immigration Act* by Royal Decree on 11 March 2022, to grant refugees from Ukraine temporary collective protection (TCP). TCP is granted for one year at a time. On 14 February 2025, Norway extended TCP for one more year until March 2026. As of 16 October 2025, 95,244 persons from Ukraine have been granted TCP and Ukrainians make up approximately 85 per cent of all those who applied for protection in Norway since February 2022.

Since December 2023, Norway has adopted a series of restrictive rules for new arrivals from Ukraine, including decreased benefits and support, tightening travel restrictions between Norway and Ukraine, and centralizing accommodation options to make Norway less attractive than its Nordic neighbors.

On 27 September 2024, Norway announced a rule change to the TCP scheme, unilaterally designating six areas (oblasts) in Ukraine as safe. On 13 January 2025, the list of safe areas was expanded to include an additional eight areas. The change means that persons fleeing Ukraine seeking protection in Norway are not covered under the TCP scheme if their last permanent place of residence was in one of these

<sup>3</sup> Norwegian Ministry of Justice and Public Security, GI-15/2022 – Assessment of the conditions for asylum in the Immigration Act Section 28, first paragraph, when the applicant already has a residence permit in Norway (Vurdering av vilkårene for asyl i utlendingsloven § 28 første ledd når søkeren allerede har oppholdstillatelse i Norge), 19 September 2022, <https://www.regjeringen.no/no/dokumenter/instruks-gi-152022-vurdering-av-vilkarene-for-asyl-i-utlendingsloven-28-forste-ledd-nar-sokeren-allerede-har-oppholdstillatelse-i-norge/id2928017/>.

<sup>4</sup> See Borgarting lagmannsrett (Court of Appeal), LB-2024-120668, 11 April 2024, <https://lovdata.no/dokument/LBSIV/avgjorelse/lb-2024-120668>. The case has been appealed to and is now pending before the Norwegian Supreme Court.

safe areas. This is a significant policy shift, with Norway being the first country in Europe to apply this approach.<sup>5</sup>

UNHCR recognizes the substantial efforts made by Norway to respond rapidly and comprehensively to the protection needs of Ukrainians fleeing the war. Norway has provided protection to tens of thousands of individuals in an organized and principled manner, which stands as a model for other countries. UNHCR further acknowledges the pressures faced by national and municipal authorities in managing reception, integration, and service delivery.

However, the situation in Ukraine remains volatile with the international armed conflict still ongoing. UNHCR considers that the vast majority of persons displaced from Ukraine are likely to be in need of international protection. In June 2023, UNHCR published its Position on Voluntary Returns to Ukraine, which remains valid, and states that UNHCR is not promoting returns to Ukraine at the present time.<sup>6</sup> Any decision by refugees to return home must be well-informed and fully voluntary.

Although many refugees have made short-term visits to Ukraine, UNHCR urges host States to maintain a flexible approach as these visits can help facilitate fully informed decisions on longer-term return. Legal status, the continued need for protection and associated rights in a host country should not be affected by a visit to Ukraine lasting less than three months.

**UNHCR recommends that Norway:**

1. Refrain from designating safe areas in Ukraine as a basis to limit access to temporary protection or trigger premature returns;
2. Ensure that all decisions on continued protection needs or return are based on individual assessments, taking into account the dynamic security context and risks; and
3. Ensure that refugees under the TCP have access to other legal status to reflect the need for a longer-term solution, including access to rights (including family reunification); and
4. Engage in structured dialogue with UNHCR and other protection actors to regularly review and assess the implications of policy shifts, as well as harmonizing approaches with other European countries, particularly with regard to return.

### 2.3 Cessation of protection

UNHCR acknowledges the possibility of using the “ceased circumstances” cessation clauses of the 1951 Convention in situations where due to a change of circumstances in their home country refugees no longer require international protection. Since UNHCR’s last recommendations to Norway in 2021 and in continued observations since,<sup>7</sup> the use of the cessation clauses to end refugees’ protection in the country has continued in Norway in high volumes. A review of the protection needs of refugees is mandatory prior to possible conversion of the temporary permit into permanent residency. Some refugees have had

<sup>5</sup> Only one other country in Europe, Switzerland, has recently also adopted a similar approach.

<sup>6</sup> UNHCR Position on Voluntary Return to Ukraine, June 2023, <https://www.refworld.org/policy/countrypos/unhcr/2023/en/124299>.

<sup>7</sup> UNHCR, *UNHCR recommendations to Norway for strengthened refugee protection in Norway, Europe and globally*, November 2021, <https://www.unhcr.org/neu/wp-content/uploads/sites/15/2021/11/UNHCR-Recommendations-to-Norway-Nov-21.pdf>; UNHCR submission for the Fourth Cycle, 47<sup>th</sup> Session of the Universal Periodic Review, Norway, 4 – 15 November 2024, <https://www.ohchr.org/en/hr-bodies/upr/no-un-contributions-s47>; UNHCR Observations on the Proposal for amendments to the Norwegian Immigration Act (Deportation of refugees due to imposed punishment), 28 November 2022, <https://www.refworld.org/legal/natlegcomments/unhcr/2022/en/124182>.

their protection terminated even in situations when the change only applied to part of their home country.

In this regard, and because of the potential grave consequences for the refugee concerned UNHCR wishes to recall that that cessation provisions are used cautiously and restrictively with the necessary legal standards and procedural safeguards in place. Refugees and other beneficiaries of international protection should not be compelled to return to a still volatile situation in their country of origin. Therefore, cessation clauses should only be resorted to in situations where the changes in the country are of a *fundamental* and *durable* nature.<sup>8</sup> This means that protection cannot be terminated based on an improvement in the home country that is only local or confined to a particular city or town or other smaller area. Also, changes in the personal circumstances of the refugee cannot be considered in isolation but need to be holistically looked at together with a careful assessment of the situation in the country of origin as a whole.<sup>9</sup>

#### UNHCR recommends that Norway:

1. Refrain from mandatory, periodic reviews of refugee protection with the primary objective of status withdrawal, as such practices prolong insecurity of stay, hinder integration, and rarely result in sustainable returns;
2. Apply cessation strictly in line with Article 1C(5)–(6) of the 1951 Convention and UNHCR's guidelines, ensuring that changes in the country of origin are assessed as fundamental and durable;
3. Guarantee robust procedural safeguards in all processes resulting in loss of status, including access to legal aid and interpretation, timely notification, use of up-to-date country information, and an effective remedy with automatic suspensive effect. In all cases involving children, ensure that best interests assessments guide both the procedure and outcome; and
4. Introduce predictable time-limits in status review processes to prevent prolonged uncertainty, thereby supporting integration while focusing resources on cases that genuinely meet cessation or revocation thresholds.

## 2.4 Protection of children

The rising number of unaccompanied and separated children arriving in Norway, particularly since 2022, has highlighted shortcomings in the reception, care, and procedural safeguards for children in the asylum system. Between 2022 and 2024, the number of unaccompanied asylum-seeking children more than doubled compared to the previous three-year period. This surge has placed significant pressure on municipalities and exposed gaps in the capacity to provide adequate care and protection.

<sup>8</sup> See further, UNHCR, Guidelines on International Protection No. 3: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees (the "Ceased Circumstances" Clauses), 10 February 2003, HCR/GIP/03/03 <https://www.refworld.org/docid/3e50de6b4.html>. Para. 17 notes with regard to partial cessation: "The 1951 Convention does not preclude cessation declarations for distinct sub-groups of a general refugee population from a specific country, for instance, for refugees fleeing a particular regime but not for those fleeing after that regime was deposed. In contrast, changes in the refugee's country of origin affecting only part of the territory should not, in principle, lead to cessation of refugee status. Refugee status can only come to an end if the basis for persecution is removed without the precondition that the refugee has to return to specific safe parts of the country in order to be free from persecution. Also, not being able to move or to establish oneself freely in the country of origin would indicate that the changes have not been fundamental."

<sup>9</sup> UNHCR, Amicus curiae of the UNHCR in case number UM 2839-20, X against the Migration Agency before the Migration Court of Appeal (Kammarrätten i Stockholm, Migrationsöverdomstolen), 21 September 2020 <https://www.refworld.org/docid/5fa50ed84.html>.



UNHCR appreciates Norway's efforts to improve reception standards for children, including the allocation of dedicated funds in the 2025 State Budget to strengthen child-specific expertise and supervision. Positive changes to legislation were made aimed to strengthen procedural safeguards for children in appeal procedures.<sup>10</sup> However, unaccompanied children aged 15 to 18 are still excluded from the protection of the Child Welfare Services (Barnevernet) and are housed in asylum reception centres under the authority of the Norwegian Directorate of Immigration (Utlendingsdirektoratet, UDI). These children face lower standards of care, limited access to psychosocial support, and increased risk of neglect, abuse, and exploitation. This differentiated treatment based on age has been repeatedly raised by UNHCR, UN Treaty Bodies, national institutions, and civil society.<sup>11</sup>

Recent evaluations have also revealed challenges in applying the best interests of the child in asylum and return procedures. A 2024 independent review commissioned by the UDI found that in many cases involving children, decisions failed to give adequate attention to their best interests, overlooked important child-specific factors such as vulnerability, health, or integration, and did not consistently ensure the child's right to be heard.<sup>12</sup> Also of concern is the practice and evidentiary process around revocation of residence permits and citizenship, including for young people who arrived as unaccompanied children, particularly those from Afghanistan.<sup>13</sup> Civil society actors have documented practice and cases where children and youth with strong ties to Norway were subjected to revocation procedures without adequate consideration of their best interests, length of stay, integration, or mental health impacts.<sup>14</sup>

#### UNHCR recommends that Norway ensure:

1. Strengthened child-friendly reception conditions and support for all children in both transit and long-term accommodation, including enhanced psychosocial services, and child protection safeguards;
2. Extending the responsibility to the Child Welfare Services to all children up to the age of 18 years; and
3. Full implementation in practice of the principle of the best interests of the child as it applies to children in the asylum process, including in procedures concerning revocation of residence permits.

## 2.5 Family reunification

Family reunification is a core protection tool that safeguards the right to family life, supports mental health, facilitates integration, and reduces incentives for irregular onwards movement. A succession of reforms has made reunification increasingly difficult in Norway. Procedures are among the most expensive and restrictive in the Nordic region, and the notion of "family" is narrowly interpreted, with

<sup>10</sup> For example, a legislative amendment lowered the threshold for conducting hearings by the Immigration Appeals Board (UNE) in deportation cases involving children. See Ministry of Justice and Public Security, *Several deportation cases affecting children to be heard in board meeting*, 24 May 2025, <https://www.regjeringen.no/no/aktuelt/flere-utvisningssaker-som-berorer-barn-skal-behandles-i-nemndmote/id3040640/>; Immigration Appeals Board (UNE), *Amendment to regulations lowers threshold for board meetings*, 5 June 2024, <https://www.une.no/aktuelt/arkiv/2024/lagare-terkel-for-nemndmote/>

<sup>11</sup> UNHCR, *UNHCR recommendations to Norway for strengthened refugee protection in Norway, Europe and globally*, November 2021, <https://www.unhcr.org/neu/wp-content/uploads/sites/15/2021/11/UNHCR-Recommendations-to-Norway-Nov-21.pdf>; UN Committee on the Rights of the Child, CRC/C15/Add.263, 2005, paras. 41-42; CRC/C/NOR/CO/4, 2010, paras. 50-52; CRC/C/NOR/CO/5-6, 2018, paras. 31-32; CRC/C/NOR/CO/7, 2025, paras. 37-38; UN Committee Against Torture, CAT/C/NOR/CO/8/, 2018, paras. 25-26; UN Human Rights Committee, CCPR/C/NOR/CO/7, 2018, paras. 30-31; UN Committee on the Elimination of Racial Discrimination, CERD/C/NOR/CO/23-24, 2019, paras. 27-28; UN Committee on Economic, Social and Cultural Rights, E/C.12/NOR/CO/6, 2020, paras. 28-29

<sup>12</sup> KPMG, *Barnets beste i asylsaker*, Utlendingsdirektoratet, 12 April 2024 (in Norwegian), .

<sup>13</sup> NOAS, *Tilbakekall, Ungdom fra Afghanistan som risikerer å miste oppholdstillatelse eller statsborgerskap*, 2023, <https://www.noas.no/wp-content/uploads/2023/10/Tilbakekall.-Ungdom-fra-Afghanistan.pdf>.

limited scope to include dependents beyond the nuclear family even where social, emotional or economic dependency exists. In practice, many families also face significant logistical hurdles, including the need for meeting application deadlines to qualify for exemption from the income requirement, and in-person appearances at Norwegian embassies in locations that may be unsafe or almost impossible to reach.

In January 2025, Norway introduced further restrictions by raising the subsistence requirement for sponsors in family immigration cases. If a refugee misses the specific family reunification application deadlines due to practical or legal obstacles, the new rules on subsistence thresholds apply. This risks making family reunification impossible for many refugees.

UNHCR asks that Norway sees family reunification as a protection measure rather than an immigration control lever, and modifies the policy accordingly by keeping fees and subsistence thresholds proportionate to refugees' real earning capacity, recognizing their vulnerability; interpret "family" with the flexibility needed to reflect genuine dependency; operationalize best interests of the child determinations in all cases involving children (including unaccompanied and separated children); and expand practical access by enabling document submission and biometrics through regional consular cooperation where Norway lacks a local presence. These adjustments would align with Norway's international obligations and UNHCR's recommendations and would directly address the barriers identified in recent reviews and submissions.

Further, civil society actors have reported on the situation of women who have come to Norway through family reunification on the basis of their relationship with a partner or spouse granted protection (asylum) in Norway.<sup>15</sup> Under Section 53 of the *Norwegian Immigration Act*, a person who came to Norway through family reunification can be granted a new residence permit on an independent basis if there is reason to assume they have been subject to abuse, including domestic violence, during the relationship. In practice, however, this safeguard is applied strictly with high thresholds and limited flexibility on documentation. These extra hurdles make it harder for women to leave abusive relationships. It is essential that the procedure provides space for women to have protection needs examined on their own merits, with access to information and legal aid, and, where criteria are met, to be granted refugee status rather than remaining dependent on a family reunification-based permit.

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<sup>15</sup> Norwegian NGO-Forum for Human Rights – Human rights concerns in Norway, The Norwegian NGO Forum for Human Rights' stakeholder report to Norway's 4<sup>th</sup> UPR cycle review in 2024, 9 April 2024, p. 14, <https://nhc.no/rapport-om-norge-til-fns-menneskerettighetsrad-2024/>.

UNHCR recommends that Norway:

1. View family reunification as a protection measure and modify policy by improving due process guarantees and service standards across the reunification workflow, including early access to information, interpretation and legal assistance and predictable timelines;
2. Apply flexible and humane criteria for family reunification and allow other dependents beyond the nuclear family to reunite with refugee family members;
3. Reduce administrative processing fees by keeping them proportionate to refugees' real earning capacity and integration prospects, and extend application deadlines to preserve and operationalize the income requirement exemption for refugees' families. Where deadlines are missed due to factors beyond the family's control, apply humanitarian waivers so reunification is not foreclosed;
4. Reduce practical barriers by simplifying documentation requirements, and enabling regional consular cooperation (including biometric capture and document submission at Nordic/EU partner missions) where Norway lacks local presence;
5. Strengthen protection pathways for women at risk: lower evidentiary barriers to obtaining an independent residence permit in situations of domestic violence; relax or waive lengthy residence periods and income requirements for survivors; and ensure clear, accessible routes to lodge and fairly assess independent asylum claims, with guaranteed information, legal aid, and protection services; and
6. Monitor and review practice by publishing data on processing times, approval rates, use of waivers, and embassy access; engage municipalities and civil society to identify bottlenecks and adjust procedures accordingly.

## 2.6 Statelessness

UNHCR appreciates Norway's long-standing engagement as a party to both the 1954 and 1961 Statelessness Conventions. Further, UNHCR welcomes Norway's membership and support to the Global Alliance to End Statelessness, launched in 2024, and encourages the Government to take this opportunity to develop a national action plan to further fulfil its commitments under the 1954 and 1961 Conventions and the Global Compact on Refugees.

By the end of 2024, 1,621 persons were recorded as stateless in Norway<sup>16</sup> As mentioned in UNHCR's prior recommendations, including during the 2019 and 2024 Universal Periodic Review (UPR) cycles,<sup>17</sup> key legislative and institutional gaps remain. Notably, the Norwegian Nationality Act still lacks a definition of a stateless person as set out in Article 1 of the 1954 Convention, and Norway has yet to establish a dedicated statelessness determination procedure. This hinders systematic identification and protection of stateless persons and limits their access to rights and solutions. Several UN treaty bodies have also pointed to these gaps and recommended that Norway provide in national law a specific definition of statelessness and procedure to determine statelessness.<sup>18</sup> While UNHCR acknowledges that the path to

<sup>16</sup> UNHCR, Refugee Data Finder, *Refugees, asylum-seekers and other people in need of international protection by host country, Norway*, 2024.

<sup>17</sup> UNHCR, Submission for the Universal Periodic Review – Norway – UPR 33<sup>rd</sup> Session, May 2019 <https://www.refworld.org/docid/5ccaccc17.html>; UNHCR Submission for the Universal Periodic review – Norway – UPR 47<sup>th</sup> Session, 2024, <https://www.refworld.org/policy/upr/unhcr/2024/en/149096>; See also UNHCR, *Mapping Statelessness in Norway*, October 2015 <https://www.refworld.org/docid/5653140d4.html> and UNHCR, *Statelessness in Norway – 9 facts*, February 2024, <https://data.unhcr.org/en/documents/details/106470>.

<sup>18</sup> UN Committee on the Rights of the Child, *Concluding observations on the seventh periodic report of Norway*, [CRC/C/NOR/CO/7](https://www.unhcr.org/refworld/docid/5653140d4.html), 2025, para. 16; UN Human Rights Committee, *Concluding Observations on the seventh periodic report of Norway*, [CCPR/C/NOR/CO/7](https://www.unhcr.org/refworld/docid/5653140d4.html), 2018, paras. 34-35; UN Committee on the Elimination of all Forms of Discrimination against Women, *Concluding observations on the ninth periodic report of Norway*, [CEDAW/C/NOR/CO/9](https://www.unhcr.org/refworld/docid/5653140d4.html), 2017, paras. 32-33.



citizenship carries a set of requirements, it is important to remember that stateless people are among the most vulnerable individuals in the world and that without the necessary steps and solutions, they have no access to the protection and rights they are entitled to under international law.

UNHCR wishes to reiterate its earlier recommendations to grant stateless persons a specific residence permit so they can access the rights guaranteed under the 1954 Convention.<sup>19</sup> Moreover, conflicting residency requirements for stateless people's eligibility for permanent residence and Norwegian citizenship have arisen between the Norwegian Nationality Act and the Immigration Act due to legislative reform of the latter. A stateless person required only three years of residence to apply for citizenship under the Nationality Act,<sup>20</sup> while a stateless person recognized as a refugee needed to wait for five years according to the Immigration Act.<sup>21</sup> This created legal uncertainty for stateless persons. This clash between both Acts was ultimately addressed in a Ministerial Instruction,<sup>22</sup> but not through reform of the law itself. Ministerial instructions of that nature are only binding on the first instance asylum authorities in Norway, but not on higher appeal instances or on Norwegian courts, thus leaving room for inconsistent decision-making by authorities at different levels. UNHCR therefore recommends that these provisions be anchored in law rather than only in the form of administrative instructions.

Following Norway's recognition of Palestine as a state on 28 May 2024, Instruction AI-3/2024<sup>23</sup> was issued to clarify that Palestinians shall no longer be considered stateless in applications for Norwegian citizenship, with decisive importance given to possession of certain documents<sup>24</sup> and despite the absence of a Palestinian nationality law. UNHCR does not consider the conditions of this instruction to be compatible with Article 1 of the 1954 Convention, under which statelessness must be assessed according to whether an individual is considered a national by any State under the operation of its law, not on the basis of state recognition or administrative registration.

Norway also has an obligation under international law to prevent childhood statelessness.<sup>25</sup> Stateless children are affected by the same legal uncertainties described above.<sup>26</sup> Data from the National Population Register indicates that 327 children were registered as stateless at the end of 2024, including 87 born in Norway.<sup>27</sup> There is a need to strengthen safeguards against childhood statelessness, improve birth registration systems and ensure that children born stateless in Norway acquire nationality automatically at birth, as well as ensure attention to children who could inherit statelessness due to gender-discriminatory nationality laws in their parents' countries of origin.

<sup>19</sup> Stateless persons' experience with Norwegian judicial and administrative processes have mostly been in relation to an asylum application or another type of residence permit. While many stateless people are refugees, there are also stateless people who are not refugees.

<sup>20</sup> The Act on Norwegian Nationality (*Lov om statsborgerskap (statsborgerloven)*), LOV-2005-06-10-51, §16

<sup>21</sup> Act relating to the admission of foreign nationals into the realm and their stay here (Immigration Act), LOV-2008-05-15-35, §62 paragraph 2

<sup>22</sup> Norwegian Ministry of Labour and Social Inclusion, *Instruction AI-2/2025 – Instruction on clarification of practice regarding the residence requirement for stateless persons (Instruks om avklaring av praksis om botidskravet for statsløse)*, 17 March 2025, <https://www.regjeringen.no/no/dokumenter/instruks-om-avklaring-av-praksis-om-botidskravet-for-statslose/id3092383/>.

<sup>23</sup> Norwegian Ministry of Labour and Social Inclusion, *Instruction AI-3/2024 – Clarification of practice following Norway's recognition of Palestine (Avklaring av praksis etter Norges anerkjennelse av Palestina)*, 17 October 2024, <https://www.regjeringen.no/no/dokumenter/instruks-ai-3-2024-avklaring-av-praksis-etter-norges-nerkjennelse-av-palestina/id3061301/>.

<sup>24</sup> *Ibid.*, point 3 – Assessment: "In individual cases, it will initially be of decisive importance for whether an applicant is considered a Palestinian citizen that the person concerned has a Palestinian passport with a nine-digit ID number that does not begin with 00, or exceptionally a Palestinian ID card."

<sup>25</sup> UNICEF and UNHCR, *Observations on the proposed amendments to the Norwegian Nationality Act and Nationality Regulations*, 18 October 2017 <https://www.refworld.org/docid/5b4cba894.html>.

<sup>26</sup> Ministerial Instruction [G-08/2016](#) clarifies residency exemptions for stateless children born in Norway. However, as with the ministerial instructions mentioned in this section, it is not codified in Norwegian law and is only binding on UDI.

<sup>27</sup> Figures of stateless children born in Norway obtained from Statistics Norway (Statistisk sentralbyrå) shared directly with UNHCR's Representation for the Nordic and Baltic Countries in exchanges between July-September 2025. Note that this figure does not include stateless asylum-seeking children.

UNHCR recommends that Norway:

1. Introduce in national law a definition of “stateless person” as well as registration systems;
2. Establish a procedure for the determination of persons as stateless;
3. Introduce a ground for residence permit in Norway based on statelessness;
4. Ensure that the three-year residency requirement for permanent residency and thereby Norwegian citizenship applicable to stateless persons is reflected and incorporated in the Norwegian Immigration Act and not merely clarified in a ministerial instruction, to ensure compatibility with the Norwegian Nationality Act; and
5. Incorporate in law the possibility for children born stateless in Norway to obtain Norwegian citizenship through application, as well as automatic citizenship to stateless children born in Norway.

### 3. Norwegian engagement to support and strengthen regional and global initiatives

#### 3.1. EU level engagement

Although Norway is not an EU Member State, Norway maintains formal ties to the EU through the Dublin and Schengen Cooperation Agreements. As a corollary to its Schengen membership, Norway applies and is bound by Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (Dublin III Regulation). Further, Norway also applies Council Regulation (EC) No 2725/2000 concerning the establishment of Eurodac for the comparison of fingerprints.

Norway will implement the parts of the EU Pact on Migration and Asylum (the Pact) that are relevant to the Schengen system and the Dublin procedure, including parts of the Asylum and Migration Management Regulation (AMMR),<sup>28</sup> the Screening Regulation, the recast Eurodac Regulation, Crisis and Force Majeure Regulation, Articles 12 and 13 and, pending a decision on whether Norway will introduce a national asylum border procedure, the Return Border Procedure Regulation.<sup>29</sup> This means that several legal acts in the Pact will be wholly or partially applicable and binding on Norway. The Ministry of Justice has already launched consultations in 2025 to implement the new Eurodac Regulation (2024) and the Screening Regulation into Norwegian law.<sup>30</sup> Norway also underlines that Schengen/Dublin cooperation shapes Norwegian migration management even where Norway is not formally part of the EU’s asylum policy.

<sup>28</sup> Parts 3, 5 and 7.

<sup>29</sup> European Union Agency for Asylum (EUAA), *Asylum Report 2025*, p. 132,

[https://euaa.europa.eu/sites/default/files/publications/2025-06/2025\\_Asylum\\_Report\\_EN\\_0.pdf](https://euaa.europa.eu/sites/default/files/publications/2025-06/2025_Asylum_Report_EN_0.pdf).

<sup>30</sup> Norwegian Ministry of Justice and Public Security, *Better Measures to Detect Irregular Migration*, 2 April 2025, <https://www.regjeringen.no/en/aktuelt/better-measures-to-detect-irregular-migration/id3095101/>; *Cooperation on Schengen and Justice Home Affairs*, 28 January 2025, <https://www.regjeringen.no/en/topics/european-policy/Norways-relations-with-Europe/cooperation-schengen/id684929/>; *Consultation – amendments to the Border Act, Border Regulations and Immigration Act*, 10 October 2025, <https://www.regjeringen.no/no/dokumenter/horing-endringer-i-grenseloven-grenseforskriften-og-utlendingsloven/id3122918/>

Norway's Return Strategy 2025–2030 explicitly situates national return policy within the Pact's framework and Schengen's integrated border-management architecture, including a stronger role for Frontex and the interoperability of EU information systems (SIS, EES, ETIAS, VIS, and Eurodac).<sup>31</sup>

The Pact, if implemented with sufficient safeguards, represents an opportunity to secure a comprehensive, well-managed and predictable approach to asylum and migration in the EU. UNHCR therefore encourages protection-sensitive implementation of the Pact. Such an approach will ensure that Pact implementation in Norway strengthens asylum quality and upholds international obligations.

UNHCR recommends that Norway implement relevant Pact measures, where applicable, in a protection-centred way, including through:

1. A pro-active and systematic approach to identifying vulnerabilities during the screening process;
2. Ensuring that, if introduced, border procedures comply with procedural safeguards that meet the special procedural and reception needs of vulnerable individuals, and do not lead to *de facto* detention situations. Unaccompanied children, victims of trauma or trafficking and persons with disabilities should be excluded from border procedures.
3. Ensuring effective remedies with early counselling and legal aid to facilitate fair and efficient asylum procedures;
4. Maintaining access for UNHCR and civil society monitors in border/transit settings; and
5. Treating detention strictly as a last resort with robust alternatives.

### 3.2 Global engagement

The world is witnessing a sharp rise in forced displacement, with more than 122 million people displaced globally by April 2025 – one of the highest numbers ever recorded.<sup>32</sup> Conflicts continue to fuel new and protracted displacement while climate-related disasters, food insecurity, and governance breakdowns are increasing both the scale and complexity of refugee flows. International solidarity and responsibility-sharing remain more crucial than ever. UNHCR welcomes Norway's commitment to supporting multilateralism and international cooperation as a cornerstone of its foreign and development policy. Norway's principled engagement, whether through core funding to UNHCR, advocacy for international refugee protection, or strategic partnerships on durable solutions, plays an essential role in strengthening the global refugee protection regime and advancing the objectives of the Global Compact on Refugees.

UNHCR appreciates the longstanding and strong partnership with Norway and its prioritization of refugees and internally displaced people in its development policies and strategies remains important. As such UNHCR encourages Norway to aim for 1% of GNI to ODA, maintain its prioritization of quality humanitarian funding, and maintain the Nansen Support Programme for Ukraine. Continuing a high level of unearmarked funding to UNHCR also remains of strategic importance as it enables UNHCR to rapidly respond to (re)newed emergency displacements and meet the needs of refugees and internally displaced persons, as well as in protracted and overlooked forced displacement situations.

UNHCR also appreciates Norway's active role in developing the Global Compact on Refugees, which aims to improve responsibility-sharing for the protection of and assistance to refugees and which the UN General Assembly gave its support with an overwhelming majority in 2018. Although not legally binding, it guides the international community as a whole in supporting refugees and countries and communities

<sup>31</sup> Norwegian Ministry of Foreign Affairs and Ministry of Justice and Public Security, *Return Strategy 2025-2030*, <https://www.regjeringen.no/contentassets/8da14c2fddec46d2b8e34cf6154bb5a3/return-strategy-2025-2030-.pdf>.

<sup>32</sup> UNHCR, *Global Forced Trends, Forced Displacement in 2024*, <https://www.unhcr.org/sites/default/files/2025-06/global-trends-report-2024.pdf>.

hosting large numbers through the mobilization of political will, a broadening of the base of support, and the activation of arrangements for more equitable and predictable burden- and responsibility-sharing.

As global displacement continues to increase, it is usually low- and middle-income countries that shoulder much of the responsibility for refugees. Meanwhile, the world's response has remained inadequate and underfunded, leaving refugees with an uncertain future. To secure the continued successful implementation of the Global Compact, UNHCR hopes that Norway will further enhance its commitment to establish a stronger refugee governance architecture by making concrete pledges of support such as financial, material, and technical assistance; changes to national policies, laws, and practices; or the creation or expansion of programmes to ensure a more predictable and equitable international response to large refugee situations.

Against this backdrop of growing needs and building on Norway's contributions to international protection, a key instrument to sustain responsibility-sharing is through resettlement and complementary pathways. UNHCR has a long-standing partnership with Norway on resettlement, which UNHCR views as a critical lifeline for some of the most vulnerable people on the planet. As reaffirmed in the 2025 Consultations on Resettlement and Complementary Pathways (CRCP), resettlement and safe complementary pathways remain vital tools of responsibility-sharing, especially as low- and middle-income countries continue to host the vast majority of the world's refugees.

Norway has reduced its resettlement quota from 3,000 refugees years to 1,000 in recent years, and for 2025, further reduced to only 500 persons. This decline is occurring at a time when global resettlement needs are at an all-time high. UNHCR estimates 2.5 million people will need resettlement in 2026.<sup>33</sup>

UNHCR encourages Norway to reverse the recent reduction and gradually increase its resettlement programme from the all-time low of 500 places in 2024 towards 5,000 places annually, both as a demonstration of solidarity with frontline States hosting large refugee populations and as a safe, predictable and fair mechanism for offering protection to refugees most in need. UNHCR would also encourage Norway to explore more complementary pathways to protection, including through education, labour mobility, and community support initiatives.

**UNHCR recommends that Norway:**

1. Continue the commitment to increase predictable financial and flexible support from both humanitarian and development funding sources to support international and local organizations as well as host countries to respond to refugee situations around the world.
2. Commit to scaling up its resettlement programme as a demonstration of responsibility sharing and global solidarity for refugee protection; and
3. Renew efforts to identify and implement alternative pathways for admission to meet the needs identified by the UNHCR.

**UNHCR Representation for the Nordic and Baltic Countries**

**November 2025**

<sup>33</sup> UNHCR Briefing Notes, *UN Refugee Agency estimates 2.5 million people need resettlement*, 24 June 2025, [https://www.unhcr.org/news/briefing-notes/un-refugee-agency-estimates-2-5-million-people-need-resettlement?utm\\_source=Klaviyo&utm\\_medium=email&\\_kx=-iHJBVJfnniwsSwpHPgTOERp8A3eltFmyCwHOGCGvIY.U4qgRF](https://www.unhcr.org/news/briefing-notes/un-refugee-agency-estimates-2-5-million-people-need-resettlement?utm_source=Klaviyo&utm_medium=email&_kx=-iHJBVJfnniwsSwpHPgTOERp8A3eltFmyCwHOGCGvIY.U4qgRF)  
See also UNHCR Report, *2026 Projected Global Resettlement Needs (PGRN)*, 24 June 2025, <https://www.unhcr.org/publications/2026-projected-global-resettlement-needs-pgrn>.