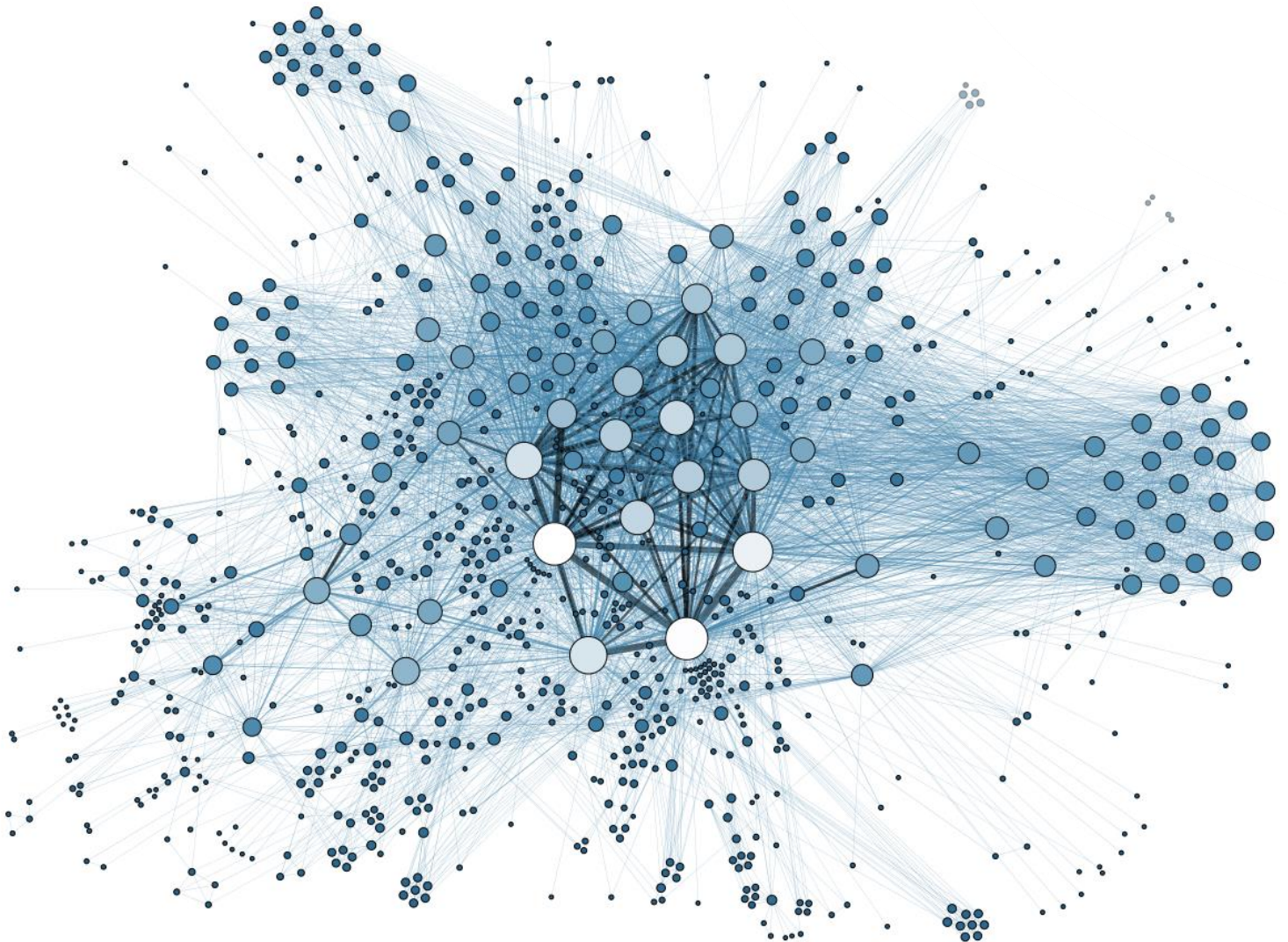


# The changing influx of asylum seekers 2014-2016

## Norway's response



## Preface

This report provides a summary of Norway's response to the European Migration Network's 2017 focused study, labelled *The changing influx of asylum seekers in 2014-2016: Member State responses*. It includes key points on how Norway dealt with the influx, as well as future plans and lessons learnt.

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The full templated country report can be found at <http://www.emn.ie/>

# Table of contents

1.	Background	4
2.	Scaling up: What measures were taken?	7
	Legislative changes	7
	Ad-hoc / temporary measures	10
3.	Scaling down	16
4.	Future preparedness and lessons learned	17

# 1. Background

During the three-year period in question (2014-2016), Norway experienced a short, but unprecedentedly large influx of asylum seekers. The vast majority of arrivals came in the late summer and autumn of 2015, putting a significant strain on state institutions and service providers.

During and after the influx, measures were taken across many sectors to cope with the situation. Some of these were by nature reactive and temporary, whereas others had more structural features and are still in force. The experiences from the crisis had profound impact on the national, regional and local authorities that were involved in the response.

## The most relevant actors in the report

The Ministry of Justice and Public Security has an overarching responsibility to ensure societal security and preparedness across sectors. A (non-exhaustive) list of the most involved agencies at the national level and some of their main responsibilities are as follows:

- The Norwegian Directorate of Immigration (UDI) is at the heart of the asylum process. UDI is responsible for processing applications for asylum- and assisted return cases. UDI is also responsible for asylum reception facilities through agreements with municipalities, private sector companies and NGOs who, in turn, run the facilities.
- The International Police Immigration Service (PU) is first in line in meeting asylum seekers, registering them and receiving the asylum applications. PU is also responsible for forced return cases.
- The Police Directorate (POD) manages the police districts and special agencies. POD links the Ministry of Justice and Public Security with external entities.
- The Immigration Appeals Board (UNE) is the appellate body for immigration and citizenship cases.
- The Directorate for Civil Protection and Emergency Planning (DSB) supports the Ministry of Justice and Public Security by coordinating the work of civil protection and emergency planning.

At the regional and local level:

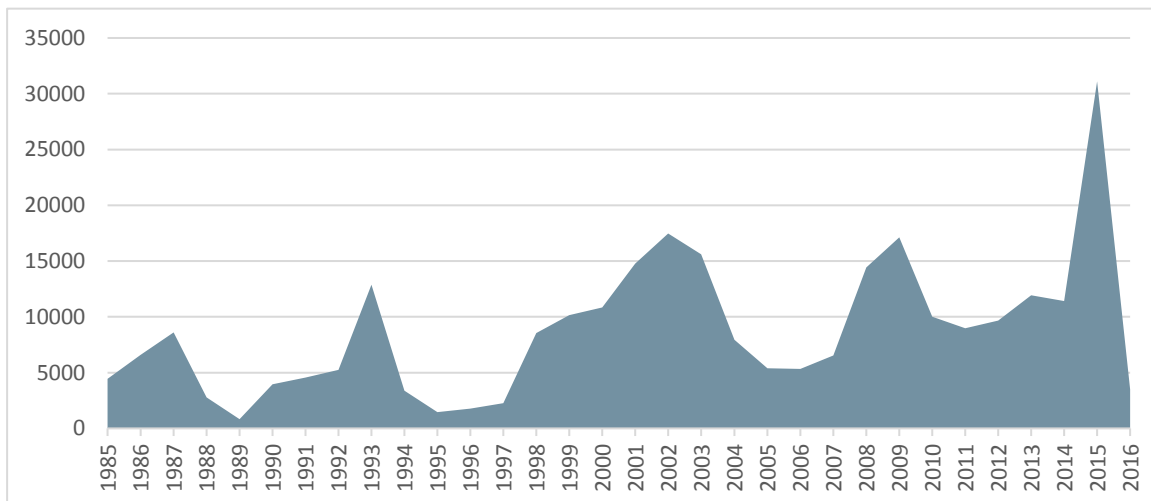
- Municipalities provides primary health care and child welfare services to all residents in the municipality. This includes care for asylum seekers residing in temporary accommodation facilities.
- The County Governor is the link between the municipalities and the central government. In a crisis, the Country Governor has a coordinating role across municipalities. Amongst

other tasks it is the County Governor's responsibility to appoint representatives for unaccompanied asylum seekers under the age of 18, provide free legal aid and oversee care centres for unaccompanied asylum seekers under the age of 15.

## The fluctuating number of asylum seekers

The diagram below depicts the number of asylum applications to Norway from the mid-80s until and including 2016. The numbers show a peak (relative to the normal) at 7-10 year intervals. As such, the year of 2015 stands out, representing an all-time high.

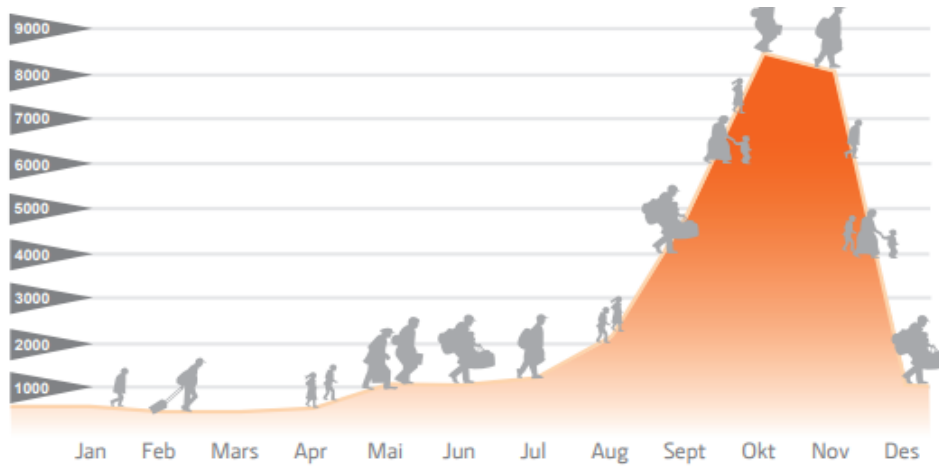
**Number of asylum seekers to Norway by year** (Sources: UNHCR, Eurostat, UDI)



In the years 2014, 2015 and 2016, the number of asylum seekers was 11 415; 31 145; and 3 485, respectively. 2014 would be considered relatively high in terms of overall work load for the Immigration Directorate (UDI), whereas 2016 numbers were extremely low, only matched by some scattered years in the 80s and 90s.

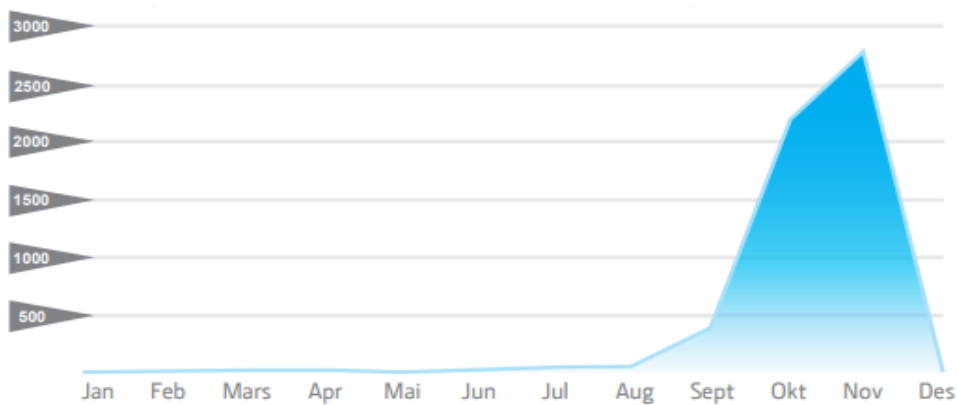
2015 was the absolute peak in the number of asylum applications in Norway. As shown in the diagram below, of the 31 145 asylum seekers arriving in 2015, 70% came in the period from September to November. These sharply rising numbers were followed by an even steeper drop.

**Number of asylum seekers through 2015** (Source: Norwegian ID Centre - NID):



Another characteristic of the 2015-influx was the rapid increase of arrivals at a single location outside the Oslo area. A total of 5 540 asylum seekers entered Norway from Russia in the high north through the Storskog border crossing. The diagram below shows the number of arrivals at Storskog per month.

**Number of asylum seekers entering Norway at Storskog border crossing in 2015** (Source: Norwegian ID Centre - NID):



This development coincided with the increasing numbers in the South-East of Norway. As the diagram above shows, the influx over Storskog border crossing took place in late summer and autumn of 2015, and subsided by December.

## 2. Scaling up: What measures were taken?

The 2015-influx and its aftermath put state agencies and service providers under significant strain. On the national level, this was particularly felt by the Police Immigration Service (PU) and the Norwegian Directorate of Immigration (UDI). The administrative burden of scaling up prompted the Ministry of Justice and Public Security (JD) to grant additional budget allocations for staff increases with a view to ramp up case handling capacity, support functions as well as the expansion and running of asylum reception facilities.

The sections below summarize measures taken to cope with- or curb the influx. The evidence base for indicating effects vary strongly. Where possible, commentary on the effects and unintended consequences of the measures are included. Most of the measures were of a more reactive and/or ad-hoc nature, while others were structural, embodied in legislative changes and subsequent policy instructions.

Norway has not undertaken a national evaluation of all the policies and measures implemented 2014-2016. Internal reviews have been undertaken by most of the state authorities that had substantial involvement in the national response, and a hearing has been undertaken on some of central legislative measures. There has also been a report summarizing main findings based on these internal reviews.

### Legislative changes

There were two rounds of amendments to the Norwegian Immigration Act, namely *Prop. 16L (2015-2016)*, and *Prop. 90L (2015-2016)*. Both sought to curb and gain control over the flow of asylum seekers, however, the former was specifically motivated by the sudden-onset influx over the Arctic route from Russia through the Storskog border crossing.

#### Prop. 16L (2015-2016)

A number of asylum seekers entering Norway at the Storskog border crossing had ties to Russia either in the form of double citizenship, residence permit or visa. The Norwegian Immigration Act provides the option of refusing to process the asylum application of a person who already has protection in another country, or has stayed in a country where the person was not subject to persecution.

Norway has a return agreement with Russia dating back to 2007. This measure signaled the desire to make use of the agreement, requesting that Russian authorities take back persons who already had stayed in Russia.

On 20 October, the Ministry of Justice and Public Security issued the instruction “GI-12/2015 Asylum applications from persons who have entered Norway from Russia – case handling and prioritization”. The instruction gave guidance on case handling and prioritization, instructing UDI to consider the possibility of denying ordinary asylum process according to the Norwegian Immigration Act §32.

On 13 November 2015, the Parliament approved amendments to the Immigration Act (“Prop. 16L (2015-2016) Amendments to tighten the Immigration Act”). First, these amendments entailed granting the Ministry of Justice and Public Security the authority to issue instructions to the Norwegian Immigration Appeals Board. Second, an amendment entailed widening the scope to refuse ordinary processing of asylum applications. Third, the amendments gave further room to effectuate forced return. These amendments were to be temporary, lasting until 1 January, 2018. Parliament will vote on whether to prolong the legislative measures by the end of 2017.

The Ministry of Justice and Public Security issued the instruction “GI-13/2015 – Accelerated case handling for asylum seekers who have had stay in Russia, ref. the Norwegian Immigration Act §§32 and 90” to UDI and the Norwegian Immigration Appeals Board (UNE).

The instruction meant that persons fitting the above description be subject to an accelerated procedure, meaning denial of regular asylum procedure, regardless of whether a person had/would have access to asylum procedure in Russia. Subsequently, it would be demanded that the person depart from Norway without delay. In cases where there would be well-founded reasons to believe an asylum seeker would be persecuted in Russia, regular asylum procedure could be granted.

The Ministry of Justice and Public Security issued the instruction “Routines for accelerated handling of persons who arrive through Storskog without valid visa or other valid entry permit” to the Police Directorate. The instruction detailed procedures and cooperation with UDI on-site.

A further detailing of the handling of asylum applications lodged from Storskog was later followed up on by two instructions to UNE:

- “GI-07/2016 – The Storskog portfolio – handling asylum applications lodged in 2015 from persons in possession of expired single-entry visas to Russia.” (April, 2016)
- “GI-15/2016 – The Storskog portfolio – handling asylum applications lodged in 2015 from persons in possession of expired multiple entry visas, or expired residence permits.” (November, 2016)

These instructions, amongst other things granted ordinary asylum procedure to the 2015-cases who could not be returned to Russia.

### Prop. 90L (2015-2016)

The Ministry of Justice and Public Security proposed further changes to the Norwegian Immigration Act (Prop. 90 L (2015-2016) “Amendments to tighten the Immigration Act II”). The Norwegian Parliament approved changes to the law by June 2016 with minor changes.

Key elements of this legislative measure include:

- ❖ The Norwegian Parliament adopted an amendment to the Immigration Act which makes it possible to deny asylum seekers entry at the borders with other Nordic countries during a crisis with an extraordinarily high number of arrivals.



- ❖ Conditions for family reunion tightened – A new provision will make it possible to refuse certain applications for family reunification in certain cases. Residence for family members may be refused if the family in question would be able to live safely in a third country with which the family’s overall connection is stronger than its connection with Norway. This provision does not apply if the sponsor has been granted permanent residence in Norway.
- ❖ Expanded provision for accelerated or immediate effectuation of forced return in cases where an asylum application has been denied ordinary processing. A decision to refuse individual consideration of an asylum application (for example because the asylum seeker has been granted asylum or protection in another country) may be implemented immediately if it is clear that there are grounds for this.
- ❖ Amendments providing wider authorisation for the collection and storage of biometric personal data in the form of facial images and fingerprints in immigration cases have been adopted. The purpose is to improve checks of the identity of foreign nationals.
- ❖ Norwegian immigration authorities are able to refuse an application for permanent residence if this would conflict with serious considerations relating to the regulation of immigration, for example if the foreign national in question has actively obstructed attempts to clarify his or her identity since arriving in Norway.
- ❖ Foreign nationals who are granted collective protection after a mass flight will not be eligible for permanent residence until they have been in Norway for six years.
- ❖ Measures to ensure integration are being introduced for permanent residence in Norway: The foreign national must have been self-supporting in the preceding twelve-month period. Applicants to whom the obligation to participate in Norwegian language and social studies tuition applies must have a minimum level of spoken Norwegian and pass a test in social studies in a language they understand. The obligation to participate in Norwegian language and social studies tuition has been extended to foreign nationals between 55 and 67 years of age, which means that this group must also take the test when they have completed tuition.
- ❖ Requirements that both parties must be at least 24 years old in family *establishment* cases. The purpose is to combat forced marriage. Exemptions may be made from this requirement if it is clear that the marriage or cohabiting relationship has been entered into voluntarily.
- ❖ The deadline for lodging an appeal following the rejection of an asylum application is to be reduced from three weeks to one week for asylum seekers who clearly do not meet the conditions for being granted protection or otherwise protection from return.
- ❖ The provision that it must be ‘not unreasonable’ to direct a foreign national to seek protection in another part of his or her country of origin will no longer apply. Foreign nationals do not have the right to international protection if they can obtain effective protection in another area of their home country other than the one from which they have fled (internal displacement).

However, under the current provisions of the Immigration Act, foreign nationals may only be directed to internal displacement if this is ‘not unreasonable’.

The contents of Prop. 90 L. was in part based on the settlement of November 19th 2015 between the majority of political parties represented in the Norwegian Parliament.

## Ad-hoc / temporary measures

Thematically, these measures broadly fall within the following areas: border control, reception centres / accommodation arrangements, wider reception services, registration process, asylum procedure, infrastructure (personnel and competencies), and integration measures for asylum applicants. A selection of the most important measures are listed below.

### Reception centres and accommodation arrangements

Under ordinary circumstances there are two types of reception facilities in use post-registration. The first one is where medical checks (including tuberculosis check) pre-asylum interview, and one post-asylum interview where the asylum seeker awaits the result of his or her application. Unaccompanied minors are accommodated in a separate, but parallel reception facility system. As existing facilities filled up during the influx, new facilities were acquired.

There was a steep increase in the number of unaccompanied minors arriving in Norway. The capacity to shelter this group in existing facilities was exhausted in August 2015. Responding to this challenge, new designated spaces were acquired both in- and outside Oslo. Those under the age of 15 are not the responsibility of UDI, but rather of the Child, Youth, and Family-Directorate.

As the number of asylum seekers increased generally, three new types accommodation were created:

- “*PU-Accommodation*” – By September 2015, the Police Immigration Service (PU)’s capacity to register new arrivals was insufficient. This type of accommodation was intended for asylum applicants prior to registering at PU. The accommodation mostly involved hotels. Red Cross also accommodated a smaller number of unregistered asylum seekers at various locations.
- “*Emergency accommodation*” – as existing reception facilities were exhausted in August 2015, UDI rented hotels, conference centres and similar venues to provide shelter to asylum seekers post-registration phase.
- “*Arrival Centers*” – by end of October 2015, two centres opened; in Østfold County, close to the Norwegian-Swedish border, and in Finnmark County, close to the Northern border crossing to Russia. These two Arrival Centres co-located registration services and medical examination services.

The Ministry of Local Government and Regional Development appealed to municipalities, asking for swift decision making procedures in terms of approvals for establishing additional reception facilities.

The new types of accommodation enabled authorities (and Red Cross) to provide shelter for the high number of arrivals, however, there were also adverse effects. Asylum seekers in emergency accommodation and PU accommodation facilities (hotels, conference centres etc) were hard to keep track of since these venues had no access to the digital registration system, and the staff was generally inexperienced in sheltering asylum seekers. This exacerbated logistical problems and service provision. Moreover, extended stays and crowding in PU accommodation and emergency accommodation bore health- and security risks.

### Registration process

The Police Immigration Services (PU) is the first line of contact for asylum seekers entering Norway. PU registers applicants and subsequently relays applications to UDI (occasionally applicants are transported to PU by local police).

By the summer of 2015 PU's capacity was increasingly strained by the high number of asylum applicants, rendering full-fledged registration procedures difficult.

UDI and PU had an agreement detailing the use of four different registration procedures depending on the situation. Among these four procedures was the "mini-registration" (later named "preliminary registration"), which was a lighter and faster form of registering. When the new arrival centre was established outside Oslo, PU increasingly resorted to mini-registrations. This meant that the asylum seeker would be transferred to a reception facility, but that a full registration would have to be completed at a later stage.

Registration was undertaken in PU's own premises in Oslo (Tøyen), the new arrival centre outside Oslo (Råde), and the Storskog border crossing to Russia. In these locations, there were varying standards between teams, and differences in some of IT-tools underpinning the procedures.

Subsequently, PU and UDI developed a plan for "differentiated registration", which sorts applications by nationality and case category. Determining age of those entering as unaccompanied minors is labour intensive, and includes hand scan, x-ray, teeth examination and medical check. As arrivals climbed steeply, this procedure was reduced to include the hand scan only.

The registration phase was accelerated as a result of implementing simplified routines, however, errors and mismatches stemming from the mini-registration led to significant challenges in the reception apparatus and case handling for UDI, and the Norwegian Immigration Appeals Board (UNE) down the line. Mismatches and incomplete establishing of identity complicated both case processing and in some instances, returns.

## Infrastructure (personnel and competencies)

In October 2015, the government proposed granting UDI with 250 million NOK, and 3,4 billion NOK to the running of asylum reception facilities.

The grants translated into a strengthening of case handling capacity by 240 person-years, along with necessary increase of office space. This would enable UDI to double the number of processed asylum cases.

The 3,4 billion NOK allotted to the running of asylum reception facilities also included:

- Creating entirely new facilities as well as expanding existing ones.
- Security measures to prevent conflict and dangerous incidents, particularly in the temporary accommodation solutions.
- An increase in financial support to municipalities' provision of health services in asylum reception facilities.

Financial grants enabled UDI to boost its capacity in terms of personnel and establishing of both new and ordinary forms of reception facilities.

## Border control

In November 2015, Norway introduced border control to gain greater control over the influx of persons entering Norway to seek asylum. The border control was prolonged several times throughout 2016 and 2017. The border control measure had two elements:

- Implementation of temporary border control on passenger ferries between Norway and the European continent. Persons without valid travel documents could be refused entry at the port of embarkation (Sweden, Denmark and Germany).
- Increased territorial control with near-border areas in the counties of Østfold and Hedmark.

The border control was prolonged several times throughout 2016 and 2017. Temporary internal border control was due to expire on November 11th 2017, and cannot be renewed in accordance with the Schengen Borders Code, article 29. However, Norway notified the Commission that the border control will continue for six months from November 11th onwards based in article 25.

## Wider reception services - health

During the influx it became imperative to inform municipalities about the provision of health services to asylum seekers, and roles and responsibilities of national and local authorities and service providers.

Asylum seekers have the same right to health services as the general population. In the autumn of 2015, existing facilities covering the mandatory tuberculosis-tests and health examinations were unable to cope with the high numbers of asylum seekers arriving. Some asylum seekers were therefore put in

emergency accommodation before being examined. The new types of accommodation and reception facilities created grey areas and doubts concerning logistical and financial responsibilities.

The need for dissemination of information on health services was further complicated by insufficient awareness of roles and responsibilities between UDI, county governors, municipalities' and state health providers as well as other authorities in the health sector.

UDI and the Health Directorate created a team that disseminated updated information to municipalities and county governors. The dissemination of information attempted to factor in the realities on the ground that were unaccounted for in previous guidelines. On 16 November 2015, Revised guidelines related to the provision of health services sent out to municipalities. This was further followed up with subsequent corrections and revisions at later stages. The joint health team became fully operational in January 2016, and then improved the situation.

In terms of effects, misconceptions about financial coverage, as well as mistakes in the initial communications created confusions, especially at the local and regional level. Lacking registration and data from earlier phases in the asylum process, lack of information exchange between municipal health providers, as well as new forms of ad-hoc accommodation solutions complicated the communication and coordination tasks. The general knowledge about the health authorities, their work and interactions with county governors was insufficient. This, in turn, bore the risk of asylum seekers not getting treatment in a time. The knowledge of asylum seekers' right to health services may have been lacking.

### Pre-registration protection for vulnerable asylum seekers

NGOs had observed unaccompanied minors arriving in Oslo by bus and train had to locate the offices of Police Immigration Service. There were fears that children could disappear on the way prior to registering with the police.

As a measure to prevent children from getting lost, falling victims to trafficking and other forms of crime, volunteers from Refugees Welcome to Norway, the Oslo Municipality, and the Church City Mission mobilized to guide and accompany children to the premises of the Police Immigration Service.

### Wider reception services

The large 2015-influx made it more challenging to impart information on the asylum process, rights and advice to new arrivals.

Norwegian Organisation for Asylum Seekers (NOAS)'s mandate is to impart crucial information on the Norwegian asylum process including advice on the asylum interview, criteria for protection, as well as rights and obligations for newly arrived asylum seekers.

The massive influx of asylum seekers in the autumn, and the new forms of accommodation led to complicated logistics. NOAS had offices in one of the existing reception facilities that also provided

medical check-up. Asylum seekers were bussed to reception facilities for medical check-up and information sessions, however, the bussing in of asylum seekers from temporary accommodation facilities became increasingly unpredictable.

NOAS took measures of boosting the information services by 34 employees, tripling its staff between September and November 2015, in order to cope with the increasing arrivals. NOAS also worked to establish itself at - or close to - the premises of the two new reception centres, outside Oslo and North close to the Storskog border crossing.

In terms of effects, increased staff enabled NOAS to deliver services to more refugees than they otherwise would have been able to do, although occasionally with reduced quality due to the highly complex and chaotic logistical situations that arose, and the relative inexperience of newly employed. Moreover, due to Prop 16 L. and the subsequent instructions that followed, many asylum seekers, for example at Storskog, found themselves in situations that were quite different from what the staff normally handled. This was amongst other things due to cases where ordinary asylum procedure had been denied.

### Tightening policy on family reunion

Following the large number of asylum arrivals in 2015, there were fears that Norway would appear disproportionately lenient when it came to family immigration, compared to other European countries. A temporary measure was taken to pre-empt and counter impressions about Norway being disproportionately lenient.

The income requirement for a sponsor to applications of family immigration was raised by five salary grades (88% of grade 19 adjusted to grade 24), amounting to NOK 309 700 per year (before tax). The *former requirement* was then *reintroduced* in 2017 as requested by the Parliament.

However, a requirement that both parties in a family establishment (formation) cases must be over 24 years of age, was proposed in 2016, and entered into force on January 1, 2017.

### Integration measure for asylum seekers

The White Paper “From reception centre to the labour market – an effective integration policy” came out in the spring of 2016.

The white paper recognized that lengthy stays in reception centres can lead to passivity, and therefore adversely effect the integration process for those who are resettled. The government therefore proposed the planning of integration reception centres with full-time qualifications programmes, and waiving the required completion of the Asylum Interview for temporary work permits.

In terms of criteria, this measure presupposes a high probability that the asylum seeker would be granted a residence permit, as well as requirement of identity having been established. Syrian refugees would be a typical example in this context.

As of 2017 there are five new 'integration reception facilities'. These are being currently evaluated specifically for effectiveness.

### **National organizations' role and cooperation with government**

NGOs and ad-hoc voluntary initiatives contributed substantially on many fronts during the crisis. From the government's standpoint, they were supplementing state and municipality services as well as other local initiatives at asylum reception facilities, including integration activities.

NGOs also proved important in alerting appropriate authorities to developments on the ground in terms of unmet needs and observations on extra-vulnerable groups. Red Cross has a special mandate in crises through agreements with the state, and therefore had better access to asylum seekers, including when they were in waiting halls inside reception facilities and the Police Immigration Service's (PU) registration centres. Red Cross also ran an emergency accommodation facility in the capital, which came to be dedicated to unaccompanied minors.

Some NGOs have broad experience with working with refugees in Norway and other countries. These organizations were able to contribute at an early stage. However, in terms of shelter provision, Norway did not have to resort to establishing rudimentary tented camps outdoors.

Making use of the momentum created by national organizations and voluntary contributions, demands structured coordination and cooperation, as well as clear roles and responsibilities. National organizations' experiences in cooperating with the bureaucracy at state and local levels were quite varied. Several have expressed the need for predictable agreements to be in place before a crisis occurs. This was particularly the case with regards to UDI and municipalities. Some agreements were entered into in November (at the end of the influx), 2015, with several of the largest organizations. There were also coordination initiatives at the local level. Despite challenges, the cooperation between government and national organizations was strengthened.

### 3. Scaling down

Structural / legislative measures have largely remained in force beyond 2016. The low numbers of arrivals have persisted since 2016. For the most part, however, this has not lead to the lifting of legislative measures to tighten rules and regulations that eventually came with Prop. 16 L (2015-2016), and Prop. 90L (2015-2016). The newer Prop 149 L. (2016-2017), recommends prolonging the measures that came with Prop. 16 L., in the autumn of 2015. This will be subject to a vote in Parliament by the end of 2017.

Some of the temporary / ad-hoc measures, such as the utilization of emergency accommodation solutions in hotels and conference centres, regulate itself by demand. The speed with which UDI could dismantle this measure depended on the agreements entered into with the various suppliers that run the day-to-day administration of the facilities. Some venues operated with short mutual notice, whereas other did not. By mid-2016 UDI had phased out most of the agreements pertaining to ad-hoc accommodation solutions.

Larger measures of erecting entirely new reception facilities have scaled down as the number of asylum seekers dwindled, and many reception facilities were gradually phased out of operation in the various municipalities.

At the height of the influx there were over 200 facilities dispersed over a large number of municipalities across all counties. By October 2017 there are less than 50 facilities in operation nationwide. With a low prognosis for 2018 (3000 arrivals), the number of ordinary reception facilities (excluding those for unaccompanied minors and transit) may go further down to 14- 20 by December 2018.

The January-prognosis for influx of asylum seekers for 2016 was initially on par with the record-high number of 2015. By the very end of 2016, and certainly in the first half of 2017 – after an extended period of very low numbers of asylum seekers and correspondingly low prognoses – it became clear that UDI would have to scale down on staff.

#### Prognosis and staffing in UDI

The additional staff acquired in late 2015 and the beginning of 2016 were tending to the planned tasks throughout the latter year. The newly acquired staff in UDI were also kept as a contingency given the high numbers forecasted.

As the prognosis for 2017 changed, the newly-acquired staff were redirected to work on the backlogs in other areas, such as family reunification, citizenship cases and auditing decisions in asylum cases.

As mentioned, arrival numbers were low in 2016, and thus far in 2017. The current budget for UDI in 2018 is based on a prognosis of 6000 arrivals. In October 2017, the prognosis was re-adjusted to 3000. The consequence is a projected reduction of well over 200 person-years within UDI's organization.



## 4. Future preparedness and lessons learned

The 2015-influx highlighted the unpredictability of migration patterns, and the rapidity with which a crisis can unfold. The extended period of low arrival numbers did not bring in a return to a 'pre-crisis normal', dialing back legislative measures. Moreover, involved actors and agencies reviewed their handling of the crisis, and contingency plans were revised within and across agencies.

### Political steering & retaining authority of instruction

The structural legislative measures are expressions of how the government authorities can adapt to changing influx of asylum applicants. As previously mentioned, the restrictions introduced during and after the crisis have largely remained in place during the period low arrival numbers.

The political steering of government institutions is conducted, by and large, through law and regulations, which is a more time-consuming process (and often less detailed in substance) than issuing instructions.

As expressed in Prop. 149L (2016-2017), the Ministry of Justice and Public Security proposes to retain its authority of instruction over the Norwegian Appeals Board (UNE) in preparation for volatile situations. Retaining the authority of instruction is seen by the Government as an integral part of being prepared to act swiftly in times of crisis.

### UDI's revision of contingency plans

At the onset of the crisis in 2015, there was a concept of high alert which UDI called in September 2015. The aftermath of the 2015 crisis highlighted the need for a shared understanding between state institutions of when a situation constitutes a crisis.

After post-crisis revision, the decision to implement contingency plans in the UDI is taken when the volume of arrivals is of a magnitude that exceeds the capacity of one or more of its departments. This means that UDI cannot carry out its work in an ordinary fashion with its *existing* organization and level of staffing.

The below three circumstances may indicate a crisis:

- Substantial deviation from the projected number of arrivals (prognosis);
- High number of asylum seekers arriving in one single location (other than Oslo)
- A steep increase in unaccompanied minors applying for asylum, coinciding with a rising total number of asylum seekers.

According to UDI's plans, a crisis is defined as three levels of magnitude, ranging from a light scaled-up situation, to a full national crisis. These levels define when, and to which extent other sectors and authorities become involved in the response, along with the establishment of strategic coordination structures.

## A new arrival, registration & reception phase

The experiences accumulated over the course of 2015 and 2016 gave rise to closer cooperation between PU and UDI. Since the spring of 2016, PU and UDI are cooperating on a common project (PUMA) whose aim is to:

- Design an effective and secure arrival, registration & reception phase which ensures adequate information for authorities to decide on differentiated case procedures.
- Strengthen PU and UDI's ability to handle fluctuations in arrivals.
- Create effective contact points for asylum seekers in the arrival phase, adjusted to differentiated groups of applicants.

The project lays down principles for the arrival phase, among which information sharing, the applicant's active contribution, and a holistic view on priorities and monitoring are crucial. Moreover, the arrival centre from late 2015, is taken on board as a model.

In the planning for an improved arrival, registration & reception phase, there are aspects that figure prominently:

- *Differentiated case flows throughout the whole process:* Securing evidence and data at the earliest possible stage, such as photo, fingerprints, biometrics, document verification, electronic tracks, language test, age test and information from user self-service solutions. Cross disciplinary technical teams assess the desired extent of PU's and UDI's involvement in each case, as well as potential need for other specialist expertise. Ordinary cases are sorted in differentiated case flows before interviewing.
- *"All under one roof"* - interaction and information sharing at arrival centre: Co-located services and expertise reduce transport & transaction costs, reduces the potential need for use of force and internment, secures better decision making on transferring a case to a suitable reception facility, and leaves more time for judging the grounds for protection in each case.
- *User participation and involvement:* The asylum applicant can contribute substantially to his or her case in a better way than previous practices and IT-systems have allowed for. Amongst other things the applicant should be able to log in and out to add information to the case at different stages of the case flow. Other remedies such as an asylum app can help impart important information to the asylum seeker. The UDI will own the format and support function for the information disseminated through digital channels. Involvement of asylum applicants should also translate into a low-threshold activities / training / work for those who want it.
- *Digital solutions:* A problematic feature of IT-development has been that it often takes place inside each sector. Authorities need solutions that in particular cater to the needs of both

PU and UDI. Relevant functions include a shared online roster of highly qualified interpreters, digital tools for operational steering of the arrival phase, simulation models for decision making, as well as increased possibilities of collecting digital traces of applicants.

The initial phase post-arrival requires steering on the basis on a structured information flows. A more effective asylum process is largely related to holistic prioritization and interaction across government branches and specialist institutions.

Coping with volatility and rapid fluctuations require enforceable mechanisms for scaling up, underpinned by flexible resource mobilization and utilization of technical experts when needed. Consequently, involved actors must be held accountable for delivering to scale.

In more concrete terms, reaping economic benefits of a more effective asylum process means reduced time spent in reception facilities, since this is the strongest cost driver. While the average time from arrival to a final decision from UDI has been averaging 233 days over the past three years, the ambition of the PUMA project is to have a high portion (80%) of cases processed while the applicant is residing in the arrival centre. As a norm (barring crisis situations), case processing should be brought down to a period of three weeks.

## Recommendations extracted from internal reviews

Lessons and recommendations across agencies and sectors extracted (by Deloitte) from the various reviews of the handling of the asylum are summed in the points below. Many of these have been followed up by UDI and PU.

*Establish a common understanding at the earliest stage possible.* There is need for establishing a set of criteria for assessing and defining the situation in the case of mass arrivals. Reliable and relevant information must be collected in order to establish a common understanding of the situation as early as possible. Coordinating meetings at a strategic level should be in place, with participation from relevant authorities and partners.

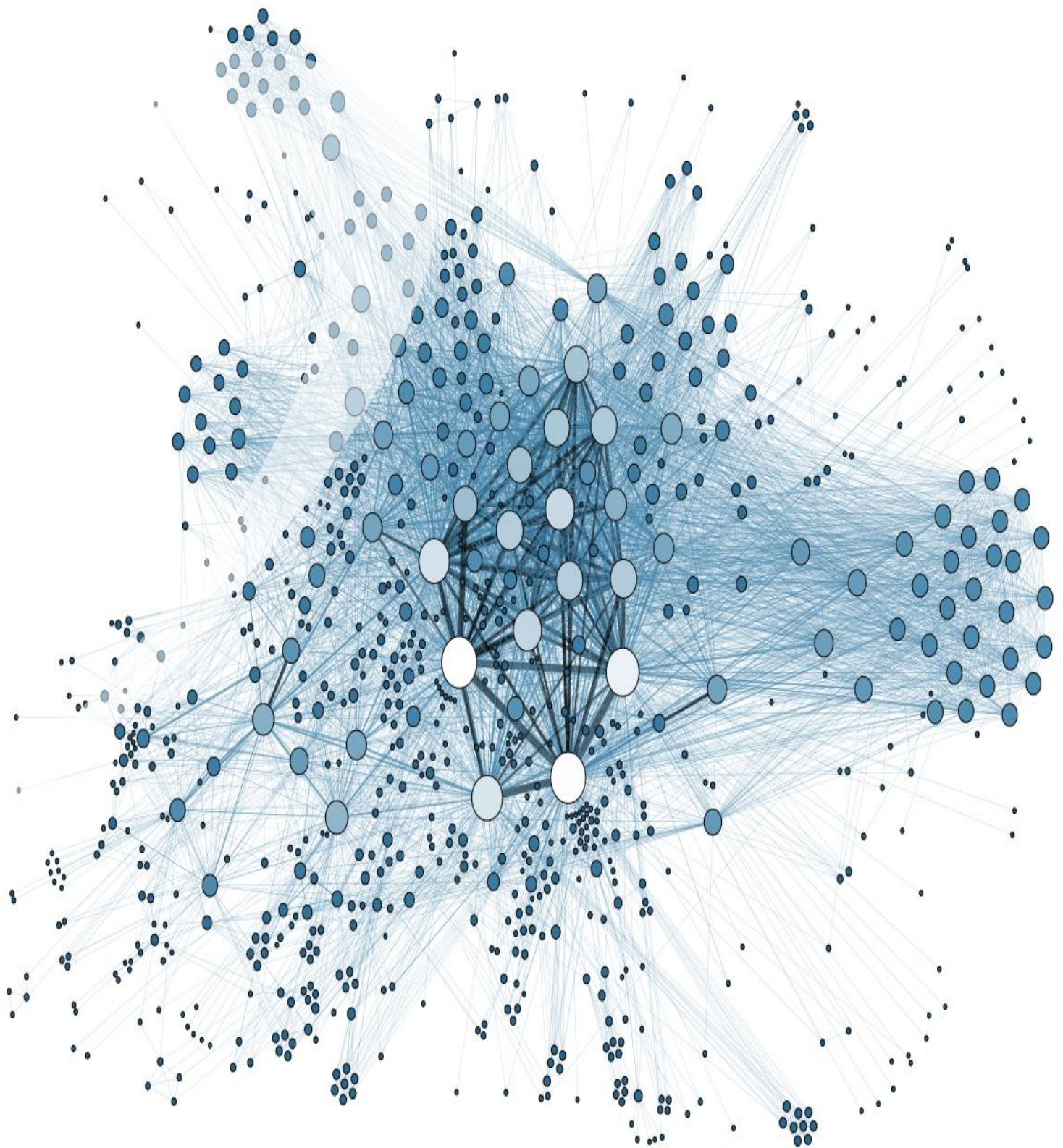
*Need for emergency plans that are both broader and more precise.* There is need for strengthening emergency plans in the UDI, including plans for collaboration with other stakeholders. UDI's overall emergency response plan must describe an overall emergency response organization with clear roles and responsibilities, meeting structures and necessary internal and external coordination. PU and DSB should establish plans that describe their respective roles and contributions in a crisis situation. In order to strengthen emergency plans and adapt them to possible situations, relevant authorities should meet to discuss different scenarios and consequences of these.

*Roles and responsibilities should be clearer.* Mandates, roles and responsibilities between the various stakeholders need to be clarified and communicated to all participants. DSB's national coordination role, and when this role applies, must be clarified. UDI should initiate closer collaboration with the County Governors to ensure greater and more rapid benefits of their coordination role. UDI and PU should

clarify roles and responsibilities when it comes to accommodation of asylum seekers prior to registration, with a particular emphasis on issues concerning health services, logistics and budgets.

*Leadership and communication should be strengthened.* Leaders should put more emphasis on managerial tasks with respect to coordination, dialogue with other involved participants and allocation of resources. Vital decisions should be documented and communicated in writing, and site management should have authority to make local decisions. Relevant stakeholders must establish notification procedures that come into play when changing work processes that affect other stakeholders, and ensure that important information on asylum seekers' case (e.g. identity) is shared.

*Focus on asylum seekers' fundamental rights.* The authorities must ensure that all asylum seekers receive necessary information about their rights. In addition, the authorities must ensure sufficient and nutritional food and provide access to satisfactory healthcare and sanitation services. Establish clearer procedures and guidelines for safeguarding vulnerable asylum seekers, and in particular the reception and registration of unaccompanied minor asylum seekers.



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