



ROYAL NORWEGIAN  
MINISTRY OF JUSTICE AND PUBLIC SECURITY

Your ref.

Our ref.  
15/1261 - LMK

Date  
30.06.2023

**Regarding request for information Norway's expulsion practice concerning minor criminal offences**

The Ministry of Justice and Public Security ("the Ministry") refers to the letter from EFTA Surveillance Authority dated 1 June 2023. The Ministry is invited to submit information regarding i.a. the status of the work on providing new guidelines, by 3 July 2023. We hereby offer our response to your request.

As previously informed, the Ministry has revoked Circular GI-02/2013 and has left to The Directorate of Immigration (the UDI), in cooperation with the National Police Directorate, to develop future practice within the frame work of Directive 2004/38, the Norwegian Immigration Act and the latest court jurisprudence.

The relevant legal framework in Norway regarding expulsion *with* an entry ban of an EEA citizen is Section 122 of the Immigration Act and Section 19-29 of the Immigration Regulation. The provisions implement Articles 27(1), 27(2) and 28 of Directive 2004/38. In addition, Section 121 of the Immigration Act regulates expulsion *without* an entry ban.

No EEA citizens are currently being expelled on the basis of *one* minor incident of theft/minor theft. Both EEA-nationals and Norwegian nationals may however be fined by the police in these cases, according to the Penal Code.

The UDI received a report from the Police 21 June this year, regarding how petty crimes are currently affecting the Norwegian society.

With regard to the number of cases where EEA citizens commit theft/minor theft, there are variations in the different police districts. The problem seems to be of a

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larger scale in the cities, and during the summer months.

The report itself is exempt from public disclosure, but the UDI is now working on an analysis of the material in the report and will summarize the relevant elements in their new guidelines.

There will now be a continued dialogue between the UDI and the National Police Directorate on the content of the new guidelines, which most likely will be finished for publishing at the latest within November 2023. There will also be an opportunity for the UDI and the police to draw experience from how the situation develops in the summer months this year before deciding finally on new guidelines.

Yours sincerely

Kenneth Adale Baklund (p.p)  
Acting Deputy Director General

Lene Marie Knudsen  
Senior Adviser

*The document is approved electronically, as such no handwritten signatures are required.*

