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Norway country report

Government responses to increased influx of protection seekers in 2015/16 and 2022/23

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Abstract: This country report describes asylum, immigration and integration governance and policy changes from 2015-June 2023 in Norway. It particularly focus on developments in the periods of high influxes of protection seekers to Europe in 2015/16 and 2022/23

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The analyses in this report have been based on three sources:

- 1) review of existing research and government reports
- 2) document analyses of relevant legislation and policy processes
- 3) interviews (conducted in August) with relevant stakeholders: Norwegian Directorate for Higher Education and Skills, the Norwegian Association of Local and Regional Authorities (KS), and the Norwegian Directorate of Immigration (UDI)

Lastly, the Norwegian Directorate of Integration and Diversity was sent an early draft of the report, with specific remarks and questions to quality assure that relevant policy processes were included and presented.

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1 Welfare regime, immigration history and political situation

Norway classifies as a social-democratic welfare type regime which is characterised by principals of universalism, social protection, and policies for reducing unemployment rates (Lauzadyte-Tutliene, Balezentis and Goculenko, 2018; Esping-Andersen, 1990).

Up until the 1970s, both immigration and integration were rather unregulated in Norway (Brochmann & Hagelund, 2010). In the early 1970s, integration of immigrants was increasingly considered to pose a social problem, and politicians feared that the immigrant group would develop into an ethnically based underclass that could threaten the very project of equality in the Norwegian welfare state (Brochmann & Hagelund, 2010). Nevertheless, the welfare state's principles were expressed in the policymaking by solving the immigrants' challenges within the ordinary welfare system.

In 1974, Norway introduced a halt to free immigration, but in the 1980s, asylum arrivals increased considerably, and the immigration debate arose on the political agenda. From the 1990s, the unemployment levels of immigrants entered the integration policy agenda, and the participation of newly arrived refugees in the labour market was no longer considered to be a local concern, but a national priority (Breidahl, 2012; Brochmann & Hagelund, 2010). This resulted in the implementation of the Introduction Act in 2004, introducing rights and obligation for refugees and their families for rather extensive state-funded integration measures, including language and civics training, employment and educational measures (Introduction Act, 2003). During this period, the 1988 Immigration Act was also deemed ripe for revision. Immigration policy during the 2000-2015 period was characterised by a renewed openness to (skilled) labour immigration (Staver 2021). At the same time, there were repeated rounds of restrictions on family reunification in response to both debates around forced marriages, but also as a response to peaks in asylum arrivals, as Norwegian policymakers were concerned that liberal family reunification provisions would be a pull factor for asylum seekers (Staver 2014).

1.1 Political situation and main policy processes in 2015/16 and 2022/23

Norway has a tradition of striving for large cross-partisan compromises in times of crisis, and the government responses in 2015/16 and 2022/23 were no exception (Hernes 2018; 2017). In 2015, Norway had a right-oriented minority government, consisting of the Conservative Party and the right-wing Progress Party. As a response to the high influxes of refugees during the autumn of 2015, the government responded by presenting a revised budget in October 2015. In November and December, all parties (except the Socialist Left Party and the Green Party), agreed upon two conciliations concerning changes in both asylum and integration policies, named "Restrictions I" and "Restrictions II". Some measures were immediately introduced, while other more substantial legislative changes were followed up with propositions to parliament in 2016.

In 2022, Norway had a centre-left oriented minority government consisting of the Labour Party and the Centre Party. As a response to the high influx of protection seekers from Ukraine from February 2022, the government immediately introduced several policy adjustments through instruction and funding. In June 2022, a larger legislative change including multiple policy areas were passed with a cross-partisan majority in Parliament. As

most of the legislative changes were temporary, many policy changes had to be reassessed again in 2023.

2 Asylum flows to Norway, 2012- July 2023

Over time, there has been considerable fluctuations in both the number of asylum arrivals and the number of persons granted protection in Norway. In addition, there is variation within cohorts from different sending countries with differing demographic and socio-economic composition. Here we present an empirical background on these asylum flows and permits, which provide context to the governmental response to the large influxes in 2015/16 and 2022/23, respectively.

2.1 Arrivals and permits from 2012–July 2023

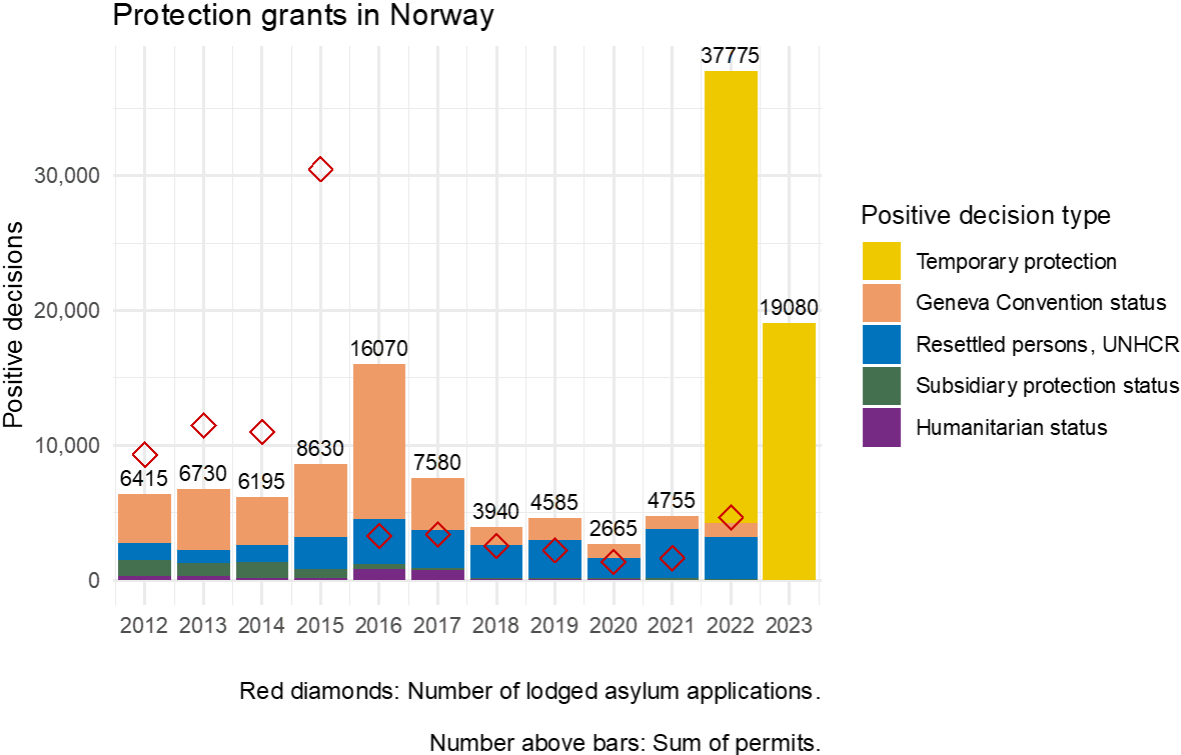
Over the last ten years, the number of people granted protection has varied considerably. From 2012 until 2014, the number of people granted protection was stable, at around 6000 to 7000 per year. In 2015, the number of asylum applications increased from 10,000 in 2014 to more than 31,000 in 2015 (figure 1, red diamonds). In 2016, the number of positive decisions granting protection was at a record high, with 16,000 refugees settled in Norway. After the EU tightened its border control response after the large flow of asylum seekers in 2015, the number of asylum applicants reaching Norway fell to around 2000–3000 in the years after 2016. The number of granted asylum permits dropped, but the level stabilised due to the Norwegian government's decision to accept a quota of resettlement refugees. Applications decreased further to around 2000 applicants during the years of the coronavirus pandemic in 2020 and 2021 ([Eurostat 2023](#)). This was record low compared to the preceding years, before arrivals and granted residence permits surged again following the situation in Ukraine in 2022. Figure 1, below, shows the total number of asylum applications (red diamonds), and the bars showing the number of different types of permits for those who were granted protection each year from 2021–2023 (data on permits for temporary protection in 2023 is only available until July).

Data on asylum flows

Data on asylum flows are sourced from Eurostat Asylum Statistics. These data are based on **administrative sources**, supplied to Eurostat by statistical authorities, interior ministries or related immigration agencies. The data presented in this chapter is a combination of five different datasets provided by Eurostat: decisions on and beneficiaries of temporary protection, first-time asylum applications, resettlement refugees, and first-instance decisions on asylum applications.

Source: [Information on data - Migration and asylum - Eurostat \(europa.eu\)](#)

Figure 1: Persons granted protection in Norway by protection decision vs. lodged asylum applications 2012–2023.



Data: Eurostat (migr_asydcfst, migr_asytprm, tps00195, migr_asyappctza).

Concerning actual protection grants, there is, naturally, a time lag from when applications are lodged until protection is granted. Around 6-7000 refugees were granted asylum in the years before 2015, and the vast majority of them received protection under the Refugee Convention of 1951/1967 (the Geneva Convention in fig 1, Eurostat 2023b). Norway experienced a rise in the period between 2015-17, with the largest peak in 2016. In the ten years preceding the full-scale invasion of Ukraine, the largest asylum flows to Norway originated in Syria and Afghanistan. During the four-year period between 2012–2015, most of the asylum seekers who were granted protection originated from Eritrea, Syria, Somalia and Afghanistan – with Eritreans being the largest group, averaging ~2000 asylum seekers, far more applicants than from the other three countries.

Five types of residence permits are granted in Norway, but only three are in regular use: refugee status under the Refugee Convention (the so-called Geneva Convention of 1951/1967), resettlement refugees, and the Temporary Protection Directive granted almost exclusively to displaced persons from Ukraine.

Different permits are granted to different nationalities, and Syrians was the largest group arriving in the period, until the invasion of Ukraine. Asylum arrivals pre-2022 were in large part granted convention refugee status. Combining all protection statuses, the largest sending countries: Syria (15,000) and Eritrea (10,000), with Afghanistan (4000), Somalia (2200) and Turkey (1500) trailing behind. Norway also has a relatively substantial number of resettled refugees, with 37,200 resettlement refugees in the period, where 14,200 were Syrians, while Congo (4400) and Afghanistan (1900) were the closest sending countries.

The country with most rejected asylum applicants was Afghanistan (4700), with Somalia (1900) and Iraq (1800) some way behind. Subsidiary protection is not much in use in Norway (see chapter 4 on protection statuses and permits), with only Syrians and Afghans just surpassing 1000 grants. The same goes for humanitarian status; 1400 Afghans were granted such protection permits in the 12-year period, and other sending countries only received a maximum of 200.

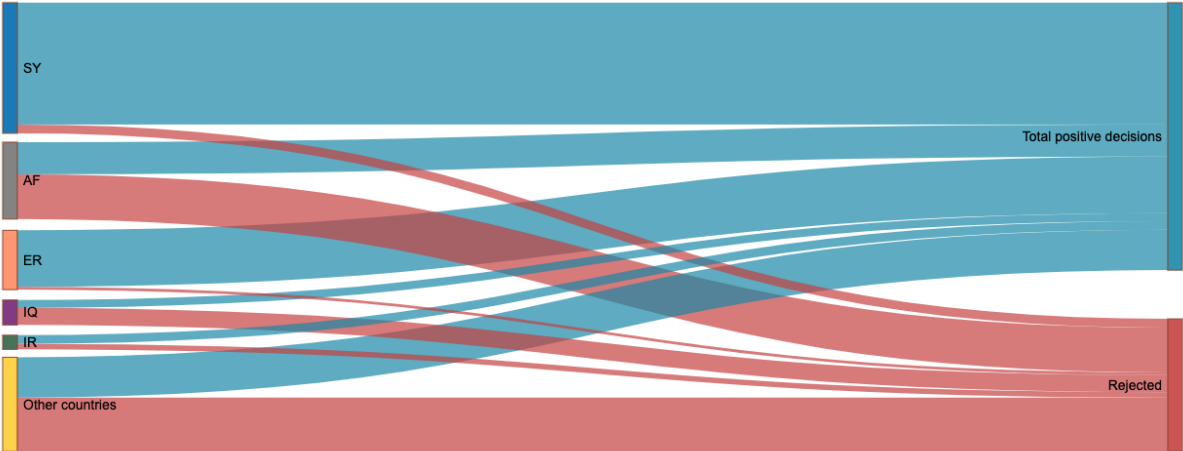
2.2 Situation in 2015/16

The sudden increase in arrivals in 2015 had been unmatched since the Yugoslav wars in the 1990s, with a peak of more than 31,000 applications for protection in 2015, falling to some 3500 in 2016. While arrivals to the EU-27 more than doubled in 2015, Norway experienced an increase closer to a tripling (Eurostat 2016). Only three EU countries had a higher ratio of arrivals relative to the population than Norway in 2015 (5898 first time applicants per million inhabitants): Hungary (17,699), Sweden (16,016) and Austria (9970) (ibid.). About half were Syrians and Afghans. They differed from each other in two ways: Syrians were older, while a substantial share of Afghans were minors. There was a majority of male applicants from both countries, but the share of women from Syria was higher compared with Afghans.

Regarding the age composition, the dependency ratio is a standard indicator for the share of population in working age (15–64 years) (see e.g. WHO 2023). Among refugees granted protection in 2015–2017, the dependency ratio, defined as the ratio between young and old divided by the working age population, was considerably low for Eritreans (6 %), meaning that a very large share of them were of working age. Arrivals from other dominant sending countries had a lower share of working-age refugees, due to large numbers of children under 14 years of age: Syrians (25 %), Afghans (17 %), Iraqis (37 %) and Iranians (23 %).

Additionally, Norway received a relatively large share of unaccompanied minors. About 4800 asylum applicants were unaccompanied minors in 2015, far more than in any other year; 500 from Syria, and more than 3100 from Afghanistan (Eurostat 2023d). Unaccompanied minors comprised 15,7 % of all asylum arrivals in 2015 – twice that of the EU average (7,5 %).

Figure 2: Relative shares of first instance decisions on asylum applications from the five largest sending countries to Norway, by asylum grants (blue) and rejections (red) in the period 2015–2017.



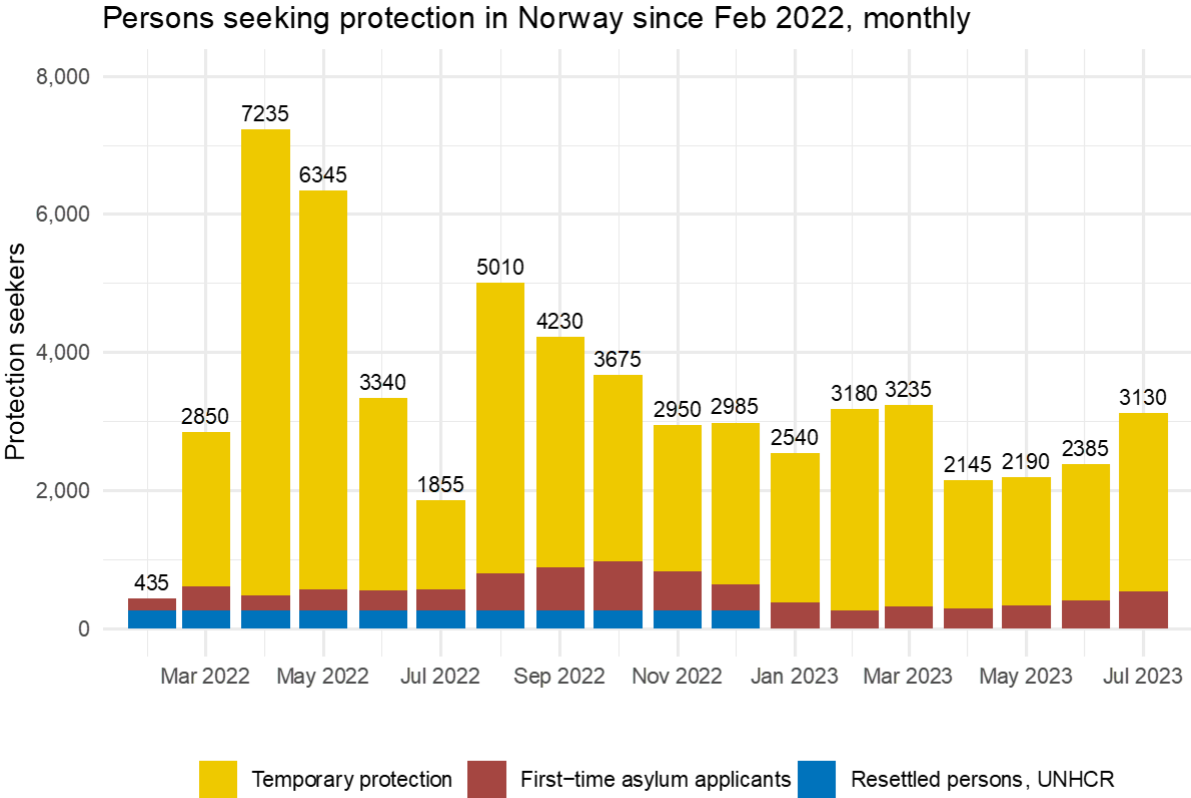
Data: Eurostat (migr_asydcfsta, migr_asytpfm, tps00195, migr_asyappctza). Note: Resettlement refugees are not included, skewing the real relative numbers of protection grants for refugees from these countries.

There were wide disparities in approval rates on arrivals from the dominant sending countries, a possible influence on the political climate and immigration policy. The Sankey diagram in Figure 2 displays the arrivals and rejections of arrivals from the largest sending countries during the sudden influx of protection seekers in 2015–16. A large share of protection decisions on 2016 asylum applications were made in the following year, 2017, and is therefore included. While more than half of Iraqis and about half of Afghans were denied residence permits, almost all protection seekers from Syria and Eritrea were granted protection.

2.3 Situation in 2022/23

Displaced persons from Ukraine were immediately granted temporary protection in EU countries after the Russian invasion, when the EU triggered the Temporary Protection Directive for the very first time ([European Commission 2022](#)). Migration from Ukraine to Norway was comparable in size to the situation in 2015, but since almost all who sought protection from Ukraine got their applications approved, grants for protection eclipsed the previous wave by an order of magnitude, at 33,500 positive decisions in 2022. The number of non-Ukrainian asylum applicants in 2022 was, coincidentally, at its highest level since 2015 (red diamonds, fig. 1, above).

Figure 3: Asylum applicants, persons granted temporary protection after the invasion of Ukraine, and resettled persons in Norway since Feb 2022.



Numbers above bars: Sum of protection seekers each month.

Data: Eurostat (migr_asyappctzm, migr_asytpfm, tps00195).

In Norway, arrivals from Ukraine spiked in April and May 2022, the immediate period following the invasion, declining somewhat before stabilising around 3000 a month at the start of 2023. While most displaced persons from Ukraine are granted collective temporary protection, Ukraine is also the largest sending country of individual asylum applicants in 2023, with 368 individual applications in the first four months, followed by Syria (274), Afghanistan (111), Eritrea and Turkey (both 77) ([UDI 2023](#)), in line with past trends ([UDI 2022](#)).

The Norwegian authorities track the number of temporary protection holders who leave the country and produce an estimate on currently residing protection holders every month. For some countries, many displaced persons from Ukraine have moved on since they first obtained a temporary residence permit. According to these stocks data, which may be biased or incorrect, at least 50,000 displaced persons from Ukraine were residing in Norway as of August 2023 (ibid.). This is 0.7 percent of the Norwegian population, and close to the EU average of 0.9 percent.

Almost half are adult women, 22 % adult men, and around 28 % are minors (ibid.; [UDI 2023](#)). Nearly 700 of them (1,5 %) were unaccompanied minors ([UDI 2022](#); [UDI 2023b](#)). The gender balance stands in stark contrast to the asylum seekers in 2015, when only 15 % of the 31,000 applicants were adult women, and 52 % were adult men ([UDI 2015](#)). The age profile is quite similar: at least 10,000 (32 %) were minors in 2015, but far more of them were unaccompanied asylum-seeking children in 2015/16. The dependency ratio of Ukrainians was 46 % in 2022 and 38 % in 2023. Overall, this is substantially higher than among those granted protection in 2015–17 – except for Iraqis, which had a similar dependency ratio (37 %).

3 Governance and multilevel responsibilities

3.1 National responsibilities and actors

At the national level, the immigration and integration field has undergone continuous organisational changes. The immigration field has previously been situated in the Ministry of Local Government and Regional Development and the Ministry of Employment and Inclusion. Since 2009 and up until 2015, immigration was under the jurisdiction of the Ministry of Justice and Public Security. Norwegian governments have also shifted the integration portfolio in the ministerial structure several times in the past twenty years, locating it in ministries responsible for a wide range of issues: local and regional development, employment and inclusion, family and children, immigration and integration, justice and public security, and education and research (Hernes 2020b). From 2009 to the start of 2015, the integration portfolio was located within the Ministry of Children, Equality and Inclusion.

As a response to the increased number of asylum seekers in 2015, the government moved the responsibility for integration from the Ministry of Children, Equality and Inclusion to the Ministry of Justice and Public Security. The government also created a new ministerial post, a Minister of Immigration and Integration. Thus, immigration and integration which was previously organisationally separated between two ministries were joined under the same ministry and under the responsibility of this newly appointed specialised minister.

The integration portfolio was further moved two times between 2017 and 2021. First, in 2017, with the Liberal Party entering the right-oriented government, the integration responsibilities moved from the Ministry of Justice and Public Security to the Ministry of Education and Research. However, with a new centre-left government in 2021, the responsibility for integration was again moved, this time into the Ministry of Employment and Inclusion. The immigration portfolio remained in the Ministry of Justice and Public Security.

In 2022 and 2023, there have been no organisational changes at the ministerial level in response to the high increase of protection seekers.

Concerning agencification, in 1988, Norway established the Norwegian Directorate of Immigration (UDI). Their main task is to implement and advise on the government's immigration and refugee policy. UDI are responsible for processing applications for protection (asylum), other residence permits and decisions on rejection and expulsion. UDI is also responsible for the accommodation of asylum seekers during their application process.

In 2006, the Directorate of Integration and Diversity (IMDi) was established as a separate agency, as integration policies had previously been a part of UDI's portfolio. IMDi implements and advises on the government's settlement and integration policies. The directorate is tasked with strengthening the competence of municipalities, sector authorities, and other collaborative partners in the field of integration and diversity. It is responsible for the settlement of refugees after they have been granted protection and is the coordinating national actor for implementation of integration policies, particularly the introduction programme for refugees.

In addition to IMDi and UDI, several other national agencies have sector responsibilities that are relevant for the reception and integration of refugees:

- The National Police Immigration Service (PU).
- Norwegian Labour and Welfare Administration (AV-dir) is responsible for employment policies and social benefits.

- NOKUT (the Norwegian Agency for Quality Assurance in Education) is responsible for approving foreign education.
- The Norwegian Directorate for Children, Youth and Family Affairs (Bufdir) is responsible for unaccompanied asylum-seeking children under the age of 15 during the asylum process (UDI are responsible for the age group 15-18 years).
- Skills Norway is responsible for adult education for foreigners and Norwegian and civics training and exams.

The responsibilities of the agencies have remained stable during the period of analysis, except for one reorganisation. Several agencies that previously had different specialised responsibilities related to educational approval, adult education, etc., were merged into a new Norwegian Directorate for Higher Education and Skills (HK-dir) in 2021.

3.2 Regional government responsibilities

The regional level has not previously had a formal role in the immigration and integration field in Norway. However, with the new Integration Act in 2021, the county authority got new formal responsibilities for parts of the integration process (although the main responsibility for the integration process remained with the municipalities, see below). The county authority were given responsibility for the regional integration and qualification work, recommending how many refugees should be settled in the individual municipality during the formal settlement distribution, offering career guidance to the target group for the introduction programme, and providing training in Norwegian and social studies for the participants in the introductory programme who attend full-time upper secondary education.

3.3 Local government responsibilities

Norwegian municipalities are the main responsible actors for the implementation of Norwegian integration policies. With the Introduction Act in 2004, integration policies were nationally regulated, but the local authorities were responsible for the implementation of these policies, e.g., the introduction programme and language training, adult education, employment measures, along with other related services such as elementary school and kindergartens.

The Norwegian municipalities get different types of financial subsidies from the national government to fund the introduction programmes for refugees. Firstly, they receive a financial grant “per capita” (for each refugee settled in their municipality), which is to be paid over a period of five years. The grant is intended to cover the municipalities' average expenses for settlement and the introduction programme, including administrative municipal expenses in connection with the settlement and the introduction programme, work-oriented measures, social assistance, interpretation services and health services. Secondly, for language and civic courses, municipalities receive an automatic basic grant if they have between 1-150 people in the target group. They also receive a per capita grant over three years to fund language and civics training. This grant has a high and low rate: participants from Western Europe, North America, Australia and New Zealand trigger a low rate, and participants from other countries trigger a high rate. If the municipality settle people with severe functional impairment and/or behavioural difficulties, they may apply for additional funding (Hernes og Tronstad 2014).

The Norwegian Association of Local and Regional Authorities (KS) – the organisation for all local governments in Norway – also has a formal consultation and coordination role in the

formal settlement process of protection seekers who have been granted protection. KS is represented in the National Committee for Reception and Settlement, which aims to facilitate a coordinated and comprehensive implementation of the cooperation agreement. The agreement was first signed in 2004 and ensures voluntary settlement for the municipalities on one side, and sufficient/increased settlement decisions on the other. The National Committee should further:

[...] contribute to a common understanding of the situation and challenges among state and municipal actors, so that relevant actors contribute to settlement in accordance with current regulations, national directions and criteria. The national committee must also contribute to dialogue between the state and KS to ensure good processes and the involvement of municipalities when establishing and closing asylum reception centres in line with national needs. (IMDi, 2023)

There were no changes in the multilevel responsibilities in 2015/16 nor in 2022/23. However, in 2015, the government temporarily introduced a new financial incentive for the municipalities to settle more persons who had been granted protection (hereafter, protection holders) through voluntary agreements. Municipalities were given an extra NOK 50,000 per person they settled above the number they had been petitioned to settle by the government. In 2022/23, the government temporarily reintroduced the financial incentive for municipalities who settled more than the number they were first requested from IMDi. From July 2023, the government has decided upon an additional grant that enables municipalities to offer an extended Norwegian course to collective temporary protection holders.

3.4 Formal responsibilities for non-public actors

3.4.1 NGOs and other non-profit actors

The Norwegian government have emphasised the important role of volunteer organisations and their participation in providing welfare services and as actors that create important integration arenas. However, volunteer organisations and the public sector have different roles. As the Norwegian welfare state is relatively comprehensive, volunteer organisations should only supplement, not replace, the public sector's responsibilities (Guribye, 2016). In 2011, KS and The Association of NGOs in Norway (Frivillighet Norge) signed a two-party agreement outlining important principals for cooperation between the volunteer and public sectors (KS, 2022). It is emphasised that volunteer organisations are autonomous, and that public funding should not be given at the expense of their autonomy (Aasen et. al. 2017).

Concerning NGOs' formal roles in the immigration and integration field, some of the larger volunteer organisations have established themselves as subcontractors to the public sector (Espregren et.al. 2022, Guribye, 2016), e.g., by running reception centres, providing language training, etc. In these cases, they may compete with other actors in public tenders (private and municipal). Additionally, they play an important role in providing voluntary activities such as language cafés etc.

The Norwegian Organisation for Asylum Seekers (NOAS) is an independent membership organisation responsible for providing information about the asylum procedure to applicants. NOAS receives public funding from UDI and is responsible for providing information about the process of seeking asylum, criteria for protection, informing about rights and obligations

of asylum seekers in Norway, and helping the applicant prepare for the asylum interview. They also offer free legal aid in asylum cases.

In addition to providing some integrative services as subcontractors, NGOs may apply for funding for specific integrative activities from IMDi, which administrates the public subsidy scheme for NGOs in the integration field.

During the situation with increased numbers of protection seekers in 2015, the formal responsibilities of non-profit organisations did not change, but the situation led to the necessity of mobilising volunteer organisations. The government experienced challenges regarding capacity to receive and register refugees. Volunteers contacted local authorities and national responsible authorities to help meet these challenges (Aasen et.al. 2017). Volunteer organisations contributed with several activities such as information flow within organisations regarding the situation, social activities for the protection seekers, fundraising campaigns, and collection of clothes (Aasen et.al. 2017). Many of these activities were established at or in connection with the reception centres. For example, before 2015, Save the Children had activities at 18 different reception centres. After the refugee influx, they increased their activities to 10 additional centres (The Association of NGOs in Norway 2016). There was also an increasing number of volunteers that participated with volunteer work in transit-camps in Greece and Southern Europe. In addition, a new form of volunteer work emerged through social media, and the Facebook group “Refugees welcome to Norway” was established and members participated in meeting the refugees’ urgent needs. Already established organisations with civil protection resources were also active during this period (Aasen et.al. 2017).

UDI, IMDi and local governments offered short-term financial grants to volunteer organisations that wanted to offer integration measures (The Association of NGOs in Norway 2016). A subsidy scheme was adopted in 2015, giving the Ministry of Justice and Public Security the possibility to distribute an additional grant of NOK 2 million to volunteer organisations that provided legal aid and guidance to asylum seekers (Ministry of Justice and Public Security 2015). Volunteer organisations could apply for UDI’s subsidy scheme for activities for youths and children in reception centres. Due to the increased number of unaccompanied minors that arrived during 2015, UDI issued NOK 60 million (Prop. 1 S (2015-2016)) to the subsidy scheme (Aasen et al. 2017). Several grants were also issued from IMDi and other ministries, agencies and foundations.

After the full-scale invasion of Ukraine, people have engaged in volunteer work all over Europe. In Norway, people have donated clothes, given financial aid, and opened their homes to displaced persons from Ukraine. Volunteer organisations have been, and still are, important contributors of integration services. In April 2022, the government suggested granting NOK 50 million to volunteer organisations. The proposal was to provide temporary grants to volunteer organisations that helped people who came to Norway from the war in Ukraine (Regjeringen 2022). In 2022, IMDi also announced an extraordinary additional call for tender: grants for integration work under the auspices of voluntary organisations with a limit of NOK 45 million (IMDi, 2022).

3.4.2 Private for-profit actors and private persons/households

As certain public services are contracted out, private actors play a role as subcontractors and service providers, e.g., when it comes to reception centres for asylum seekers and Norwegian training courses. During the high influxes, the formal role of private actors has remained the same, but they have been important service providers in the up-scaling of

capacity, particularly for emergency accommodation during the reception phase (see chapter 6 on accommodation and services during the application process).

“Civilians” or private persons do not have a formal role in the Norwegian immigration and integration system, nor are they eligible for any direct funding schemes.

3.5 Coordination measures in times of high influxes

In both situations of high influxes, the high rise in protection seekers increased the need for multilevel and sectorial coordination.

In 2015, national level authorities introduced interdepartmental coordination meetings between different agencies: UDI, IMDi, the National Police Immigration Service, the National Police Directorate, the Norwegian Directorate of Health and the Norwegian Directorate of Civil Protection. This legacy of interdepartmental coordination meetings from 2015 was resumed both in connection with the Covid-19 pandemic and the full-scale invasion of Ukraine in 2022. Such coordination meetings were conducted weekly, later monthly, to secure the same situational awareness across agencies, to clarify any contradictions and to discuss challenges. KS has also participated in some of the coordination meetings, in addition to participation in civil protection/public security meetings with the County Governor. Based on experience from crisis management during the Covid-19 pandemic, UDI has also calculated different arrival scenarios based on the number of displaced persons from Ukraine that may seek protection in Norway this year. The purpose is to create a similar situational awareness and to better prepare for different arrival outcomes.

Further, Norway also has a strong tradition for tripartite agreements between the government, labour unions and trade unions (LO and NHO). In 2015, the government also entered a tripartite declaration of cooperation – initiated by the Confederation of Norwegian Enterprise (NHO) and the Norwegian Confederation of Trade Unions (LO) – focusing on how to help more protection holders get into the labour market. The declaration emphasised that qualification should be the main track to get more refugees employed and at the same time safeguard the “Norwegian employment model” (Skjelbostad & Hernes 2021). In 2022, the Norwegian government also initiated a task force with representatives from employer and employee organisations, involving regular meetings, to handle the influxes of persons fleeing the war in Ukraine (Hurtigarbeidende gruppe om tiltak for økt arbeidsmarkedsintegrering blant fordrevne fra Ukraina, 2023).

4 Protection statuses and permits

Norway is not an EU member state but part of the Schengen border cooperation and has adopted the Dublin Regulation. With the development of the Norwegian Immigration Act of 2010, a frequently stated objective was harmonisation with EU rules. However, the Immigration Act has developed differently than the European Qualification Directive: Instead of the distinction between Convention Refugee Status and Subsidiary Protection, Norwegian law has a single refugee status, with two separate legal bases (Convention definition, Section 28a) and “other refugee” similarly to subsidiary protection (Section 28b) (Immigration Act, 2010, § 28). Lastly, Norway also operates with a humanitarian protection status, which is given due to strong humanitarian considerations or because the applicant has a special connection to Norway (UDI 2023a).

After a peak in arrivals in 2008-09, Norway introduced a special restricted status for unaccompanied asylum-seeking children who did not qualify for the other protection statuses, but whose only claim to remain in Norway was the lack of available parental care which made return impossible. This status was in practice a form of delayed enforcement, where their residence permit would lapse once they turned 18 years old.

4.1 Changes in 2015

As described, the Norwegian Immigration Act has a single refugee status which encompasses the statuses of convention refugee and subsidiary protection. Thus, contrary to many other countries, much of the subsequent policy processes and legislative changes during this period did not separate rights and restrictions based on whether they had refugee status or subsidiary protection, but changes applied to all protection seekers.

One amendment, however, excluded certain applicants from refugee status altogether, with significant impact. Until 2016, the Norwegian Immigration Act mirrored the three-part EU Qualification Directive test for an Internal Protection Alternative: it had to provide *effective protection*, it had to be *accessible*, and it had to be *reasonable* to refer the claimant to it. The 2016 Immigration Restrictions package removed the *reasonable* criteria (Brekke and Staver 2018). Not having to consider for example whether returns to Kabul were *reasonable* for Afghan claimants who may have never been to Kabul opened for a wider use of an internal protection alternative for Afghan protection seekers. In particular, it significantly increased the use of the time-limited permit for unaccompanied asylum-seeking children introduced in 2009, since it meant that many minors who would have previously fit the refugee definition no longer did so. As this meant their lack of parental care was the only remaining basis for protection, they would only get a permit that expired once they turned 18. It is debatable whether this keeps Norwegian legislation in line with the European minimum standards, and “Dublin returns” of Afghan protection seekers to Norway have been halted on these grounds (see Brekke and Staver 2018).

Up until 2015, temporary protection of unaccompanied asylum-seeking children was only the exception, not the rule. In 2016, changes were made which increased the use of temporary protection dramatically, especially for children from Afghanistan. The increase in temporary protection was due to changes in the security assessment categorising several areas in Afghanistan as safe areas. In addition, while it was previously considered unreasonable to refer unaccompanied minors to areas where they did not have any carers, such assessments of reason should no longer be made (NOAS 2017).

4.2 Changes in 2022 concerning collective temporary protection

The EU Temporary Protection Directive (TPD) regulates temporary protection for persons fleeing the war in Ukraine. As a non-EU member state, Norway introduced a similar collective protection status (Immigration Act, Section 34) in March 2022, and it was activated for a similar group as the TPD. In April, the scope of the group was further extended to include Ukrainian citizens legally residing in Norway as of 24 February 2022, or who arrived later on the basis of a previously issued permit. Thus, Ukrainian seasonal workers who were in Norway at the time of the invasion could remain in Norway and were allowed to continue working while waiting for a new permit. It is specified that any application for individual asylum for the target group of collective protection will be suspended until collective protection ceases.

The collective temporary protection status for displaced persons from Ukraine differs from other protection statuses in two important ways. Firstly, the time spent under this permit does not count as residence time when applying for permanent residency. Secondly, while holders of other protection statuses are normally not allowed to visit their home country without the risk of having their protection status withdrawn, displaced persons from Ukraine are exempted from this rule. The Norwegian government has instructed that displaced persons from Ukraine *can* return (temporarily) to Ukraine without losing their temporary residence permit. Thus, the instruction from the Ministry of Justice and Public Security to withdraw protection status from persons who return to their home state is not applicable to displaced persons from Ukraine.

5 Registration and application process

5.1 Registration process and governmental responsibilities

Prior to 2015, the regular procedure for receiving asylum seekers involved their initial registration with the National Police Immigration Service (PU). After registration, they were normally transferred to a transit centre where they would stay for up to two months. Mandatory health examinations and asylum interviews were conducted at these transit centres, after which the asylum seekers were moved to ordinary reception centres where they stayed until their protection application was decided, and they could be settled in a municipality. Although the capacity was upscaled considerably in 2015/16, the main process remained the same. However, the processing time for asylum applications increased. In 2016, the processing time for asylum applications increased to a median of 267 days in 2016 (compared to a median of 88 days in 2015), and further increased to a median of 421 days in 2017.

5.2 Simplified procedures for displaced persons from Ukraine in 2022

Since November 2020, registration of *all* asylum applications takes place at the National Arrivals Centre at Råde (south of Oslo), in a new streamlined registration process where all steps of the initial asylum process (registration, health screening and asylum interview) take place. However, the rapid increase in arrivals from Ukraine created rather chaotic circumstances at Råde during the initial period after February 2022. Further, many displaced persons from Ukraine who had fled to their families in other parts of Norway criticised that they had to travel to Råde to register. Thus, the Ministry of Justice and Public Security quickly decided to facilitate de-centralised registration procedures at regional police districts around the country. The National Arrival Centre at Råde is still used for registration for displaced persons from Ukraine staying with friends or family in south-eastern Norway, as well as for those who have nowhere to stay and are channelled into the ordinary reception system.

Once an application for protection has been registered, UDI processes the application. Normally, claims for asylum are based on information from the asylum interview, and other available evidence such as the police report, information from the country of origin, and supplementary evidence provided by the applicant. In order to qualify for collective protection, however, the question is simply whether the person falls within the scope of application of Section 34 in the Immigration Act. For the majority of applicants from Ukraine, there is no individual asylum interviews. The most relevant information has been the person's citizenship and residence in Ukraine as of 24 February 2022. With this simplified process, the procedure was speeded up, especially when the person had a biometric passport and identification can be rapid and certain. For cases where the available evidence is deemed sufficient, UDI has employed automated workflow, and decisions have been rapidly issued to claimants with a median processing time of only 12 days in 2022 and 8 days in 2023 for displaced persons from Ukraine, compared to a median of 149 days in 2023 for asylum applicants (UDI 2023b).

However, although the automated workflow process was used for many applicants, some applicants still had to go through individual interviews (for example unaccompanied asylum-

seeking children, those who entered Norway through Russia and/or were from occupied territories, and those who had visas to other countries) (Hernes et al. 2022).

6 Accommodation and services during application process

Most protection seekers live in reception centres. These are formally overseen by UDI, but contracted out to private companies, NGOs or municipalities. The biggest operators are the private companies Link and Hero. Centres vary in size, set-up and location in various parts of Norway (Hernes et al. 2022). The Norwegian Organisation for Asylum Seekers (NOAS) are responsible for providing information and guidance services to asylum seekers in the transit centres through an agreement with UDI. Unaccompanied asylum-seeking children often have separate transit and reception centres.

Protection seekers are not obligated to reside in reception centres during the application process, but normally they forfeit their access to free housing and pocket money if they opt out of the reception system. There is an exception, a system called 'alternative reception placement' (AMOT), where the asylum seeker may live outside of the regular reception system without losing rights to financial aid. However, there are very strict criteria for application, and it is not widely applied for. Under the AMOT system, the municipality where the protection seeker lives assume responsibility for the applicant. The applicant have to apply for AMOT, and the municipality can accept or refuse to take on this responsibility. If the municipality do not accept it, the protection-seekers are referred back to a reception centre if he or she need financial and other assistance. If the municipality accept AMOT for the individual, the municipality becomes responsible for that person, for which the municipality receive a grant from UDI to cover average expenditures. The municipality is to pay financial benefits to cover the expenses necessary for the protection seeker's livelihood. However, if the person can support themselves, such benefits will be wholly or partially forfeited (Hernes et al. 2022; UDI 2022c).

6.1.1 Changes in 2015 – upscaling capacity through new and existing structures

The large arrivals in 2015-2016 put an immense strain on the regular system, necessitating the implementation of extraordinary measures. PU lacked sufficient capacity to register all newly arrived asylum seekers in a timely manner, leading to a need to accommodate individuals while awaiting registration. As a result, a scheme was established whereby the authorities leased overnight accommodations at hotels for these individuals ("PU accommodation"). Some of these accommodation arrangements were managed by the Red Cross. The transit centres also quickly reached their capacity, creating a need to establish acute accommodation arrangements to relieve the pressure, referred to as "emergency accommodation". The authorities entered into lease agreements with hotels, conference centres, campsites and similar establishments, ensuring that protection seekers were provided with a minimum provision of beds and meals. The intention was for stays in such emergency accommodations to only last for a few days, but in practice, the duration of stays became significantly longer (UDI 2016).

To alleviate the capacity problems, two large arrival centres were established where both registration and health checks were conducted in the same location, and where protection seekers were also accommodated. At these centres, all agencies involved (including NOAS) were present in the initial reception phase. Due to the particularly high influx entering from the Russian border through the Storskog border station in the northernmost part of the country, one of the arrival centres was located there. The other one was established in Råde,

in the southeastern part of the country, not far from the capital, Oslo. The establishment of these centres happened very rapidly, within a few weeks in the autumn of 2015. The swift implementation was made possible through close cooperation among several agencies, with UDI receiving assistance from the Norwegian Armed Forces, the Civil Defence, the Directorate for Civil Protection, and the police. Agreements were made with municipalities and nearby hospitals to provide healthcare services, medical examinations, and tuberculosis testing. The arrival centre in Råde continued to function as a national arrival centre in the years following 2015. In addition to these extraordinary schemes, UDI increased the capacity for ordinary reception and transit centres during the winter of 2015-2016 (through public tenders with contractors).

6.1.2 Policy response in 2022/23

Concerning accommodation during the application process, similarly to 2015, UDI upscaled their capacity with so-called 'emergency accommodation', where they enter into temporary agreements with hotels, conference centres, campsites and similar establishments.

In the initial months, many displaced persons from Ukraine stayed with friends and family in Norway. In light of this, and due to the lack of adequate reception capacity, the Ministry of Justice and Public Security decided to expand the AMOT system, and introduced a 'temporary alternative reception placement' (MAMOT), in an instruction issued on 16 March 2022 (Ministry of Justice and Public Security 2022). The instruction applied only to displaced persons from Ukraine, and not to other groups of asylum seekers. MAMOT involved that displaced persons from Ukraine who found a place to live in a municipality – either with family members, other private persons or a home organised by voluntary organisations or by the municipality – could apply to be registered for MAMOT in the municipality. This extended right – with less restrictive criteria than the original AMOT system – gave displaced persons from Ukraine more freedom to find alternative housing without losing rights to public assistance. However, it is important to emphasise that it was still voluntary for the municipality to accept a MAMOT application (and if they rejected, the applicant would be referred to the general reception system). However, an initial survey of displaced persons from Ukraine conducted in June 2022 indicated that there had been a big shift in the percentage that lived outside the reception centres, as almost half of the respondents reported to live privately in some form, and not in reception centres (Hernes et al. 2022).

MAMOT provide funding to the municipality to cover expenses and services during the application period. There is no national policies or arrangements for private hosts to get reimbursements for hosting protection seekers, although there have been examples of different local practices, where some municipalities gave reimbursements for private hosts (e.g., covered part of the rent), while others did not (Hernes 2022).

7 Settlement and intra-national distribution

7.1 Settlement model

After being granted a residence permit, protection holders should be settled into a Norwegian municipality. Norway has a publicly steered settlement model, building on a principle of local autonomy for the municipalities (Hernes 2017; Djuve & Kavli, 2007, p. 24). IMDi, in cooperation with KS, sends a petition to the municipalities, requesting a number of refugee settlements for the following year. The municipality decides if they will settle the requested amount, a reduced amount, or none at all. Consequently, refugee settlement relies entirely on voluntary municipal cooperation (Hernes et al 2019). Further, a stated goal of the Norwegian settlement model has been to have an active dispersal policy, however, this goal has been somewhat moderated by an aim to settle a minimum number of persons in each municipality (Borevi & Bengtsson, 2015, p. 13), and an active policy to get existing settlement municipalities to accept more refugees (Djuve & Kavli, 2007, p. 24).

Although refugees with a legal residence permit may in principle settle wherever they want in Norway, their rights to integration measures and public financial assistance are dependent on settling through the public settlement model. Thus, the Norwegian 'municipal' model of settlement comes at the expense of the individual's autonomy to decide where to settle. Additionally, the refugees' right to move to a different municipality during the introduction period (most often, the first two years after initial settlement) is restricted, as the refugee loses the right to participate in the introduction programme and the right to financial assistance if they move to another municipality during this period (Hernes & Tronstad, 2014, p. 53).

7.2 Changes in 2015/16

Prior to the situation in 2015/16, the existing settlement model based on voluntary municipal agreements had experienced an enduring shortfall between supply and demand in refugee settlements (which had been the case for the past 20 years) (Askim & Hernes 2017), but the model still did not undergo any legislative changes in the respective period in 2015/16 (Hernes 2017). However, the government applied and altered non-legislative measures to increase the municipal will to settle the high number of refugees.

Firstly, the existing settlement model balanced the principles of dispersed settlement and an aim to settle a minimum number of persons from the same nationality or ethnical group in each municipality (Borevi & Bengtsson, 2015, p. 13), implying that not all municipalities were petitioned to settle refugees. However, in 2015/16, a petition to settle was sent to all Norwegian municipalities (Askim & Hernes, 2017, p. 108)¹.

Secondly, the government also launched a "new" settlement opportunity within the frames of the publicly steered model, the so-called "agreed self-settlement". This opportunity allowed the refugee to find their own private housing in a municipality and then apply to the respective municipality to be accepted as part of their settlement "quota". Such "self-settlement" was an opportunity, but not a right for the refugee, and the municipality could decline such a request (Søholt & Dyb 2021; Henningsen et al. 2016). Although some

¹ However, in the period after 2017, when the need for settlements decreased significantly because of the reduction of asylum seekers to Norway, the government introduced new distribution criteria, such as the municipalities' labour market conditions and their results in the introduction (e.g., how many participants that transition to employment).

municipalities practiced agreed self-settlement prior to 2015, it was the first time national authorities actively encouraged the municipalities to facilitate agreed self-settlement as stated state policy (Henningsen et al. 2016). However, only about 6-8 percent of the target group was settled through this new agreement (and in later years, only around 2 %) (Søholt & Dyb 2021). The possibility of such “agreed self-settlement” still applies.

Thirdly, to encourage the municipal will to increase the number of resettlements in their municipality, the government (through IMDi) also launched a new financial incentive: In 2015, municipalities that agreed to settle *more* protection seekers than the number originally request from IMDi, received an additional grant of NOK 50,000 per refugee (in addition to the regular financial funding the municipality would get) (Askim & Hernes 2017; IMDi 2016a, p. 16).

7.3 Changes in 2022/23

In the period between 2017 and 2021 – when Norway had low numbers of protection seekers compared to previous years – Norwegian municipalities naturally experienced a large drop in settlements of protection seekers, and most municipalities had to drastically downscale their settlement and integration capacity. During this period, the government introduced new distribution criteria for refugee settlements, where the settlements should be more concentrated to a limited number of experienced municipalities that could show good employment results for prior cohorts. This resulted in the term “targeted settlement” which has received a greater focus throughout the years (Lerfaldet, Høgestøl, Ryssevik & Åsheim 2020). As in 2015, it is important to emphasise that the Norwegian settlement model has not undergone any legislative changes (Hernes et al. 2022), but there have been other strategies to ensure enough settlements.

With the large increase in displaced persons from Ukraine, the Norwegian government (again) introduced the whole-country strategy, where all municipalities were asked to settle refugees. The government also introduced a new financial incentive encouraging municipalities to agree to settle more protection seekers – a per capita bonus for every person they settle above the number that they were petitioned by the government.

As noted, displaced persons from Ukraine were to a much larger extent than previous asylum-seekers living outside Norway’s reception system during the pre-settlement period, either by staying privately without public assistance, or through the MAMOT system. The changes in the housing opportunities during the application process also influence the subsequent settlement practice. Many displaced persons from Ukraine who have not stayed in reception centres – often with the help of their networks – have been in direct contact with a municipality concerning possible settlement there. Some have found housing on their own or through their networks, and others have received assistance from the municipality in finding more long-term housing. In line with the principles of “agreed self-settlement”, the settlement process has unfolded in dialogue between displaced persons from Ukraine (or their helpers) and the municipality, outside the traditional settlement process where IMDi allocates persons to the municipalities. For displaced persons from Ukraine to be formally settled in a municipality (and be entitled to financial assistance and introduction programmes), the municipality and IMDi later makes an agreement about formal settlement. The increased use of “agreed self-settlement” is however, not due to an active national policy change, but a change in practice (e.g., that more displaced persons from Ukraine (often through their Norwegian networks) have contacted the municipalities for help to settle, and that the municipalities were more open to accept agreed self-settlement) (Hernes et al. 2022).

8 Permanent residency requirements

8.1 Permanent residency requirements

Before 2015, to be eligible for a permanent residency permit in Norway, all immigrants had to fulfil two requirements: 1) a three-year residence requirement, and 2) immigrants had to *participate* in Norwegian language and social studies courses and *attend* a language and civics test, but they did not have to pass those tests or achieve a particular result. For protection holders and family migrants, the required number of hours of Norwegian language courses was higher than for labour migrants. However, unlike for labour migrants, the Norwegian courses for refugees and family migrants were publicly funded and offered for free.

As a response to the high influx of protection seekers in 2015, Norway restricted its requirements for permanent residency. Following up on the cross-partisan compromise in November 2015, the government presented new restrictive requirements for obtaining permanent residency in spring 2016. In addition to the existing three-year residence requirement, two new conditional requirements were introduced: Firstly, it was no longer sufficient for the applicant to *participate* in language and civic courses and tests, but the applicant now had to *pass* a Norwegian language test and a civic test (the latter could be in their native language). Secondly, the applicant had to fulfil an individual income requirement (Eggebo et al. 2023). The new requirements for obtaining permanent residency were introduced for all immigrants.

In the interim period between 2017-2021, one major change was introduced concerning the residence requirement for obtaining permanent residency. As part of a budget agreement between a centre-right government and their right-wing coalition partner in 2020, the number of residence years for applying for permanent residency was raised from three to five years for persons who had a residence permit after applying for protection and persons who were reunited with the former. Work and family immigrants reunited with Norwegian, Nordic citizens, or other foreign citizens whose residency is unrelated to protection or strong humanitarian considerations, still had a three-year residence requirement. The new legislation entered into force in 2021.

There have been no other changes to permanent residency policies in 2022/23. However, the temporary collective protection status – and residence time under this permit – does not count when applications for permanent residence are assessed. Thus, with the current legislation, it will take collective protection holders a minimum of eight years before becoming eligible to apply for permanent residence (compared to five years for other groups who get individual asylum directly).

9 Family reunification

A significant trend in Norwegian family reunification policies since 2003 has been the addition of new conditions such as income requirements (Staver 2014). These have applied to persons with e.g., humanitarian protection, but those with refugee status have been exempted from these restrictions in cases of family *reunification* (i.e. so-called pre-flight spouses) if they applied within 12 months after getting residency in Norway.

For family reunification of post-flight spouses (family *formation*, in the parlance of Norwegian immigration law), refugees and persons with humanitarian status must comply with a range of sponsor requirements. In addition to a standard income requirement to show past and future income from the previous and current year, which applies to all citizens who apply for family formation, refugees and persons with humanitarian status must also demonstrate that they have been in full-time employment or education for *four* years (Staver 2014, 181-2).

The cross-partisan compromise in 2015 included a general goal to limit the right to family immigration for asylum seekers and refugees (Johansen 2015). Following up on this, in 2016 policy process, the minority government proposed to introduce a three-year employment requirement that would have implied at least a three-year postponement of family reunification for refugees. However, the opposition criticised that the government had gone further than originally intended in the cross-partisan agreement, and the proposal was rejected in parliament, leaving the rules for family reunification for refugees mostly unchanged (Hernes 2018). However, in august 2017, the government reduced the period in which the refugee had to apply for family reunification from 12 to six months to be exempted from general requirements.

10 Integration measures

According to the Introduction Act of 2004, asylum seekers living in reception centres have the right to participate in Norwegian language and civics training, and the municipalities are obligated to provide such training. During the application process, protection seekers are normally not allowed to get employment, but they may apply for a temporary work permit if they fulfil certain criteria (e.g., having undergone the asylum interview, have a biometric passport /no unclarities about the applicant's identity) (UDI 2023d).

After being granted a residence permit, refugees – and persons family reunited with refugees – have the right and obligation to participate in publicly funded integration programmes. Integration of immigrants has always been a local responsibility in Norway. Until the implementation of the national 2004 Introduction Act, integration measures for refugees were mainly a local concern, and integration measures, organisation and financial benefits to refugees varied widely in different municipalities (Brochmann & Hagelund, 2010a). The Integration Act of 2004 made it both a right and obligation for refugees to participate in integration programmes (Djuve, 2011). The municipalities were obligated to introduction programmes that should include (free) Norwegian language and civics training, and measures to enable further education or attachment to the labour market. The programmes normally lasted two years, with the possibility to add a third year, and should be full-time (participation part-time was not an option).

The municipalities get funding from the national government to provide such programmes. The programme should be individually tailored to the participant's prior qualifications and education level, but normally includes different qualification measures, either (adult) education or employment-related measures (Hernes et al. 2019).

10.1 Policies after 2015

The Norwegian government did not make any major changes in the integration programmes in 2015/16. One new policy measure was the introduction of an integration fast track (*hurtigsporet*). The fast track was intended as a brief work-oriented programme (within the introduction programme) that integrated Norwegian language training with other qualifying measures. The target group was refugees who could manage without long, prior training courses, but mainly needed to learn the language in order to get employed (Hernes et al. 2022a). The fast track did not change any rights or obligation, but was an initiative derived from an agreement between the government, and Confederation of Norwegian Enterprise (NHO) and the Norwegian Confederation of Trade Unions (LO). However, although the fast track was presented as a new policy measure, it only implied an aim to increase the use of already existing labour market measures, such as wage subsidies and mentoring support (Skjelbostad & Hernes 2022).

Between 2017 and 2021, Norway has had a larger overhaul of the introduction programme. In 2018, the Norwegian government launched a new integration strategy, where one key message was that the integration programme must result in formal education and qualifications, to ensure a long-term labour-market establishment. From 2018, asylum seekers now had both the right and obligation to participate Norwegian language and civics training (IMDi 2018). Based on the strategy from 2018, in 2021, Norway implemented a new Integration Act, which replaced the previous Introduction Act. The new Integration Act introduced differentiated programme time for participants of differing ages and educational backgrounds – the latter ranging from 3 months up to 4 years. For example, individuals with

higher educational levels on arrival (upper secondary levels or higher) would only be entitled to shortened programmes from three months to one year, while individuals aged under 25 years should generally be enrolled in upper secondary school as part of the programme and could attend programmes for up to four years. The Act intensified the focus on formal qualification and education and gave the regional county more formal responsibilities. The county was to offer career guidance to participants and be responsible for Norwegian language training for those participants that would be enrolled full-time in secondary education as part of the programme. The new act also introduced new obligatory integration measures that should be part of the programme: early competence mapping in reception centres conducted by the municipalities (with the aim of ensuring more targeted settlement), career guidance, life skills training courses (*livsmestringskurs*) and parental guidance courses for participants with children (The Integration Act 2021). If the competence mapping wasn't conducted in the asylum period, it was both a right and an obligation to have competence mapping after settlement.

10.2 Integration rights and exceptions for displaced persons from Ukraine

Collective temporary protection holders already been listed on the same basis as other protection holders in the target group of the full introduction programme in the current legislation. Following the influx of displaced persons from Ukraine in 2022, it was debated whether they should be required to take part in the traditional integration programme on the same basis as other protection holders. These arguments focused on the intended temporary nature of their stay, and, importantly, assumptions that they would not *need* the full introduction programme because they could transition more easily into the labour market on their own. Underlying these expectations were assumptions about the Ukrainians' level of education, their assumed English levels and their closer cultural ties to Norway (Hernes et al. 2022).

During spring 2022, a new chapter adding temporary amendments to the Integration Act was passed in parliament, introducing a series of changes to the scope and content of integration provisions for displaced persons from Ukraine. Overall, the amendments included a somewhat shorter and more limited programme, but with more flexible options for displaced persons from Ukraine than for other groups. Displaced persons from Ukraine have the right to attend the introduction programme, but, unlike the case with other groups, the legislation does not state that they are *obligated* to participate. However, displaced persons from Ukraine in need of financial assistance after settlement may be obligated to participate in an introduction programme in order to be eligible for such financial assistance. The introduction programme should contain language and work-oriented elements, but the language training is briefer for displaced persons from Ukraine (only one year, consistent with the duration of their initial permit, however, changes were made from July 1, 2023, giving municipalities the possibility to extend language training for displaced persons from Ukraine by 6 months). Unlike the case for other groups, the programme could also include English language training. Displaced persons from Ukraine have neither the right nor the obligation to attend civics classes, nor must they take the otherwise compulsory empowerment course (*livsmestring*). However, they must complete the parental guidance course (*foreldreveiledning*) if they have children. Furthermore, displaced persons from Ukraine are exempted from the right and obligation to competence mapping before settlement ("early competence mapping"). Unlike the case for other refugee groups, they can complete the

introduction programme on a part-time basis; and if they leave the programme, they do not lose the right to come back later, unlike other refugees (Hernes et al. 2022).

Displaced persons from Ukraine are not allowed to work in Norway before they have been granted a collective protection permit (if they do not have a prior valid work-permit). Refugees who want their prior education approved can apply to the Directorate for Higher Education and Skills (HK-dir). This also applies for displaced persons from Ukraine. However, from April 2022, many displaced persons from Ukraine could get their education automatically approved (depending on their education). The Norwegian Directorate for Higher Education and Skills has this arrangement for over 20 countries. It is not an assessment of each individual education, but information of how different grades can be assessed. E.g., a four-year bachelor from Ukraine is normally approved as a three-year bachelor in Norway. Minor changes have also been made making it easier for displaced persons from Ukraine to have their education approved.

11 Financial assistance to the protection seeker

During the application process, protection seekers will receive financial assistance to cover basic needs if they live in reception centres. The amount depends on the age, family situation and whether the reception centre serves food or not. It is also possible to apply for assistance with extra expenses for medicine or medical treatment that are life and health essential (UDI 2023e).

After a residence permit has been granted, the financial assistance is linked to participation in the introduction programme during the initial period. Participants get an individual integration benefit, regardless of the financial situation of the entire family. This benefit will often be higher than regular social benefits, and is meant as an incentive for programme participation. The introduction benefit is reduced proportionally if the participant is absent from the programme without valid reason. After the introduction programme, protection holders are entitled to regular social and unemployment benefits (Hernes & Tronstad 2014).

As a response to the high influxes in 2015, several reductions and restrictions were introduced in the financial assistance during the asylum application. Firstly, in 2015, the government reduced the financial benefits provided to protection seekers during the application process by 20 %, to “ensure that the level of benefits for asylum seekers does not make Norway appear economically attractive in relation to comparable European countries” (Johansen 2015). Secondly, during the policy process in 2015/16, the Norwegian minority government proposed several restrictions on protection holders’ access to regular social benefits, including removing exemptions in place for refugees from residence/qualification periods and cutting welfare benefits. However, in the spring of 2016, most suggestions were rejected in parliament, except for one minor change: introducing a five-year residence requirement for parents to receive cash benefits for their 1–2-year-olds (*kontantstøtten*) (Hatland 2020; Hernes 2018).

Some important policy changes were introduced in the interim period between 2017-2021. Although many of the proposed restrictions on financial benefits were rejected by the majority in parliament in 2016, the same policy changes were later introduced through a budgetary process in 2019. The Christian Democrats and the Liberal Party, who had both opposed the changes in 2016, later joined the coalition government consisting of the Conservatives and the Progress Party in 2018/2019. The changes were re-introduced in the context of a budget proposal and passed into law in the 2019-20 parliamentary term without much further public discussion. Previously, those with refugee status had exemptions from minimum residence requirements to receive benefits such as pensions, permanent disability benefits, employment verification allowance, and other particular benefits, based on their needs and the particular situation of refugees. With the new changes, those who were previously eligible for those benefits now had to apply for a means-tested supplementary benefit scheme, which involved more frequent applications, restrictions on stays abroad, and often would imply a generally lower level of support. The government also introduced a residence requirement of 5 years for cash benefits and tightened the residence requirement from 3 to 5 years for old-age pension, disability benefit, employment verification allowance, benefits for surviving spouse, child pension and allowance for single parents (Prop. 85 L (2016–2017)).

Thus, in 2015/16 and the period before 2022, several new restrictions and reductions were introduced for protection seekers. However, in 2022, this restrictive trend changed. During the spring and summer of 2022, several new articles (focusing on displaced persons from Ukraine) raised the question of the low financial benefits given to asylum seekers during the application process. As part of the general 2023 budget process, the financial benefit for

asylum seekers during the application process was raised by 50 % (UDI 2022b). This raise in financial benefits, however, targeted all protection seekers, not only displaced persons from Ukraine.

After being granted protection, displaced persons from Ukraine are subject to the same rules as other protection holders, and the main support source during the initial period after settlement is the introduction benefit. After the introduction programme, they are entitled to the same benefits as other groups, (including the restrictions on certain benefits introduced in 2016 and 2019, see description above).

12 Healthcare services

Persons who have applied for asylum in Norway (and later those who had been granted protection) have the same rights to necessary healthcare services as other residents (Norwegian Directorate of Health 2023). No amendments were made to existing legislation for asylum seekers or refugees concerning health rights in 2015/16.

In the healthcare sector, the high influx of displaced persons from Ukraine created capacity problems in a system that was already under pressure due to two years of challenges resulting from the COVID-19 pandemic. The challenges due to the Ukraine situation were primarily addressed by providing guidance to service providers regarding prioritisation within existing legal frameworks.

Further, two main changes were prepared to tackle increased or continuing pressure on health services. Firstly, to promote the recruitment of healthcare personnel, a temporary special arrangement was introduced for the remuneration of pensioners who are employed to meet an extraordinary personnel demand in connection with persons displaced from Ukraine. The provision involves an exception to the main rule that income from employment should lead to reduction in contractual pension payments. In addition, a change was adopted in the rules on qualification requirements for doctors in municipal health and care services, which involves an exception to the main rule that doctors in such positions must have specialist approval in general medicine or be in the process of specialisation. The exception applies only to temporary substitutes employed until December 31, 2023. With regard to healthcare personnel arriving from Ukraine, no exemptions were adopted regarding requirements for Norwegian authorisation, but efforts were made to facilitate the process of obtaining such authorisation.

Secondly, a regulation that could impose certain restrictions on patients' procedural rights was prepared, e.g., right to receive treatment within certain time-limits, to choose the service provider of specialist health care services and get a second medical opinion. The Temporary Changes Act allows for the adoption of regulations which make exceptions to all these rules *if* it becomes necessary as a result of a high number of arrivals of persons displaced from Ukraine. This helps ensure that the capacity of specialist health services is not exceeded. If adopted, however, the temporary exceptions will apply generally to all patients and users and will thus not be limited to protection seekers generally or displaced persons from Ukraine specifically. These temporary legislative changes are mainly procedural and organisational in nature and do not interfere with patients' fundamental rights to necessary and sound health care. The purpose of the legislative changes is to create an opportunity to free up capacity on the administrative side in order to prioritise more directly treatment-related tasks. As of June 2023, the regulatory provisions allowing exceptions to be made regarding patient and user rights rules in the health sector have not yet been utilised.

13 Pre-school and mandatory schooling for minors

13.1 Access to pre-school and mandatory school

In Norway, children have the right to a place in kindergarten in the municipality where they reside. As a general rule, this right applies from the child's first birthday and until they start primary school at the age of six. For individuals who are newly arrived in Norway, the right to kindergarten is dependent on residence approval and settlement in a municipality. However, municipalities may choose to offer children a place in kindergarten while they still live in a reception centre, but they are not obligated to do so.

When turning six years old, children living in Norway have the right to free primary education irrespective of legal status. Children who come to Norway have the right to primary education provided that they most likely will stay in Norway for more than three months. Prior to 2015, Norwegian authorities had a duty to ensure that newly arrived children received adequate education from the day after they arrived in the country. In many cases, this rule was impossible to implement, and this became particularly evident during the large influxes in 2015-2016.

Further, people between the ages of 15 and 24 with legal residence in Norway have the right to apply for three years of upper secondary education. The same applies to young people under 18 years of age who are waiting for their application for residence permit to be decided. However, with the new Integration Act, young protection holders between the age of 16-17 are no longer entitled to Norwegian and civics training. They only have the right to upper secondary education upon application. Since the county authorities are not obligated to process these applications continuously, young protection holders may be left without a training offer during the initial period.

13.2 Government responses to tackle the sudden rise in protection-seeking minors in the education system

During 2015-2016, there were no large legislative changes concerning kindergarten, primary and secondary education for children. The capacity problems during this period were mainly addressed through increased appropriations. However, one permanent change was made to the Education Act in 2017, which was initiated by the large arrivals in the two years prior. According to the amendment in 2017, school authorities would have an obligation to ensure that newly arrived children receive adequate education as soon as possible and no later than within one month after arrival, instead of the previous requirement stating that it should be from the day after they arrived in the country.

The very high number of arrivals from Ukraine – which included a large proportion of children compared to previous arrivals – created a need to provide local authorities with more time to plan and organise the education provision and enrolment for the many new students. The previously extended time-limit of one month was then further extended to three months in the Temporary Changes Act of 2022. An important aspect in this context was that a higher degree of flexibility could also promote municipalities' willingness to settle protection holders (see chapter 7 on settlement model). The temporary amendment was general and applied not only to displaced persons from Ukraine but to all children arriving in Norway. In addition to the extension of the general time-limit, a temporary provision was adopted which

authorises administrative authorities to adopt regulation which further extends the time-limit. Such an extension could only be adopted in extraordinary situations due to the number of displaced children from Ukraine proving to be very high. This regulatory provision has not yet been utilised as of June 2023.

In the preliminary legislative work for the Temporary Changes Act, it was considered whether it was also necessary to make changes to the rules regarding admission to secondary education. However, it was concluded that existing rules provided school authorities with sufficient flexibility to meet the needs of newly arrived students.

One minor change was implemented. Norwegian municipalities may choose to provide so-called "Welcome classes", with modified education for newly arrived students through modified courses in separate groups as an alternative to participation in the schools' regular classes or groups (for a maximum of two years). This may be useful where, for example, there are many students who need enhanced language education. The general rule was that participation in an introductory plan required consent from either the students themselves or the student's legal guardian. With the Temporary Changes Act, an exception to this rule was introduced. In situations where a large number of displaced individuals arrive from Ukraine, it was argued that there might be an extra strong need to provide education through introductory courses to ensure that newly arrived students received adequate education. In such cases, the requirement for consent to participate would not apply (implying that students may be placed in these courses and groups against their own and their guardians' will). This amendment applied to both primary and secondary education. The exception rule is connected to extraordinary situations arising from the high arrivals from Ukraine. However, if a municipality found it necessary to organise education through introductory classes, the exception from the consent requirement would also apply to newly arrived students from other countries.

In the legislative process, it was considered whether changes were needed in other educational laws, such as rules on the right to first language education, bilingual education and special education. However, it was found that the existing legislation provided sufficient flexibility to address challenges in these areas.

Concerning kindergartens, in connection with the passing of the Temporary Changes Act, it was considered that there was no need to change the rules regarding the right to a place in kindergarten or the rules regarding admissions. It was also deemed unnecessary and inexpedient to make exceptions to the approval system for kindergartens. However, a temporary provision was adopted which authorises administrative authorities to adopt regulation which allowed for temporary approval of kindergartens established to meet a temporary need resulting from high arrivals of displaced persons from Ukraine. At the same time, a provision was passed to allow for the adoption of regulations on temporary funding to kindergartens that may receive such temporary approval. As of June 31, 2023, these regulatory provisions have not yet been utilised, but draft regulations have been prepared and distributed for consultation. It was also considered whether adjustments to the regulations regarding employees in kindergartens and schools were necessary to facilitate children from Ukraine to contribute as personnel in such institutions. However, it was concluded that existing laws on qualifications, documentation, and language skills adequately address these needs.

14 Overall analysis

In 2015/16, most policy changes and measures imposed new obligations and restrictions on the protection seekers' and holders' rights. The legislative changes in this period mainly involved permanent changes and applied to all groups of protection seekers (as Norway did not separate statuses between those granted refugees and subsidiary protection). Thus, the overall trend in Norway in 2015/16 was that policies became more *restrictive* but applied equally to all groups of protection seekers.

In 2022/23, most legislative changes are temporary changes – in line with the temporary protection status displaced persons from Ukraine received. In many cases, the temporary changes made only applied to persons from Ukraine, and not to other groups of protection seekers and holders. The legislative changes in 2022/23 can be characterised as involving more freedom and choice for displaced persons from Ukraine (e.g., concerning housing and settlement, integration programmes, etc.), compared to other groups seeking protection, and particularly in stark contrast to the legislative changes imposed in 2015/16. Thus, the overall trend in Norway in 2022/23 is that the policies are more *selective*, and – for displaced persons from Ukraine – more *liberal*.

However, it is important to emphasise that the temporary permits and time perspective for displaced persons from Ukraine also imply that this group has more restrictive rights in certain domains, e.g., concerning reduced time period for Norwegian training during the initial period and their permit does not fulfil residence requirements for permanent residency (as of June 2023).

Further, a general trend in both periods is that many legislative changes were made to provide local authorities and service providers with the necessary exemptions and flexibility, in times when the public service provision apparatus is put under high pressure due to increased influxes of protection seekers.

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