



DET KONGELIGE
JUSTIS- OG BEREDSKAPSDEPARTEMENT

THE ROYAL MINISTRY OF JUSTICE AND PUBLIC SECURITY

Circular

National Police Directorate
Norwegian Directorate of Immigration

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23 May 2024

Instruction GI-06/2024 – Rejection of Russian citizens with Schengen visas for tourist purposes and other non-essential travel, in accordance with section 126, first paragraph of the Immigration Act

1. Introduction

The Ministry of Justice and Public Security refers to the Act of 15 May 2008 No. 35 relating to the admission of foreign nationals into the realm and their stay here (Immigration Act). Reference is also made to the Ministry's general right of instruction. The Ministry may, regardless of the limitations that follow from section 76, second paragraph of the Immigration Act, give the police and the Norwegian Directorate of Immigration (UDI) instructions regarding legal interpretation, exercise of discretion and prioritisation of cases pursuant to the Immigration Act.

The purpose of this instruction is to safeguard Norway's foreign policy interests and international relations by preventing entry (and passing through/transit) to Norway via the Schengen external border by Russian citizens whose purpose is tourism and other non-essential travel. Who is covered by this instruction is set forth in section 3 below.

2. Background

In May 2022, Norwegian visa practices for Russian citizens were restricted. This restriction entails that applications for visas will as a starting point be refused if the purpose is tourism or visiting friends. It is also more difficult to obtain a visa if the

purpose is to visit distant relatives, boyfriends or girlfriends, as well as business trips and visits for cultural purposes.

This instruction is intended to prevent Russian citizens who have been granted visas for the purpose of tourism or other non-essential travel, whether issued by Norway or other Schengen countries, from being allowed to enter Norway via the Schengen external border. Persons who have been issued visas by Norway after the above-mentioned restriction of visa practices in May 2022 are not affected by the instruction.

In the interest of Norway's foreign policy and out of consideration for our international relations, it is important to prevent the entry to Norway of Russian citizens who travel to Norway for the purpose of tourism and other non-essential travel, as well as to avoid facilitating Russian citizens' entry to other Schengen countries via Norway. It is in line with Norway's policy of European unity in the reactions against Russia not to be the only Schengen country with an external border with Russia that still allows entry for Russians with Schengen visas for the purpose of tourism and other non-essential travel.

It follows from section 126, first paragraph of the Immigration Act that for reasons of foreign policy considerations, among other things, decisions on rejection may be made. The Ministry believes that this provision in the current situation should be understood to the effect that foreign policy considerations form the basis for the rejection of Russian citizens who have been issued visas for tourism and other non-essential travel; see further description of the groups of persons in section 3 below.

Reference is also made to restrictions in the sanctions regulations, effective from 3 October 2023, which imply that, among other things, Russian-registered vehicles that fall under Chapter 8703 of the Customs Tariff can no longer be brought into Norway; see Article 17g of the Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine. There are certain exceptions that allow the temporary importation of said vehicles. The amendments to the sanctions regulations are aimed at means of transport, whereas this instruction applies to persons.

This instruction does not apply to internal border control or general immigration control in the realm.

This instruction does not apply to rejection from Svalbard; see the Regulations of 3 February 1995 No. 96 relating to rejection and expulsion of persons from Svalbard.

3. Groups of persons

This instruction applies both when a Schengen visa is issued by Norway and by other Schengen countries, and covers the following groups of persons:

- Russian citizens who come to Norway via the Schengen external border for the purpose of tourism and other non-essential travel, whether they have Norway as

their travel destination or they wish to travel on from Norway to other countries (passing through/transit).

- Russian citizens who come to Norway via the Schengen external border to visit friends, a boyfriend, girlfriend or more distant family members than parents, spouses, cohabitants and children, whether they have Norway as their travel destination or they wish to travel on from Norway to other countries (passing through/transit).

Russian citizens who are not covered by the criteria listed above will be able to enter Norway via the Schengen external border (land, air and sea).

Examples of groups that this instruction *does not* cover (not exhaustive) will be:

- Russian citizens with a Schengen visa issued by Norway *after* 30 May 2022.
- Russian citizens who will visit close family residing in Norway or other Schengen countries (parents, spouses, cohabitants or children).
- Russian citizens who are family members of EEA citizens; see section 110, third paragraph of the Immigration Act.
- Russian citizens who will work or study in Norway or other Schengen countries.
- Russian citizens with a national visa, issued by Norway, in accordance with section 11 of the Immigration Act.
- Russian citizens with a local border traffic permit.
- Russian citizens who own a vacation property in Norway, and who will carry out necessary maintenance of the property, if it was acquired before entry into force of this instruction.
- Russian citizens with an entry visa and residence permit in Norway or another Schengen country.
- Russian citizens who have a residence permit in a third country and are going to travel there.
- Russian diplomatic and consular staff, administrative and technical staff and support staff, who are registered or will be registered in Norway, or who transit through Norway, as well as family members (spouse, cohabitant, children) who belong to their household at the place of service and diplomatic couriers.
- Russian citizens who need to travel through the Norwegian mainland on their way to or from work or residence in Svalbard, who are permanent residents there, or who are staying there and need to travel via the Norwegian mainland to go home.
- Russian citizens who have been invited to Norway by the Norwegian authorities or who will participate in projects financed by the Norwegian authorities.

4. Instruction

It follows from section 194A-4b, first paragraph of the Immigration Regulations that the police are granted decision-making competence to make decisions on rejection in cases concerning relevant Russian citizens who can be rejected for reasons of foreign policy

considerations. The Norwegian Directorate of Immigration (UDI) is the appeal body for decisions taken by the police.

The police are hereby instructed that section 126, first paragraph of the Immigration Act in the present situation, as described in section 2, shall be understood to the effect that foreign policy considerations provide a basis for rejecting the groups of persons referred to in section 3 of this instruction.

Even if a Russian citizen is covered by this instruction, making a decision of rejection may exceptionally be omitted if special reasons so require. This could, for instance, be special care responsibilities or other strong welfare considerations. In case of applications for protection/asylum from Russian citizens covered by this instruction, these applications shall be processed in accordance with ordinary rules. In cases concerning protection pursuant to Chapter 4 of the Immigration Act and safeguard against deportation pursuant to Chapter 9, the provisions in these chapters take precedence over the provisions in section 126 first paragraph; see section 126, fifth paragraph.

Certain special administrative procedure provisions have been provided in section 19A-7a of the Immigration Regulations. Decisions on rejection shall be implemented immediately; see section 129, fifth paragraph of the Immigration Act. No time limit for departure shall be set; see section 90, sixth paragraph e) of the Immigration Act.

The provisions set forth in section 91 of the Immigration Act regarding liability for expenses for removal etc. apply to the cases in question, as for other rejection cases.

Revocation of visas for those who are rejected follows the ordinary practice.

5. Entry into force

This instruction enters into force on 29 May 2024.

With regards,

Siri Johnsen (by authority)
Deputy Director General

Kaja Kolvig
Ministry Adviser

The document has been electronically approved and is sent without signature

Copy:

Ministry of Labour and Social Inclusion

Ministry of Finance

Norwegian Police Security Service

Ministry of Transport

The Governor of Svalbard

Ministry of Foreign Affairs

The Immigration Appeals Board (UNE)