



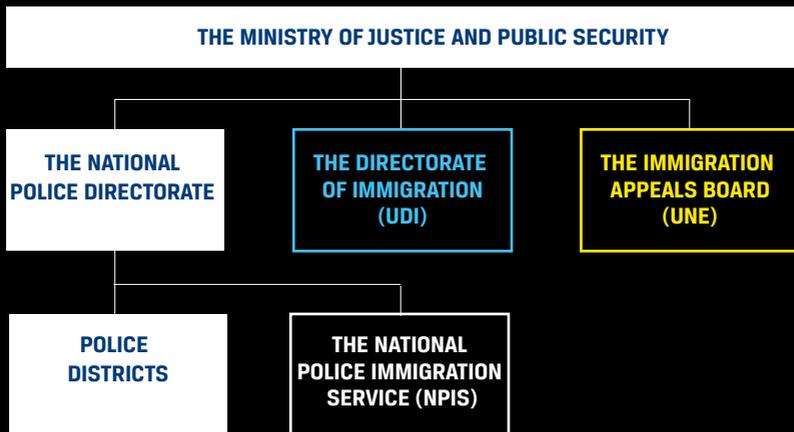
**POLITIET**

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# THE NATIONAL POLICE IMMIGRATION SERVICE

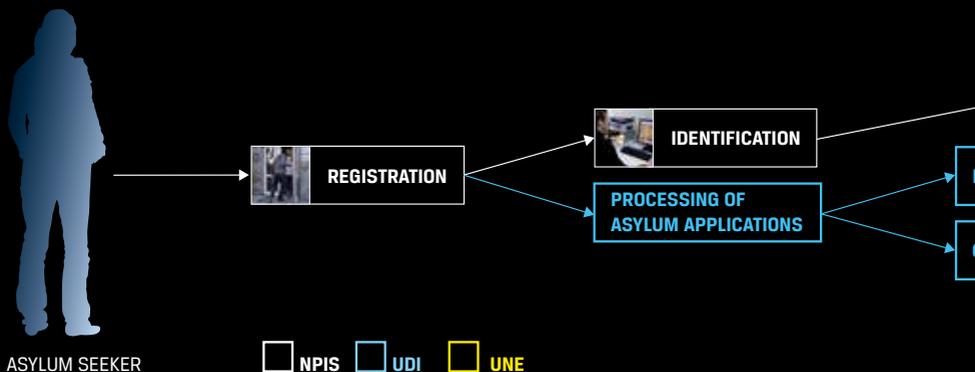


## THE NATIONAL POLICE IMMIGRATION SERVICE IN THE IMMIGRATION ADMINISTRATION



## CASE PROCESSING IN ASYLUM CASES

The NPIS returns people who have received a final rejection of their asylum application and others without lawful residence in Norway.

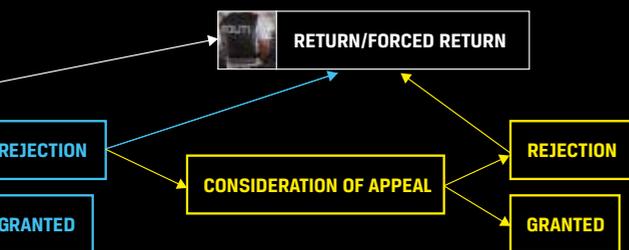


# THE NATIONAL POLICE IMMIGRATION SERVICE

The NPIS's main tasks are to register asylum seekers who come to Norway and to establish their identity, forcibly return people without lawful residence and to run the police immigration detention centre at Trandum.

The NPIS is part of the immigration administration in Norway and cooperates closely with other agencies in the immigration field. The Directorate of Immigration (UDI) and the Immigration Appeals Board (UNE) are key agencies in this context. As part of the police, the NPIS has the authority to use coercive measures.

The NPIS is a special national police agency that assists the rest of the police service in immigration cases. The NPIS was established in 2004.





# EVERYONE WHO APPLIES FOR ASYLUM IN NORWAY HAS A REGISTRATION INTERVIEW WITH THE NPIS

The Directorate of Immigration (UDI) considers asylum applications and decides whether to grant asylum.

## Registration

The police's registration must as far as possible establish the asylum seeker's identity, travel route and other relevant information. Everyone who applies for asylum is obliged to cooperate to clarify their identity. If there is doubt about an asylum seeker's identity, the NPIS has police powers, for example to search the person's luggage. This work gives the authorities valuable information about who applies for asylum.

It is the Directorate of Immigration (UDI) that considers asylum applications and decides whether an applicant should be granted a permit to stay in Norway. If the asylum application is rejected, the asylum seeker can appeal to the Immigration Appeals Board (UNE).

## Identification

One of the NPIS's most important tasks is to establish the correct identity of asylum seekers. Knowing applicants' correct identity results in correct decisions in residence cases and makes it possible to implement forced return. In many cases, establishing applicants' identity is a time-consuming job, because many asylum seekers use several different identities and do not cooperate with the police to clarify who they are and where they come from.

Information from the asylum registration, information in police registers and extensive international collaboration provide the NPIS with a basis for establishing individuals' correct identity.



# THE NPIS IS RESPONSIBLE FOR RETURNING EVERYONE WHO IS STAYING IN THE COUNTRY ILLEGALLY

People who are refused residence in Norway must leave the country on their own and at their own expense.

## Forcible return

The NPIS returns people without lawful residence in Norway who do not leave on their own.

In order to forcibly return someone, the person's home country must accept the return of its citizen. In many cases, such acceptance requires a lot of time-consuming work to establish the person's ID. Some countries take a very long time to respond to enquiries from the Norwegian authorities about the return of individuals.

## Charter flights

The NPIS prefers to use charter flights for forcible returns. It is safe, efficient and economical to charter planes for forcible returns.

We participate in charter flights under the auspices of the EU border control agency Frontex, organise our own flights or cooperate with other countries.



# THE NPIS RUNS NORWAY'S ONLY IMMIGRATION DETENTION CENTRE AND REPATRIATION CENTRE

People at the immigration detention centre are detained there pursuant to the Immigration Act. Prison sentences must be served in ordinary prisons.

## **The police immigration detention centre**

The NPIS runs Norway's only immigration detention centre. It is used to ensure that forced return can be carried out in cases where there is a high risk of people going into hiding. People who do not cooperate with the Norwegian authorities to clarify their identity can also be detained at the immigration detention centre.

Inmates at the immigration detention centre are detained there pursuant to the Immigration Act. Foreign nationals who have committed criminal offences must serve their sentences in ordinary prisons in the same way as Norwegian citizens.

The running of the immigration detention centre is knowledge-based, and individual adaptations are made to ensure that everyone detained there is ensured safe and humane conditions. This also results in quicker returns.

## **The Repatriation Centre**

The NPIS's centre for forcible returns is located at Oslo Airport Gardermoen. Transportation to and from gates are provided by the repatriation centre as well as check-in and baggage handling at the airport. They also provide a secure waiting room.

## EXAMPLE OF A FORCED RETURN

Here is an example to illustrate how a forced return can take place.

■ John's asylum application is rejected by the Directorate of Immigration (UDI), and he appeals the decision to the Immigration Appeals Board (UNE). UNE upholds the UDI's decision, which means that John has received a final rejection and is not entitled to remain in Norway. The final rejection means he has a duty to leave the country, i.e. John must leave Norway by a certain date, often within two weeks.

### **Goes into hiding**

John chooses not to return home on his own. According to Norwegian law, he is therefore staying illegally in Norway. The NPIS can see from their computer system that he should have departed and they start the process of forced return.

### **No ID documents**

When John came to Norway, he did not have any ID documents with him. The NPIS therefore does not know that his name is really what he says it is, or what country he is to be returned to.

However, the NPIS has taken his fingerprints and has other information that indicates which country he is from. We send this information to the country in question in order to confirm his nationality and to obtain confirmation that the country will accept him. We inform the authorities that he is residing illegally in Norway.

In John's case, the NPIS soon receives confirmation that John is a citizen of the country in question. In other cases, it can take up to several years before the NPIS receives such confirmation and can start the actual return.

### **Arrest and forcible return**

Once John's home country has confirmed that it will accept him, the NPIS obtains travel documents, and he is arrested by the police. Since his plane leaves early the next day, he is placed in the police immigration detention centre at Trandum. If he is going to stay there for more than 24 hours, he must appear before the District Court for a remand hearing.

The NPIS always considers security in connection with returns. If the security assessment concludes that John does not need to be accompanied by the police, he is allowed to travel alone. The most important thing is to make sure that the return is carried out in a secure and dignified manner.

## ／ IMPORTANT DEFINITIONS

**Asylum seeker:** A person who arrives on his/her own initiative without prior notification and asks the authorities for protection and recognition as a refugee. Such persons are called asylum seekers until their applications have been decided.

**Illegal residence:** Everyone who does not have a permit to stay in Norway is staying illegally in the country. They can be people who have not applied for a permit, people whose permit has expired, or people who have received a final rejection. An asylum seeker who does not leave Norway after receiving a final rejection of his/her application is therefore staying illegally in Norway.

**Return agreement:** Norway has entered into agreements with several countries for the return of foreign nationals, but it is not necessary to have a return agreement with a country in order to return someone there. A return or readmission agreement is a framework and a description of the procedure that simplifies case processing in connection with returns.

**Frontex:** Frontex is the EU's border control agency. Norway has a national expert pool for border control, which can be called out at short notice in extraordinary situations at the external borders of the Schengen area. We also participate in Frontex charter flights and the Frontex Risk Analysis Network.

**THE DUBLIN REGULATION:** Among other things, the Dublin Regulation regulates which country in the Schengen area is responsible for considering a person's asylum application. The purpose is to ensure that asylum seekers have their applications considered, as well as to ensure that no one applies for asylum in several Schengen countries at the same time.

## DIFFERENT FORMS OF RETURN

**Assisted return:** A person without lawful residence decides to leave. The Directorate of Immigration (UDI) handles the case and finances the return. There are various support schemes and return programmes for people who choose to return home.

**Accompanied assisted return:** A person without lawful residence decides to leave assisted, but cannot travel under the UDI's programme for health and security reasons, the lack of a return programme to the country in question or other circumstances that indicate that the police must accompany the person.

**Forced return or forcible return:** A person without lawful residence refuses to leave voluntarily, so the police must arrest and deport the person against his/her wishes. He or she is then responsible for the costs in connection with the forced return.

THE NATIONAL POLICE IMMIGRATION SERVICE

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