

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE



Annual report 2025

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

Contents

Chairman’s report	4
Summary	7
1. About the Supervisory Board.....	8
1.1. Introduction.....	8
1.2. Composition and organisation	8
1.3. Independence	9
2. Overview of the Supervisory Board's activities in 2025.....	9
2.1. On-site inspections and dialogue with immigration authorities	9
2.2. Supervision of forced returns.....	10
2.3. Meetings.....	10
2.4. Events and training	11
2.5. Consultation statements	11
2.5.1. Consultation on new regulations.....	11
2.5.2. Consultation on the Border Act	13
2.6. Contributions to the media.....	14
2.7. Survey among employees at the immigration detention centre	14
2.8. Enquiries to the Supervisory Board	14
2.9. Summary of activities	15
3. Are human rights violations occurring at Trandum?	16
3.1. About the detainees at Trandum	16
3.2. Lockdown as a routine measure.....	17
3.3. Is the locking down of detainees a violation of their human rights?	19
3.3.1. Introduction.....	19
3.3.2. Relationship to Article 8 of the ECHR – right to privacy.....	20
3.3.3. Violation of Article 3 of the European Convention on Human Rights (ECHR) – absolute prohibition of inhuman or degrading treatment	22
3.3.4. Lockdown during the inspection in March 2025:.....	23
3.3.5. Lockdown during the inspection in November 2025:.....	23
3.3.6. Project NPIS.....	24
3.4. Body searches	24

**THE SUPERVISORY BOARD FOR FORCED RETURNS
AND THE IMMIGRATION DETENTION CENTRE**

3.4.1.	Introduction.....	24
3.4.2.	Current practice.....	28
3.4.3.	Decisions by the ECHR on possible human rights violations in connection with body searches during detention.....	28
3.4.4.	Other international rules on body searches.....	30
3.4.5.	Norwegian court rulings on body searches as a violation.....	31
3.4.6.	Current practice at Trandum – processes of change?	32
3.5.	Access to daylight and outdoor air.....	33
3.6.	Activity, communication, community and food provision	34
3.7.	Restrictions and other use of force.....	36
4.	The best interests of the child in connection with detention in connection with forced return.....	37
4.1.	Introduction to the Haraldvangen family unit.....	37
4.2.	Why the best interests of the child require special focus in the context of detention and return	37
4.3.	Legal framework: "The best interests of the child" as a guiding principle.....	38
4.3.1.	The best interests of the child: a substantive and procedural obligation ..	38
4.3.2.	ECHR: Children's "extreme vulnerability"	39
4.4.	Haraldvangen Family Centre – status and development from 2024 to 2025....	39
4.4.1.	Brief description of Haraldvangen as a place of accommodation	39
4.4.2.	2024: Ongoing challenges – particularly related to legal safeguards and control	39
4.4.3.	2025: Continued need for documentation and operationalisation of the best interests of the child.....	40
4.5.	Practice and findings 2025: Supervisory visit to Haraldvangen 2025.....	40
4.5.1.	Overall impression.....	40
4.5.2.	Issues that raise questions of legal safeguards and the best interests of the child	41
4.6.	Haraldvangen as a measure – what is needed to ensure that the best interests of the child are the real guiding principle?.....	41
4.7.	Recommendations and further work in 2026.....	42
5.	The right to health care	43
5.1.	Introduction.....	43

**THE SUPERVISORY BOARD FOR FORCED RETURNS
AND THE IMMIGRATION DETENTION CENTRE**

5.2.	Transfer to the municipalities	45
5.3.	New expert group on the Board	45
5.4.	The transition to municipal operations	46
5.5.	Mental health care	47
5.6.	Limitations in health care.....	47
5.7.	Fit to fly.....	48
5.8.	Safeguarding non-refoulement during detention and in connection with removal 48	
5.8.1.	Background.....	48
5.8.2.	Legal developments in 2025	49
5.8.3.	The Supervisory Board's work on non-refoulement in 2025	49
6.	Forced returns	53
6.1.	Background.....	54
6.2.	Mandate.....	54
6.3.	The year 2025	54
6.4.	Further work on forced returns	55
7.	Overall recommendations	56
7.1.	Recommendations to the Ministry of Justice and Public Security	57
7.1.1.	Strengthened regulations.....	57
7.1.2.	Strengthen legal safeguards for children and consider a ban on detention	57
7.1.3.	Follow up on the European Court of Justice and Supreme Court requirements for non-refoulement	57
7.1.4.	Ensuring a secure framework and quality in health services.....	57
7.2.	Recommendations to the National Police Immigration Service (NPIS).....	58
7.2.1.	On reduced locking down.....	58
7.2.2.	On transition to body scanners.....	58
7.2.3.	Establish procedures for delegation visits and non-refoulement	58
7.2.4.	Strengthening children's rights in operational practice.....	58
7.2.5.	Improve the daily lives of detainees	59
7.3.	Final note	59
8.	Contact	59

Chairman's report



In the blind spot of the rule of law?

Many people today are displaced from their homes – due to war, conflict, climate disasters, hunger and other hardships. Strict migration policies often follow in their wake. This can undermine the fundamental rights of people who are fleeing or without legal residence, for example through high security levels in detention centres, failing legal safeguards and treatment that resembles punishment. Migration policies that portray foreigners as a risk can also strengthen support for even stricter measures.

Deprivation of personal liberty is one of the most intrusive measures available to the state. That is why the European Convention on Human Rights (ECHR) and Norwegian law impose strict requirements regarding necessity, proportionality and legal safeguards. At Trandum, this is a case of administrative detention. It is not a criminal law measure. However, as Trandum's security level, physical surroundings and practices resemble those of a prison, there is an ongoing problem with legal safeguards. With high fences, many locked doors and narrow corridors, surrounded by grey asphalt and runways, Trandum gives a harsh impression. Security needs are the prevailing language. However, the prison-like surroundings are not proportionate to the purpose. They can be seen as an expression of a system that is not yet well enough adapted to civilian detention.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The Supervisory Board's work is focused on the final phase of deportation from Norway – the days, weeks or months that foreigners are detained before being sent out, and from autumn 2025, also on the actual journey to their home country. In order to take on this task, the board members and secretariat are broadly composed, with a high level of professional expertise. It is work that requires independence and professional weight. And it is work that often meets with resistance. Few question how Norway treats people who are considered undesirable. As the only watchdog against intrusive measures in this phase, our mandate is constantly debated. Our view is that we should take a broad human rights perspective, which necessarily means addressing not only the use of force and coercion, but also the acute situation. Our job is simply to shine a spotlight on practices that are degrading or inhumane at any given time.

When we point out what we believe to be risks of reprehensible conditions, we expect to be heard and to have adequate access to decision-making processes. Over the past year, this has been more challenging than desirable. The fact that supervisory bodies only have limited access to relevant decision-making processes weakens their independent function.

People who are deprived of their liberty are considered particularly vulnerable. This also applies to those who are about to leave the country. Deportations affect families with children, the sick, the elderly, parents being separated from their children, young men with no visible future, and people who have lived in Norway for long periods of time. They are sleepless, afraid and some are suicidal. Many have become human pawns. And unfortunately, some are picked up in the middle of the night. We call these people detainees and deportees. Many believe that they are criminals. In any case, they have been declared undesirable and without legal residence.

In deeply disturbing images from the city of Minneapolis in the state of Minnesota, in a part of the world where a high-ranking member of the government claims that Europe is lagging behind when it comes to migration, we see how wrong things can go when the authorities run amok. So, what is our response to this? Let us take some examples that will undoubtedly spark debate. Families with small children being picked up in the middle of the night for deportation. Elderly people in their eighties being put on long flights away from their families to an unknown fate, or cancer patients not receiving treatment before they leave. And if this is happening in Norway? Then we actually have a situation that affects our understanding of the fundamental principles of proportionality. That is precisely why we have strengthened the Board's focus on the best interests of the child, health services for detainees and the principle of non-refoulement, which is binding under international law.

Stricter living conditions for refugees in Norway are being announced. Tightening measures are popular, regardless of their form. Human dignity, on the other hand, is not such an easy political goal to achieve. But it is entirely possible to act responsibly without depriving the most vulnerable of their dignity.

Despair, desperation and fear – these are often the states of mind of the people at Trandum, and

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

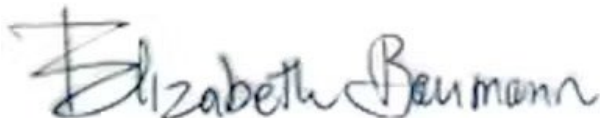
the harsh surroundings reinforce this. My fear is routines and practices where the situation of individuals gradually becomes irrelevant to the executive authorities. It is not so long ago that the Supreme Court ruled in a grand chamber judgment that frequent and routine use of strip searches that could not be justified on security grounds, was a violation of human rights. Those affected were awarded compensation from the state. For many years, an entire system had failed to respond to abusive interventions. It is precisely this kind of tunnel vision that could also affect Trandum.

The risk of human rights violations is high when vulnerable and weak groups are exposed to power. Like my predecessor, I want a dignified system where human dignity is not compromised and where due process is safeguarded at a higher level than it is now. This means that those detained at Trandum should be able to complain about violations. They should not have to meet with foreign delegations without legal assistance. Those who are to be deported should not be picked up at night. And we who make up the Board should be given greater leeway and understanding for our work. When we go to Trandum for an inspection, for example, we must have an interpreter, suitable meeting rooms and clear communication with the detainees about our role. It may sound trivial, but we are the safety valve that ensures that human rights are respected. Every institution where people are deprived of their liberty must have such supervisory bodies.

Fortunately, there are some rays of hope. A new municipal health service has been established at the detention centre, but there is still no health care beyond the framework for those who are without legal residence or have access to mental health services. Finally, many years of criticism of locking-down detainees has been addressed with the installation of dormitory locks, resulting in less use of lock-downs during the day. However, the path from mental illness to security measures is short. Furthermore, the government has decided to transfer the operation of the centre to the Correctional Service. This may improve the human rights situation for those detained. However, it requires significantly higher levels of resource allocation. We call for a public debate on how best to implement such a transition.

The legal safeguards must be particularly clear. Internal procedures are not sufficient. We note that many agencies now want to improve conditions for detainees. This requires new regulations to ensure this and a high level of vigilance regarding practices.

Monitoring departures is a new task for the Board. We discuss this in more detail in Chapter 6. In this area, too, it is important to strengthen the wider community's understanding of the supervisory tasks.

A handwritten signature in blue ink that reads "Elizabeth Baumann". The signature is written in a cursive, flowing style.

Elizabeth Baumann

Board Chairperson

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

Summary

In 2025, the Supervisory Board has supervised the immigration detention centre at Trandum, the family unit at Haraldvangen and, for the first time, carried out supervision of forced returns. Although the Supervisory Board believes that there are ongoing challenges related to legal safeguards and compliance with human rights, the year has also been marked by important improvement measures.

In 2025, the Board has paid particular attention to the best interests of the child, health care and the safeguarding of non-refoulement. The deprivation of liberty of children raises fundamental questions of legal safeguards and human rights, and consideration of the best interests of the child must be better documented and operationalised. The transfer of health services to municipal operation is positive, but challenges remain, particularly with regard to mental health care and capacity.

The principle of non-refoulement entails absolute protection against being sent to an area where the person will be subjected to persecution. Legal developments in 2025 show the need for increased attention to be paid to return protection before returns are carried out. Among other things, the Supervisory Board has looked closely at practices related to foreign delegations' identification interviews with detainees. Such processes raise questions about legal safeguards, voluntariness and possible risks associated with contact with the authorities in the home country. The start of supervision of forced returns represents an important expansion of the Board's work. Initial experience shows that continued attention is needed to the use of coercive measures, medical assessments and the safeguarding of due process throughout the return process.

The Supervisory Board has also submitted consultation statements on proposals for regulatory changes and expressed concern about developments that could open the door to more routinely applied and general interventions. In the Board's view, measures taken against detainees must be based on individual assessments and be necessary and proportionate.

Measures have been implemented to reduce the level of restrictions at the detention centre. The introduction of dormitory locks has resulted in less locking down during the day and evening and enhances the detainees' opportunity for privacy. The Supervisory Board considers this an important step in the right direction. At the same time, the practice still involves restrictions on freedom in connection with night-time locking down.

The Supervisory Board maintains that there is still no legal basis for the routine practice of night-time locking down.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The Supervisory Board also maintains that body searches are a highly intrusive measure that should only be used when necessary. Failure to use less intrusive alternatives, such as body scanners, may pose a risk of human rights violations.

Overall, the Supervisory Board's assessment is that several improvements will have been implemented by 2025. At the same time, there is still a need for a clearer legal framework, a further reduction in the use of restrictions and greater emphasis on individual assessments to ensure that deprivation of liberty is carried out in accordance with fundamental human rights.

1. About the Supervisory Board

1.1. Introduction

The Supervisory Board for Forced Returns and the Immigration Detention Centre (hereinafter referred to as the Supervisory Board or simply the Board) is appointed by the Ministry of Justice and Public Security pursuant to Section 107a of the Immigration Act. The tasks of the Supervisory Board are described in more detail in the Regulations on the Supervisory Board for Forced Returns and the Immigration Detention Centre. The Board is responsible for supervising the operation of the immigration detention centre, the treatment of foreign nationals staying there and forced returns.

The Supervisory Board is a single board responsible for supervising both the immigration detention centre and the implementation of forced returns. The work in 2025 has shown that these tasks are closely related and that supervision across the areas provides a stronger basis for comprehensive assessments of practice, responsibility and legal safeguards. The annual report provides an overview of the Board's activities in 2025.

1.2. Composition and organisation

The Board consists of a chair, deputy chair and members appointed by the Ministry of Justice and Public Security. The members have expertise in law, health, human rights and social sciences, which provides a broad professional basis for the supervisory work. The term of appointment is two years, and in 2025 the Board had the following composition:

- Elizabeth Baumann, appellate judge (chair)
- Mads Harlem, attorney and international law advisor (deputy chair)
- Hosein Behsodi, nurse with a master's degree
- Mats Foshaug, specialist in general medicine and community medicine, assistant county medical officer

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

- Cecilia Dinardi, attorney
- Six members have been appointed with special responsibility for supervising forced returns. These are:
- Anders Jordet, legal expert
 - Marianne Granlund, legal expert
 - Espen Slettmyr, social security administrative law judge
 - Annicken Iversen, attorney
 - Inger Marie Fosse, senior consultant and specialist in psychiatry
 - Solveig Holmedal Ottesen, social worker and cand.polit. (social anthropology)

The secretariat function has been assigned to the Norwegian Civil Affairs Authority (SRF). The Secretariat assists the Supervisory Board with administrative and professional support. This includes planning and conducting supervision, preparing annual reports and consultation statements, and liaising with public and private actors. The Secretariat shall ensure that the Board has up-to-date knowledge and relevant expertise.

1.3. Independence

Section 5 of the Regulations on the Supervisory Board for Forced Returns and the Immigration Detention Centre stipulates that the Supervisory Board is independent and cannot be instructed in its task performance, interpretation of the law or exercise of discretion. This independence also applies to the Ministry of Justice and Public Security, which is the highest immigration authority.

This independence is of great practical importance for the Board's work. During the year, the Board has raised questions about its mandate and independence directly with the Ministry. This has been particularly relevant in cases concerning fundamental changes in the operation of detention centres and the implementation of forced returns.

2. Overview of the Supervisory Board's activities in 2025

2.1. On-site inspections and dialogue with immigration authorities

In 2025, the Supervisory Board has followed up on detention centre operations and the implementation of forced returns through supervision, meetings and written dialogue with the responsible authorities.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

During the year, the Board has followed up on recurring issues and identified new challenges related to detention centre operations and return practices, and requested explanations from the authorities.

Three on-site inspections were carried out at immigration detention centres in 2025. During the inspections, the Board emphasised obtaining information from both detainees and employees, and following up on its own previous recommendations. The minutes are available on the Supervisory Board's website.

The first inspection took place at the Trandum immigration detention centre on 17 March, focusing on confinement, the use of coercive measures, body searches and health services following the transfer of responsibility to Ullensaker municipality.

The second inspection was carried out at the family unit at Haraldvangen spring 2025, where child welfare, health services and interpreting procedures were key topics.

The third inspection was carried out at the Trandum immigration detention centre on 3 November, with particular emphasis on deprivation of liberty, isolation, health services and activities on offer. During this inspection, it was observed that dormitory locks had been installed with the aim of ensuring that locking down now only takes place at night, which is a change from previous practice.

2.2. Supervision of forced returns

Towards the end of the year, the Supervisory Board began monitoring forced returns. Five inspections of returns were carried out. The inspections focused on the use of coercive measures, the treatment of those being deported and cooperation between the NPIS and international actors. The experiences from these inspections will be important for the further work in 2026. A more detailed account of the Supervisory Board's supervision of forced returns is provided in Chapter 6.

2.3. Meetings

The Board held five board meetings during the year, as well as meetings with external actors. Among other things, a digital meeting was held in May on consultation input to proposals for amendments to the Immigration Act and new regulations on detention centres, with the participation of the Civil Ombudsman, the Norwegian Human Rights Institution (NIM), the Norwegian Bar Association and the Red Cross.

Later that month, dialogue meetings were held, first with the Red Cross and then with NOAS and a lawyer from the law firm Sulland, on the topics of visiting services, health services and legal safeguards.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The Board was represented at the official opening of the new health service at the immigration detention centre on 30 October 2025.

2.4. Events and training

In October, a three-day seminar was held with training on forced returns, legal frameworks, means of coercion and supervision, with contributions from, among others, the Parliamentary Ombudsman in Denmark. The seminar in October was a central part of the competence building related to the start-up of return supervision. The programme covered the legal framework for forced returns, the police's use of coercive measures, child welfare considerations and practical procedures for deportation. There was also a workshop on the role of the Supervisory Board, human rights and the stages of a forced return, as well as a presentation by the Danish Parliamentary Ombudsman on the supervision of forced returns in Denmark. A member of the Board attended a Frontex meeting in Poland in November.

2.5. Consultation statements

In 2025, the Supervisory Board submitted consultation statements on matters of great importance to the Board's mandate and the legal rights of detainees.

2.5.1. Consultation on new regulations

The most comprehensive statement concerned proposed amendments to Section 107 of the Immigration Act and new regulations on immigration detention, in which the Board expressed strong concern about proposals that allow for routine confinement, body searches and collective exclusion. The Board emphasised that such measures must be based on individual assessments and proportionality, and warned that the proposals could undermine legal safeguards and may violate the European Convention on Human Rights (ECHR), the Convention on the Rights of the Child and the Constitution. The Board upheld the principle that children should not be detained and called for stricter rules to protect the best interests of the child. The statement also addressed the lack of legal basis for delegation visits and the need for better rules to safeguard the principle of non-refoulement.

Key points in the consultation statement

In its consultation statement, the Supervisory Board considered that several of the rule changes lacked a human rights basis, as the Ministry had not documented the need for the intrusive measures. It also stated that of the proposed legal bases:

- are too broad and imprecise
- opened the door to arbitrary exercise of power

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

- contravened Articles 3 and 8 of the ECHR and Section 93 of the Constitution, in that the measures were not based on individual assessments, but on routines

The Supervisory Board made the following comments on the specific proposals from the Ministry regarding amendments to the Act and Regulations:

Routine confinement:

Here, the Supervisory Board considered that the proposal for routine confinement:

- gives Trandum the character of an illegal prison
- violates the principle that detention is administrative deprivation of liberty
- is unnecessary – Sweden and Denmark practise free movement within detention centres.

The Supervisory Board therefore maintained in its consultation response that locking down can only take place after specific, individual assessments, while never as a routine.

Communication restrictions:

In the proposal, the Ministry opened up for the police to routinely confiscate mobile phones and digital devices. The Supervisory Board rejected this proposal because:

- the measure is not proportionate
- it prevents contact with family
- it is more intrusive than in comparable countries

The Supervisory Board therefore recommended that mobile phones, PCs and tablets without cameras should be allowed to be kept.

Body searches:

In its consultation response, the Board criticises the Ministry for continuing to allow broad access to body searches without documenting the need:

- Body searches are a highly intrusive measure
- The Supreme Court requires convincing security needs
- Body scanners must be introduced before such measures can be justified.

Children in detention:

In its consultation response, the Board maintains the previous Supervisory Board's position that children should not be detained. With regard to the proposals to exclude persons under the age of 18 or to transfer minors to security cells, the Supervisory Board calls for documentation that this is necessary at all. It also considered that:

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

- An almost absolute ban on the use of special security wards and security cells for children should be introduced.
- When such measures are used, there must be a requirement in the legislation for immediate notification to the person responsible for children's welfare and an independent supervisory body.

Foreign delegation visits and non-refoulement:

In the proposed amendments to the Immigration Act and the new regulations on detention centres, the Ministry did not comment on the practice of foreign authorities conducting ID clarification interviews at Trandum. The Supervisory Board nevertheless chose to include this in its consultation response because there is no legal basis for these visits in either the Act or the Regulations. In addition, the Supervisory Board writes in the consultation that there are insufficient rules in place to ensure that these visits are conducted in accordance with non-refoulement.

The full consultation statement can be found here:

https://www.regjeringen.no/contentassets/ad88fc9c30504774af7206909e65ff94/annen-offentlig-etat/tilsynsradet-for-tvangsreturerer-og-utlendingsinternatet.pdf?uid=Tilsynsr%C3%A5det_for_tvangsreturerer_og_utlendingsinternatet

The Supervisory Board will return to parts of the content of the consultation statement later in the annual report.

2.5.2. Consultation on the Border Act

The Board also submitted a consultation statement on proposed amendments to the Border Act, the Border Regulations and the Immigration Act for the implementation of the EU Regulation on the screening of third-country nationals at the external borders of the Schengen area. The Board was generally positive about a possible extension of its mandate to include supervisory tasks related to screening. At the same time, the Board emphasised the need for adequate resources and pointed out that various supervisory tasks in the field of immigration should be assessed in the context of ongoing and planned organisational changes.

The consultation response can be found here:

<https://www.regjeringen.no/no/dokumenter/horing-endringer-i-grenseloven-grenseforskriften-og-utlendingsloven/id3122918/?uid=fb3ba6e1-a0b7-4f0c-aaa1-00859baa882d>

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

2.6. Contributions to the media

Throughout the year, the Supervisory Board has also contributed to the public debate on detention, including through interviews on radio and in newspapers. These media appearances have highlighted the Board's assessments of legal safeguards, the use of coercive measures and the need to reduce the prison-like nature of the immigration detention centre.

2.7. Survey among employees at the immigration detention centre

As part of the factual basis for its supervisory work, the Board conducted an anonymous survey among employees at the immigration detention centre at the end of 2025. The background for the survey was the need to obtain employees' assessments of conditions at the detention centre, in light of repeated criticism from, among others, the Civil Ombudsman, Norwegian National Human Rights Institution (NHRI) and the Council of Europe's Committee for the Prevention of Torture (CPT) about its "prison-like character".

The survey was designed with sections combining scale and free-text questions. Employee representatives were involved to ensure anonymity and acceptable language use. The language was adjusted to clarify that the Board wanted information about how employees balance security with the freedom of detainees.

The NPIS had a number of comments on certain formulations, and after dialogue, the survey was adjusted with clearer questions and free text fields. The NPIS distributed the link to all employees (109 recipients) with a response deadline of 10 January.

In total, the Board received 14 responses, giving a response rate of approximately 13%. This is too low to provide a basis for quantitative analysis, but the responses provide valuable qualitative insight. The survey indicates that there is a need for continued attention to the balance between restrictions and freedom, as well as competence development. The results will be included as a qualitative basis in the annual report.

The Board takes note of the low response rate in its further work and assumes that uncertainty regarding the NPIS's continued role in the transition to the correctional service has had an impact.

2.8. Enquiries to the Supervisory Board

The Supervisory Board regularly receives a number of enquiries from various parties concerning matters relating to both detainees at the immigration detention centre and persons who are to be returned. In 2025, the Board registered several such enquiries, which have helped to shed light on matters of importance to its supervisory work. The inquiries provide valuable information and are included in the Board's assessments and priorities. In its responses, the Board emphasises that it does not deal with complaints

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

about decisions, but that reports of concern and input can be important in identifying possible systemic challenges.

2.9. Summary of activities

2025 has been marked by important change processes that reflect changes in Norwegian migration policy and regulatory changes that will have an impact on the Board's work going forward. The start of monitoring human rights in forced returns, the establishment of new working methods within the Board with a focus on special areas such as health, the best interests of the child and non-refoulement, and competence building for board members through seminars have laid a solid foundation for the further development of the Board's activities in 2026.

3. Are human rights violations occurring at Trandum?



The police immigration detention centre at Trandum

3.1. About the detainees at Trandum

Trandum Immigration Detention Centre and Haraldvangen are Norway's only closed immigration detention centres. Only adults can be detained at Trandum Immigration Detention Centre. The centre currently has a capacity of 195 places. The detainees are administratively deprived of their liberty on the basis of violations of the Immigration Act.

In 2025, a total of 1,066 persons were detained at Trandum, of whom 863 were men and 203 were women. Of these, 276 had stays lasting more than 14 days. The average number of detainees per day has been relatively stable since 2021, and in 2025 the average was 33 persons per day. A recurring problem is long-term stays at Trandum. During its inspection in November, the Supervisory Board noted that three persons had been detained for 95 and 84 days, respectively, without a planned departure date for any of them.

As mentioned, the Supervisory Board believes that the proposal for extended powers in the new Immigration Detention Regulations, which covers routine use, may conflict with

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

key decisions by the ECHR and that these are particularly relevant in cases of administrative detention, which calls for a more lenient regime with less use of coercion and force.

3.2. Lockdown as a routine measure

For a long time, it has been standard practice at Trandum for detainees to be locked down in their rooms once or twice during the day and overnight. There are no formalised procedures that allow for specific exceptions to be made to the locking-down based on special needs. Locking-down has been practised without exception. The fact that detainees are allowed to keep the door open in some cases cannot be considered an exception to locking-down.

Lockdown in a cell constitutes a significant interference with both personal freedom and the right to privacy. Such interference must have a clear legal basis, cf. Section 113 of the Constitution and Article 8 of the ECHR. A detention order from the court only allows for the actual deprivation of liberty in an institution, but does not constitute a legal basis for confining people in cells. In the Supervisory Board's opinion, the fencing around the Trandum detention centre, combined with the fact that the detainees are already confined to locked wards, is in itself sufficient to prevent escape. If further interventions are to be made – such as locking people up in cells – a specific and clear legal basis is required.

Being confined in one's own room for large parts of the day is a serious intervention. In addition to the physical restriction and absence from the community of other detainees at the detention centre, locking down in itself causes considerable psychological stress.

The confinement has been justified on the grounds of maintaining peace, order and security at the detention centre, including the need to ensure the detainee's own safety.

For several years, the Supervisory Board has strongly criticised the fact that the immigration detention centre at Trandum resembles a prison. Both the Civil Ombudsman and the Council of Europe's Committee for the Prevention of Torture (CPT) have expressed serious concern about the practices at Trandum, particularly with regard to routine confinement and the use of coercive measures.

In its reports, the CPT has pointed out that routine locking-down of detainees, especially at Trandum, may constitute isolation that is harmful to mental health and possibly in violation of the ECHR. The Civil Ombudsman has supported this assessment and recommended that locking-down should only be used in exceptional cases and after individual assessment. Furthermore, the CPT has criticised the use of security cells and restraint beds, pointing out that such measures may constitute inhuman and/or degrading treatment. Both bodies have also called for better legal safeguards when seizing

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

electronic means of communication, emphasising that such interventions must be proportionate and justified by specific needs.

The Supervisory Board supports these assessments. The operation of the detention centre must reflect that the basis for the deprivation of liberty is not crime or the enforcement of punishment. The detainees are deprived of their liberty on administrative grounds and not as part of a criminal sanction.

During the inspection in March 2025, the legal basis for the locking down of detainees in their cells was questioned, and the NPIS stated that the practice was based on the house rules. The Supervisory Board maintains that the NPIS has no legal basis for routine locking down of detainees in their cells and that the house rules cannot in any case provide a legal basis for the deprivation of liberty of detainees.

However, during 2025, dormitory locks have been installed that reduce the time spent locked down. The Board will return to this issue.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE



Cell door with newly installed cell lock

3.3. Is the locking down of detainees a violation of their human rights?

3.3.1. Introduction

Section 107, fourth paragraph, of the Immigration Act gives the police the right to "control and restrict the foreign national's physical activity, outdoor recreation, religious practice and exercise of beliefs", but only when it is "necessary to maintain peace, order or security".

The provision does not allow for routine confinement in a cell. On the contrary, it requires a specific assessment in each individual case. In the Board's view, the police cannot base their decisions on a general assumption that freedom of movement leads to unrest or security risks. Any restrictions must be justified by specific circumstances

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

relating to the individual detainee. The Board would like to emphasise that new regulations should confirm this principle.

3.3.2. Relationship to Article 8 of the ECHR – right to privacy

The right to privacy follows from Article 102 of the Constitution and Article 8 of the ECHR:

Everyone has the right to respect for his private and family life, his home and his correspondence.

There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Regarding the right to privacy of persons deprived of their liberty, reference is made to the ECHR judgment of 17 July 2012 *Munjaz v. the United Kingdom* (ECHR-2006-2913), paragraph 79:

In assessing the proper scope of private life for those who are deprived of their liberty, the Court reiterates that, under the Convention system, the presumption is that detained persons "continue to enjoy all the fundamental rights and freedoms guaranteed under the Convention save for the right to liberty, where lawfully imposed detention expressly falls within the scope of Article 5 of the Convention" (*Hirst v. the United Kingdom* (no. 2) [GC], no. 74025/01, Section 69, ECHR 2005-IX). Any restriction on those rights must be justified in each individual case (*Dickson v. the United Kingdom* [GC], no. 44362/04, Section 68, ECHR 2007-XIII).

In order to interfere with the right to privacy, it follows from Article 8(2) of the ECHR that three conditions must be met. Firstly, the interference must be authorised by law. Secondly, it must be justified by one or more legitimate considerations. Thirdly, it must be necessary in a democratic society. The latter condition requires that the interference must be proportionate to the legitimate aims pursued, based on a concrete assessment, see *Kjølbros, Den Europæiske Menneskerettighedskonvention* [The European Convention on Human Rights] (6th edition, 2023), pp. 853-854. The routine and general confinement of detainees at Trandum may thus violate the detainees' human rights under Article 8 of the ECHR. The question is whether the confinement can be justified, cf. Article 8(2).

Under Section 106 of the Immigration Act, a foreign national may be 'detained' under certain conditions, and by extension, Section 107(1) provides a legal basis for placing a foreign national in a 'detention centre'. Criticism from the Civil Ombudsman and the Board suggests that it is doubtful whether the practice of general confinement has

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

sufficient legal basis in this provision. A system of general confinement should be expressly regulated by law. This would strengthen the legal safeguards of those detained.

Confinement during parts of the day is therefore not expressly regulated, either in law or in regulations. Section 107(5)(c) of the Immigration Act provides a legal basis for "excluding the foreign national wholly or partly from the community at the detention centre". However, it is clear from the context that, as mentioned above, this provision is not intended to regulate general and permanent measures, but to provide a legal basis for excluding individual detainees to the extent that, after a specific assessment, it is strictly necessary in order to maintain peace, order or security, among other things.

In order to assess whether the confinement is proportionate, it is therefore necessary to weigh the significance of the intervention for the detainees' right to privacy and the disadvantages for them against the considerations of peace, order and security. Case law from the ECHR establishes that a detained person has freedom of movement within the framework of the deprivation of liberty.

The general confinement at Trandum is justified by the need to ensure predictability and safety for the detainees during the specified periods. According to the NPIS, without confinement there would be an increased risk of undesirable incidents, including abuse and violence, in addition to increased response times and a lower risk of detection. Locking-down is therefore also justified in the interests of peace and security for the detainees themselves, as it protects them from abuse and prevents them from being disturbed by others at night. Lockdowns at night is also justified in the interests of night-time peace and a normal daily rhythm at the detention centre. There is also no regular staffing at night.

Ot.prp. no. 28 (2006–2007), page 21, states the following about the security needs at Trandum:

Placing people in a closed detention centre will in itself lead to challenges in maintaining peace, order and security in the centre, both for the sake of the foreign nationals and the employees. In addition, foreigners who are placed in the immigration detention centre are in many cases in a very stressful situation. Those who do not have permission to stay in Norway and those who give false identities may feel fear or despair about their situation. This can result in behaviour that may pose a risk to themselves and others at the centre. In addition, the police and immigration authorities prioritise the identification and deportation of foreigners who have committed criminal offences in Norway. This can result in a composition at the detention centre that poses further challenges in terms of maintaining peace, order and security.

However, the Board believes that the fact that so many of the detainees are in a very vulnerable situation, with both mental and physical health problems, means that their

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

rights are in particular need of protection. They do not normally represent a security risk or contribute to unrest. On the contrary, generalised confinement may be a disproportionate interference with the right to privacy, according to Article 102 of the Constitution and Article 8 of the ECHR. Mental health care would probably be a better measure.

In summary, in the Board's view, a prerequisite for a general confinement arrangement is that it is not practised absolutely, but that specific proportionality is ensured. In this regard, the Board believes that the current system and applicable legislation are not adequate, because there is insufficient legislation or procedures to ensure individual assessments, so that adjustments and exceptions can be made in cases where routine confinement is disproportionate. This applies not least to detainees who have been detained for a long period of time.

3.3.3. Violation of Article 3 of the European Convention on Human Rights (ECHR) – absolute prohibition of inhuman or degrading treatment

The human rights prohibition against inhuman or degrading treatment follows from Article 93, second paragraph, of the Constitution and Article 3 of the ECHR, which reads:

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

This provision expresses fundamental values of the rule of law and respect for human dignity, both of which are fundamental to the ECHR. Article 3 of the ECHR does not allow for any exceptions to the prohibition. Nor is there any reason to deviate from the prohibition in crisis situations, cf. Article 15(2) of the ECHR. In other words, this is an absolute human rights prohibition.

The European Court of Human Rights has emphasised in its case law that, in order to be covered by the prohibition in Article 3, a minimum degree of seriousness is required, cf. for example the Grand Chamber judgment of 26 October 2000, *Kudła v. Poland* [ECHR-1996-30210]¹, paragraph 91. Whether the threshold has been exceeded depends on an overall assessment, in which consideration must be given, inter alia, to the nature of the treatment and the context in which it is administered, its duration, its physical and psychological effects on the person concerned and, depending on the circumstances, the sex, age and state of health of the person concerned, see Grand Chamber judgment of 15 December 2016, *Khlaifia and Others v. Italy*, paragraphs 159-160.

The purpose of the treatment is important. It will weigh heavily if the intention is precisely to humiliate or violate. However, even for measures that are legitimately justified on security grounds, Article 3 of the ECHR sets a limit to the extent that these

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

measures, in their form, intensity or duration, go beyond what is necessary or are otherwise disproportionately burdensome, cf. Grand Chamber judgment of 28 September 2015, *Bouyid v. Belgium*, paragraphs 86-88.

It takes a lot to establish a violation. As the Board will return to, this can come to a head at Trandum, particularly in relation to body searches.

3.3.4. Lockdown during the inspection in March 2025:

The Board was informed of the following times:

Weekdays: 10 p.m. to 7.15 a.m., 11 a.m. to 11.30 a.m. and 6 p.m. to 6.30 p.m.

Weekends: 8 p.m. to 10.05 a.m.

The Board was also notified that dormitory locks will be installed.

3.3.5. Lockdown during the inspection in November 2025:

The Board was informed of the following times:

Every day: 9.45 p.m. – 7.15 a.m.

During the inspection in November 2025, the Board observed that dormitory locks had been installed in each room and was given a demonstration of how they work in practice. The dormitory locks make it possible to keep the cell doors unlocked during the day and evening, while allowing individuals to lock themselves in from the inside if necessary. It was particularly pointed out that the locking mechanism can be difficult to operate for persons with reduced hand strength or impaired function in their hands.

Previously, the doors were left open when there was no lockdown, which made it possible for other detainees in the same ward to enter each other's rooms.

With the new locks, detainees can control access to their own rooms during the day and evening, which is a clear improvement in their right to privacy.

This is a positive development.

During the inspection, the NPIS stated that some detainees had experienced difficulties opening the locks from the inside. The NPIS stated that they would investigate the problem further and implement the necessary improvements. The Supervisory Board will follow up on this issue in 2026.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

During the inspection, it also emerged that if a detainee has health issues, such as claustrophobia or anxiety, the detention centre will make the necessary adjustments and adaptations to the locking system. This is a clear improvement.

The inspection also showed that the NPIS had facilitated greater freedom of movement between certain departments by marking the corridors in different colours. The Board supports this.

The Supervisory Board believes that it is a big step in the right direction that the NPIS has facilitated somewhat more freedom of movement and has discontinued the practice of locking down detainees in during the day and evening. At the same time, the Supervisory Board maintains that there is still no legal basis for keeping detainees locked up for many hours a day. Neither the need for night-time peace and quiet nor the staffing situation can be considered sufficient grounds or justification for such a practice.

3.3.6. Project NPIS

In 2024, the NPIS was tasked with implementing measures to reduce the level of restrictions on detainees, including lock-up time.

In November 2024, the NPIS initiated a comprehensive development project (Project NPIS) that has been ongoing for much of 2025. Among other things, the development work has focused on examining how detention can be carried out with the lowest possible security measures and while safeguarding the human rights of detainees. The project has led to a reorganisation at the detention centre, as well as certain measures that will contribute to improvements within the current resource situation.

Over time, the Supervisory Board has requested that locks be installed on the residents' rooms. The Board believes that such locks, if put into general use, will strengthen the detainees' right to privacy during their stay, cf. Section 102 of the Constitution and Article 8 of the ECHR. As part of the NPIS project, such locks have now been installed in all ordinary rooms.

As mentioned, the Supervisory Board considers it positive that the NPIS has implemented effective measures through the project, including reducing lock-up times and installing dormitory locks. At the same time, the Supervisory Board notes that several measures remain to be implemented, such as not locking cells at night.

3.4. Body searches

3.4.1. Introduction

The right to body search detainees at Trandum is regulated in Section 107(4)(a) of the Immigration Act:

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

When necessary to maintain peace, order or security, or to ensure implementation in accordance with Section 90, the police may

- a. search the foreign national's person, room and belongings, as well as other objects, rooms and areas on the detention centre's premises

According to Section 107, fourth paragraph, second sentence, such an examination "may also be carried out on a foreign national when there is reason to believe that the person is concealing or withholding information about his or her own identity or place of residence or that of another foreign national". Here too, the restrictions on proportionality apply.

The right to body searches must be assessed against the legal framework set out in Articles 3 and 8 of the ECHR.

The NPIS's latest instructions for Trandum, issued in 2023, which the Board believes should be adopted in their entirety, state the following regarding body searches of detainees:

8.3.1 Basis for the search

Detainees may be searched when necessary to maintain peace, order or security, or to ensure the implementation of decisions (deportation), cf. Section 107(4)(a) of the Immigration Act. Such a search cannot be carried out if it would constitute a disproportionate intervention. The purpose of the search is twofold, in that the search is either justified on grounds of peace, order and security, or on grounds of securing evidence (in a broad sense) to establish the identity of the detainee or another foreign national, with a view to enforcing a decision requiring the foreign national to leave the country.

8.3.2 What types of searches can be carried out

Searches under the Immigration Act include both external searches and more invasive forms such as body searches. A search is not a ransacking, cf. the Criminal Procedure Act, Sections 192 et seq. and has a different purpose. Examination of body cavities is not permitted, cf. Section 157 of the Criminal Procedure Act 10 and Sections 10-1 et seq. of the Prosecution Instructions 11. Body searches refer to examinations involving inspection of the naked body. The oral cavity may be inspected, but not physically examined. External search means a superficial check of the objects in the person's possession, checking of pockets and outer clothing, and examination of the person's body by feeling the outside of their clothing. External searches may be carried out using technical equipment. After a specific assessment, external searches may also be carried out using dogs.

8.3.3 Necessary and proportionate

Routine and random searches of persons are not permitted. For all searches carried out in accordance with Section 107(4)(a) of the Immigration Act, cf. Section 8(1)(a) of the Immigration Detention Regulations, cf. Section 8(2), a specific assessment of necessity must be made. 10 Act of 22 May 1981 No. 25 on

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

the Procedure in Criminal Cases. 11 Regulation of 28 June 1985 No. 1679 on the Organisation of the Prosecution Authority. 9 The requirements for justification will vary, and the more intrusive the measure, the stronger the reasons must be. The necessity of body searches must be assessed in relation to other security measures that have been implemented or could be implemented. If security in the specific case can be ensured by other, less intrusive measures, such as an external search, a full body search is not necessary. When assessing whether a body search is necessary, it will be relevant to consider factors relating to the detainee, including the immigration detention centre's knowledge of the person concerned, the background to the arrest and/or detention, the length of stay, other security measures, knowledge of any visitors and the number of simultaneous visits in the visiting room, etc. Furthermore, there is a requirement that the examination of the detainee's person is a proportionate intervention, cf. Section 107, eighth paragraph, of the Immigration Act. The proportionality assessment must therefore be made in light of the reasons for the search.

8.3.4 Specifically regarding searches after visits by lawyers

Detainees may be searched, including body searches, after lawyer visits when such searches are necessary in the specific case to maintain peace, order or security. In addition, an assessment must be made of whether the measure is proportionate and whether less intrusive measures are sufficient. Routine and random body searches are not permitted. This means that there must be a specific suspicion that the visit has been abused in contravention of the above considerations, for example in connection with illegal transfers. The fact that lawyer visits cannot be monitored, for example under the supervision of staff, is not in itself a sufficient argument for conducting body searches of detainees after the visit has ended.

8.3.5 General information on conducting searches

Searches, both external and body searches, shall be carried out as gently as circumstances permit and shall, as a general rule, be carried out by persons of the same sex, and the search shall not be more extensive than necessary, cf. Section 8, second paragraph, of the Immigration Detention Regulations. The detainee shall be informed of how the search will be conducted, the legal basis for the search and the reasons why the police are required to carry out such an examination.

8.3.6 Conducting body searches

In cases where a body search is carried out, the examination is performed by inspecting the detainee's body. Body searches of detainees shall be carried out as a two-stage search, whereby the person is searched twice. Detainees shall not at any time be completely naked during the body search and will not be asked to bend down/squat while the search is being carried out. The body search shall be carried out in a separate area without visibility, including without camera surveillance. 10 There must be particularly compelling reasons for conducting a body search using physical force on particularly vulnerable persons, such as those

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

who are physically or mentally ill. The safety of the concrete detainee, as well as other detainees and employees at the immigration detention centre, must be a decisive consideration. Furthermore, emphasis must be placed on possible consequences for the detainee of the use of physical force. Other measures must have been attempted or assessed as clearly insufficient. Special consideration must be given when searching for persons using dogs. In this connection, the specific situation must be taken into account, including the detainee's reactions and vulnerability and how the detainee should behave, as well as the distance to the dog, etc. Otherwise, searches shall be carried out on the basis of the procedures set out in the applicable IR at any given time.



Room for body searches at the Police Immigration Detention Centre

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

3.4.2. Current practice

According to the guidelines, all body searches must be recorded. Searches of persons must be recorded in a separate log, which is checked by superiors. Furthermore, the guidelines state that a specific proportionality assessment must be carried out.

Figures from the National Police Immigration Service (NPIS) show that a total of 1,174 searches were carried out in 2025. The majority of these, 885, were external searches. Two-stage searches were carried out in 200 cases, and 89 cases resulted in no search being carried out.

The vast majority of searches took place in connection with admission to the detention centre – a total of 1,033 searches. In addition, 12 searches were carried out in connection with exclusion from the community and 14 searches within the category “various incidents”.

3.4.3. Decisions by the ECHR on possible human rights violations in connection with body searches during detention

The question of whether body searches of prisoners in prison are contrary to the prohibition of degrading treatment in Article 3 of the ECHR has, as mentioned above, been addressed in several judgments of the ECHR. The decisions of the ECHR will also be relevant for persons deprived of their liberty for administrative reasons.

The wording of Article 3 of the ECHR is as follows:

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

The prohibition in Article 3 of the ECHR is absolute and does not allow for any exceptions. The prohibition can never be derogated from, even in times of war or emergency, cf. Article 15(2) of the ECHR. Consequently, implementation must at all times be carried out without coming into conflict with the prohibition of torture or inhuman or degrading treatment or punishment.

The core of the prohibition is the protection of human dignity and is based on fundamental rule of law values concerning the protection of vulnerable groups subject to the control of the authorities, cf. ECHR in *Van der Ven v. Netherlands* (2003) paragraph 50 and *Piechowicz v. Poland* (2012), paragraph 158, see also HR-2017-1127-U, paragraph 11. Body searches, even if necessary to achieve a legitimate purpose, must always be carried out in an acceptable manner (‘appropriate manner’) so that the humiliation and suffering do not exceed what normally follows from a lawful examination.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The ECHR applies as Norwegian law, cf. Sections 2 and 3 of the Human Rights Act. Section 3 of the Act stipulates that, in the event of a conflict, the provisions of the Convention shall take precedence over provisions in other legislation. Norwegian courts interpret the ECHR in line with the ECHR's methodology, cf. Rt-2000-99 -1007 (Bøhler). It is the ECHR – not Norwegian courts – that develops the Convention, cf. Rt-2005-833 paragraphs 45 and 46 and HR-2019-1206-A paragraph 104. The ECHR's practice will therefore be a key source of law for Norwegian courts when interpreting the Convention.

The ECHR has made a number of decisions on whether security measures against prisoners in prisons are in violation of Articles 3 and 8 of the ECHR, including in cases concerning high-security prisons. The Board will mention a few decisions.

In *Hirst v. the United Kingdom* (Grand Chamber 2005), paragraphs 69 and 70, and in *Klibisz v. Poland* (2016), paragraph 354, the ECHR states that detainees retain all fundamental rights and freedoms that do not result from deprivation of liberty in accordance with Article 5 of the ECHR. Any interference with other rights must therefore be justified, even if the interference is for security reasons, such as combating crime and unrest.

The ECHR has also emphasised that the authorities have a duty to protect them from abuse of power, cf. *Rooman v. Belgium* (Grand Chamber 2019) paragraph 143. The ECHR also requires Member States to organise themselves in a way that ensures the dignity of detainees, regardless of resources and economic or practical challenges, see in particular *Muršić v. Croatia* (Grand Chamber 2016), paragraph 99, and *Neshkov and Others v. Bulgaria* (2015), paragraph 229.

An overall assessment must be made of whether the threshold has been exceeded, cf. in particular *Ramirez Sanchez v. France* (Grand Chamber 2006) paragraph 117. Degrading treatment includes measures that undermine the victim's dignity or cause the victim to feel fear, anxiety and inferiority complexes. This assessment includes the nature, duration and context of the treatment, its effects on the person concerned and also the vulnerability of the prisoner. Paragraph 117 also points out that all the circumstances of the case are taken into account. The ECHR emphasises, among other things, an enhanced security regime, whether the purpose of the body search is well-founded, and the manner in which it is carried out.

Paragraph 98 of the *Muršić* judgment elaborates on the definition of inferiority that can break down the physical and moral resistance of the person concerned:

If the intention is to humiliate, there is a clear presumption of violation. However, even measures that are legitimately justified may violate Article 3 if, in their form, intensity or duration, they go beyond what is necessary or are otherwise disproportionately burdensome, cf. *Bouyid v. Belgium* (Grand Chamber 2015), paragraphs 86-88.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

It is not only cases where routine body searches are carried out in a particularly degrading manner or arbitrarily that give grounds for finding a violation. The lack of convincing security grounds and arbitrariness reinforce the humiliation, as does the fact that the intrusive routine body searches are carried out systematically and are based on a general perception rather than an individual assessment.

In the ECHR's decision in the Roth judgment (2020), cf. paragraphs 70-72, one in five detainees was randomly subjected to a body search in connection with glass wall visits by "public officials", without there being any risk of the transfer of objects. In this judgment, a violation was found due to insufficient justification and security grounds for the routine.

Verbal humiliation and ridicule with humiliating comments are also covered. Where the treatment is disproportionately stressful in terms of duration and intensity, this may constitute a violation, cf. Bouyid v. Belgium (Grand Chamber 2015) paragraphs 86-88.

It must also be taken into account that the vulnerability of the prisoner may exacerbate the humiliation, cf. the Frérot judgment, paragraph 41, as well as the Shennawy judgment, paragraph 33.

A lack of transparency and arbitrariness may also be relevant, cf. Frérot judgment, paragraphs 43 and 46.

The Supervisory Board would like to note that in cases of detention such as at Trandum, which is administrative detention and not a punishment, the measures, including body searches and other invasive and humiliating measures, must be expected to be far less severe and more lenient than in a prison, and the threshold for violations is therefore lower than in the aforementioned judgments.

3.4.4. Other international rules on body searches

The United Nations Standard Minimum Rules for the Treatment of Prisoners (adopted by the UN General Assembly on 17 December 2015, Res. 70/175, known as the Mandela Rules, Articles 50-52, emphasise that full strip searches should only be carried out where it is "absolutely necessary".

The ECHR refers to the Mandela Rules in Muršić v. Croatia (Grand Chamber 2016) paragraph 59. The Norwegian Supreme Court has also emphasised the Mandela Rules as an interpretative factor, cf. inter alia HR-2019-2048-A paragraphs 67-69 and HR-2021-1155-A paragraphs 33-34 on the Norwegian Correctional Service's view. The Norwegian Correctional Service itself has emphasised soft law as a source of law, including the Mandela Rules, when the rules were amended.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The UN Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment prohibits inhuman or degrading treatment, cf. Article 16. The obligations are monitored by the Committee against Torture (CAT), including through individual complaints and by reviewing periodic status reports. Norway has acceded to the individual complaints system under the Convention. An additional protocol to the Convention has established a system for monitoring prisons, among other things, to ensure the prohibition of torture. Each state has a national body responsible for preventing torture or other inhuman or degrading treatment. Norway acceded to the Optional Protocol in 2013.

In Norway, this mandate has been given to the Civil Ombudsman, cf. Section 3a of the Civil Ombudsman Act. The Civil Ombudsman has repeatedly pointed out that full strip searches should not be carried out as a matter of routine.

3.4.5. Norwegian court rulings on body searches as a violation

In its judgment of 22 March 2024, HR-2024-1170-A, the Supreme Court Grand Chamber ruled that the body searches of three detainees at Bergen Prison had been in violation of Article 3 of the ECHR. During the continued hearing of the case in the division, the parties agreed that the detainees were entitled to compensation for non-pecuniary damage. The Supreme Court ruled that it was the violation of the Convention, combined with Article 13 of the ECHR, that gave the detainees the right to compensation. The amounts of compensation were set at NOK 100,000, NOK 50,000 and NOK 90,000 for the three detainees, respectively. The basis for this was the standard rates for compensation for loss of liberty following unlawful prosecution and Supreme Court practice regarding compensation in the form of one day's remand deduction per two strip searches in violation of the Convention. At the same time, the compensation had to be increased somewhat to reflect the fact that this was a human rights violation. There was no need to issue a declaratory judgment for violation of the Convention.

In LB-2023-21398, which concerned human rights violations during detention at the Police Immigration Detention Centre at Trandum, the Court of Appeal found that 23 routine body searches after uncontrolled visits violated the former detainee's rights under Article 93(2) of the Constitution and Article 3 of the ECHR, and that the routine locking of her up for most of the day throughout her detention period of almost four months violated her rights under Article 102 of the Constitution and Article 8 of the ECHR. The Court of Appeal found that Article 13 of the ECHR, cf. Section 2 of the Human Rights Act, provides a legal basis for awarding compensation when the courts in a case find that this is necessary to remedy a violation of the ECHR, and awarded the former detainee NOK 40,000 in compensation. She was also successful in her claim for a declaratory judgment

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

for violations of the Constitution and the ECHR, even though the violations had been established in the grounds for the judgment.

3.4.6. Current practice at Trandum – processes of change?

Although current practice at Trandum, with only two-stage searches, reduces the degree of nudity, in the Board's view this is not in all cases sufficient to ensure compliance with the ECHR. Body searches will in any case constitute an interference with the right to respect for private life under Article 8 of the ECHR and may be humiliating and offensive.

The requirement of necessity means that the authorities must choose the least intrusive measure that still achieves the relevant purpose. One such measure is body scanners.

Since 2021, the Supervisory Board has pointed out that body scanners represent a less intrusive, yet effective, alternative to body searches.

The Supervisory Board considers it serious that the NPIS has still not installed and started using body scanners, as most prisons have done.

The Board has been informed that two years ago, the Norwegian National Police Directorate (POD) instructed the NPIS to implement measures to reduce the level of restrictions on detainees. The task included a review of the practice of body searches. The NPIS was asked to consider possible alternatives to this practice, including the use of body scanners. In June 2024, the Supervisory Board was informed that the National Police Directorate had decided to initiate a procurement process for body scanners.

According to the NPIS's own progress plan for the procurement, dated 3 April 2025, the contract for the purchase of body scanners was to be signed on 4 September 2025. During the inspection in November 2025, the matter was still unresolved. The Supervisory Board has been clear that it is urgent to install body scanners, and the Board has repeatedly requested information that can clarify when the body scanners can be expected. In October and December 2025, the Board submitted requests for access to the Police Shared Services (PFT) with a request for access to the procurement process. Both requests for access were rejected on the grounds that the tender process was still ongoing and that access could weaken the PFT's negotiating position and the proper implementation of the procurement.

In its rejection in December, the PFT stated that they were in the final phase of the competition and that the contract would be signed in December or early 2026.

The Supervisory Board reiterates this year, as it did last year, that body scanners should have been in place by 2022 and that access to a less intrusive measure is therefore not available.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

3.5. Access to daylight and outdoor air



View of the exercise yard from one of the departments at the detention centre

Access to daylight and the opportunity for outdoor recreation are key prerequisites for maintaining both physical and mental health. The NPIS states that, as a general rule, detainees have free access to the exercise yard throughout the unlocked period. However, the Supervisory Board notes that the design and limited size of the exercise yard may impose practical restrictions on how this access is actually used.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

Although the exercise yard is equipped with some exercise facilities and benches, it has – like the rest of the detention centre – a distinctly prison-like character with high fences and small areas for movement.

The Supervisory Board considers that the exercise yards still have considerable potential for improvement and could be made more inviting and better suited to necessary recreation and activity.

3.6. Activity, communication, community and food provision

The detention centre has communal areas in the departments, with facilities such as a kitchen, TV, PlayStation and games room. In addition, there is a separate activity centre with a gym, exercise room, table tennis table and a library. Despite this, the activity centre is still only available three times a week, as it was in 2024. The Supervisory Board has previously, including in its annual report for 2023, recommended that daily access to the activity centre be made routine. This recommendation has not been followed up. The service still appears to be ad hoc and somewhat chaotic, while a lack of resources makes it challenging to carry out joint activities on a regular basis. Input from employees confirms that available facilities, such as the kitchen and printing room, are rarely used.

When it comes to communication with the outside world, detainees have access to PCs with internet, but the solution is still technically limited. The machines are configured with screen readers and do not provide full functionality for email or messaging apps. Several detainees have experienced problems with two-factor authentication, which makes it difficult to use services such as Digipost and Helsenorge. Messaging apps such as WhatsApp are only available via personal mobile phones, which are not permitted in the departments. The telephone time arrangement was changed at the end of 2024, from 105 minutes to 300 minutes per week, with a cost limit of NOK 1,200 per month. This is an improvement on previous arrangements, but restrictions still apply: detainees are not allowed to use their own mobile phones, and loan phones are only available according to fixed routines.

Detainees now have access to PCs and the internet upon check-in, without application, unless there are individual circumstances that warrant restrictions. Although this is an improvement on previous practice, the Supervisory Board emphasises that internet access is still not a right under the regulations, but a service that may be restricted. The solution offered is technically limited and several detainees experience challenges with, among other things, two-factor authentication and access to digital services. Employees have also stated that the current digital solutions do not meet the real need for contact with family and networks.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The food offered has been a recurring theme in the Supervisory Board's annual reports. As early as 2023 and 2024, it was pointed out that the menu is not very varied and is not adapted to different cultures. During the inspection in November 2025, it was confirmed that the menu is still being changed only twice a year and that detainees can choose a vegetarian option, but this choice applies for the entire stay. Input from the employee survey supports this picture: the food on offer is perceived as lacking variety and of limited nutritional quality, and it is emphasised that this has been a persistent challenge over time.

Compared to previous years, there have been some improvements, particularly in relation to communication. The extension of telephone hours and the establishment of an internet scheme represent positive developments. At the same time, several challenges remain. The activity centre is still only open three times a week, despite repeated recommendations for daily access. The food on offer is lacking in variety and is not adapted to different needs. Communication facilities remain limited, and internet access is not a right. Facilities for outdoor recreation and meaningful outdoor activities are minimal. These conditions have been the subject of repeated criticism in previous annual reports, and the Supervisory Board emphasises the need for the recommendations to be followed up in 2026.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE



Exercise room at the Police Immigration Detention Centre

3.7. Restrictions and other use of force

Section 107 of the Immigration Act and the Immigration Regulations regulate how the police may, under certain conditions, impose restrictions and exercise force against foreign nationals.

In practice, the restrictions may include:

- Decision on transfer to the security department with access to a common lounge, cf. Section 107(5)(b), alternative 1, of the Immigration Act
- Decision on transfer to the security department with exclusion from the community, cf. Section 107(5)(c) of the Immigration Act
- Decision on transfer to the security department and placement in a security cell, cf. Section 107(b), alternative 2, of the Immigration Act.

In addition, the detainee may voluntarily choose to be transferred to the security department, cf. Regulation on Police Immigration Detention Centre, Section 10, letter e.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

Figures from the NPIS show that in 2025, a total of 64 persons were imposed an order of restrictions. Of these, 56 were men and 8 were women. There were three placements in security cells in 2025, all of which occurred at the beginning of the year.

Furthermore, figures from the NPIS show that the registered use of force has decreased over the last four years. In 2025, a total of 12 cases involving the use of force or means of restraint were registered. By comparison, there were 19, 22 and 21 cases in the period 2022–2024.

In 2025, seven of the cases involved the use of handcuffs, two cases involved the use of so-called bodycuffs, and there was one case for each of the following categories: spit masks, pepper spray/gas weapons and physical force. The figures show that batons/truncheons and handcuff strips were not registered as having been used at the detention centre in 2025.

4. The best interests of the child in connection with detention in connection with forced return

4.1. Introduction to the Haraldvangen family unit

The Haraldvangen family unit is located in Hurdal municipality and is geographically separate from the immigration detention centre at Trandum. When children are detained, this takes place at Haraldvangen. The unit accepts both unaccompanied minors and families with children.

Figures from the NPIS show that in 2025, there were 11 minors aged 4–17 detained at Haraldvangen. These children were divided into five family groups. All those detained at Haraldvangen stayed there for less than 24 hours. The NPIS states that no unaccompanied minors were arrested/detained in 2025.

4.2. Why the best interests of the child require special focus in the context of detention and return

Children affected by forced return and measures related to immigration control are in a particularly vulnerable position. Unlike adult detainees, children are, in principle, a group with fundamental, independent rights protection and a special need for protection. The best interests of the child shall be a fundamental consideration in all actions and decisions affecting children, cf. Article 104 of the Constitution and Article 3 of the UN Convention on the Rights of the Child. This also applies in full when children are deprived of their liberty or have their liberty restricted in a migration context.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

At the same time, it is a key principle that the deprivation of liberty of children is an intervention with potentially serious harmful effects, both mentally and physically. Article 37(b) of the Convention on the Rights of the Child therefore states that deprivation of liberty of children may only be used as a last resort and for the shortest appropriate period of time. This places a stricter requirement on the authorities to carry out a specific assessment, documentation and verifiability.

In previous annual reports, the Supervisory Board has emphasised that children's fundamental rights cannot be subordinated to considerations of resource or efficiency in the police. The 2024 annual report specifically pointed out that international legal developments are moving towards a total ban on the detention of children, and that the Ministry should prepare a bill proposing such a ban. This was also reiterated in our consultation response to amendments to Section 107 of the Immigration Act and new regulations on immigration detention centres. Against this background, in 2025 the Supervisory Board established a specialist group with a particular focus on 'the best interests of the child' in immigration detention centres and in cases of forced return. The aim is to develop a more systematic framework and a more operational approach to how the best interests of the child are actually assessed and safeguarded in practice, including what improvement measures are necessary.

4.3. Legal framework: "The best interests of the child" as a guiding principle

4.3.1. The best interests of the child: a substantive and procedural obligation

The best interests of the child are not just a consideration to be assessed – they are a legal guiding principle that must have real significance. Article 3 of the Convention on the Rights of the Child entails both a substantive and procedural obligation: the authorities must assess what is best for the child, based on the child's specific situation, and the assessment must be properly investigated, justified and verifiable.

In the context of the detention centre and returns, this means, among other things, that it must be clear:

- the specific burdens the measure will place on the child
- what alternatives have been considered
- why the alternatives are not sufficient
- an assessment of necessity, subsidiarity and proportionality, with particular emphasis on the child's vulnerability and need for security

The National Police Immigration Service (NPIS) has developed a child welfare guide for the police in asylum cases. The purpose of the guide is to operationalise the safeguarding

of the child's best interests through four child welfare principles: security, understanding, predictability and involvement¹²

4.3.2. ECHR: Children's "extreme vulnerability"

Over time, the European Court of Human Rights (ECHR) has developed clear standards for assessing children's rights in the context of migration. The Court consistently holds that children in immigration cases are "extremely vulnerable" and that this consideration must take precedence over considerations related to immigration status or practical control needs. The deprivation of liberty of children in a migration context typically raises issues under Article 3 of the ECHR (protection against inhuman/degrading treatment), Article 5 (right to liberty and security) and Article 8 (right to private and family life). The ECHR emphasises that it is not sufficient for the child to be with their parents; the authorities still have an independent duty to protect the child and ensure that appropriate measures are taken.

4.4. Haraldvangen Family Centre – status and development from 2024 to 2025

4.4.1. Brief description of Haraldvangen as a place of accommodation

Haraldvangen Family Centre was established in 2018 as a special accommodation facility for children who are deprived of their liberty, either alone or with their families. Haraldvangen is organisationally linked to the Police's Immigration Detention Centre, but is intended to have a different and less prison-like character than the Trandum Immigration Detention Centre. In previous annual reports, the Supervisory Board has stated that Haraldvangen appears to be an accommodation facility which, viewed in isolation, can provide a better and more child-friendly environment than the Trandum Immigration Detention Centre. At the same time, the Supervisory Board has emphasised that this in itself cannot legitimise the practice: The question is not whether Haraldvangen is 'better than the Trandum Immigration Detention Centre', but whether the deprivation of liberty is necessary and proportionate in light of children's rights.

4.4.2. 2024: Ongoing challenges – particularly related to legal safeguards and control

The 2024 annual report stated that eight children (as of 10 December) had been placed at Haraldvangen, and that none of them had stayed for more than one night. The statistics

² [child-specialist-advisor-for-the-police-in-asylum-cases.pdf](#)

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

were described as consistent with previous years. It was further pointed out that, in practice, placements are often decided by the police without being submitted to the court, and that it is disturbing that there is no real control or supervision of the police's decisions to deprive children of their liberty. The Supervisory Board has expressed concern about this and questioned whether the right to detain children is in accordance with Article 37(b) of the Convention on the Rights of the Child.

The Supervisory Board's position in 2024 was that the system of detaining children at Haraldvangen should be abolished, and the Ministry was asked to consider how a supervisory system for police decisions to place children in detention could be put in place.

4.4.3. 2025: Continued need for documentation and operationalisation of the best interests of the child

In 2025, there has been a need for further systematisation of the Supervisory Board's work related to the best interests of the child. Three factors in particular are relevant:

- Assessments of the best interests of the child are not sufficiently documented in a way that makes the assessments verifiable.
- Notifications to the Supervisory Board arrive late, often shortly before placement and deportation, which makes actual supervision difficult.
- A lack of data makes it difficult to conduct targeted, knowledge-based supervision of practices.

4.5. Practice and findings 2025: Supervisory visit to Haraldvangen 2025

The Supervisory Board conducted an on-site supervision at Haraldvangen. The visit included interviews with employees, detainees and the manager.

4.5.1. Overall impression

The overall impression from the inspection was that the staff appeared to be caring and child-focused, and that the detainees stated that they felt well cared for at Haraldvangen.

This is a relevant factor when assessing the actual implementation of the measure. However, it does not change the fundamental legal basis: even a "good" implementation must be assessed against the requirement of the best interests of the child and the threshold for deprivation of liberty.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

4.5.2. Issues that raise questions of legal safeguards and the best interests of the child

The supervisory visit revealed several factors that are important for assessing the best interests of the child in practice. Firstly, there were indications that no interpreter was used during the arrest, although this has not been confirmed by the NPIS. This is serious, especially when children are present and when the situation itself is highly stressful. Language and understanding are fundamental to the right to information and participation, cf. the Convention on the Rights of the Child, Article 12, and the procedural aspects of Article 3.

Secondly, there were indications that one of the detainees did not have access to necessary medication during transport to Haraldvangen, which caused considerable stress. This highlights how detention and transport can pose a potential health risk and raises questions about adequate planning and care for vulnerable persons – which also indirectly affects children (children's safety is closely linked to the stability of their caregivers).

Thirdly, the family stated that they had not been informed about camera surveillance in common areas. This raises questions about privacy and information, and whether the control nature of the measure is adequately communicated in a way that is understandable and appropriate, including to children.

Fourthly, the supervisory authority found that the family had been in contact with a very large number of people involved (estimated at around 35) over a short period of time. The Board considered this to be unfortunate and recommended reducing the number of people who meet with the family at the same time, especially during the transfer and transport phases.

The Supervisory Board considers that it is precisely during such phases – arrest, transport, transfer and removal – that the risk of violations and harmful effects may be greatest. These are also the phases that must be subject to the best interests of the child test to the greatest extent. The Supervisory Board has received several reports of concern that children are being woken up at night in connection with arrests, and the Board is critical of such practices. The Supervisory Board has the impression that there are considerable variations in the extent to which police officers across the country comply with the NPIS's child welfare guidelines.

4.6. Haraldvangen as a measure – what is needed to ensure that the best interests of the child are the real guiding principle?

Haraldvangen may appear to be a less intrusive alternative than the Trandum immigration detention centre, and a measure that reduces the risk of escalation during the deportation phase. These may be relevant arguments. However, the decisive factor is that the best

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

interests of the child cannot be taken for granted or based on general assumptions. The Supervisory Board therefore emphasises that requirements must be set for:

- Documented assessments of the child's best interests in each case
- Real assessment of alternatives before detention/overnight stay
- Careful implementation – especially during arrest and transfer
- Age-appropriate information and participation
- Adequate data basis for real follow-up.

4.7. Recommendations and further work in 2026

The Supervisory Board's expert group recommends that the Board's work on the best interests of the child be continued in 2026 as a systematic improvement process, with the aim of making the principle operational and verifiable. This means that the Board will, among other things, work to:

- review requirements for time stamps and minimum data (KPI package) for all stays
- propose requirements for child welfare discussions in advance
- ensure strengthened and structured data flow to the Supervisory Board
- conduct annual thematic inspections with a special focus on children.

The Supervisory Board will combine this with more system-oriented work, where practices and findings that reveal gaps in regulations or instructions are reported to the ministry with recommendations for clarification or change.

5. The right to health care



Floor markings show the way to the health department

5.1. Introduction

Under Norwegian law, it follows from Section 3 of the Regulations on the right to health and care services for persons without permanent residence in the kingdom, cf. Section 2, that persons who do not have legal residence in Norway are not covered by Chapter 2 of the Patient and User Rights Act, but are entitled to immediate assistance under Section 2-1a, first paragraph, and Section 2-1b, first paragraph, of the Patient and User Rights Act.

According to Section 5 of the Regulations, all persons residing in Norway are also entitled to more specific health care that cannot be postponed, pursuant to Section 2-1a, second paragraph, and Section 2-1b, second paragraph, first sentence, of the Patient and User Rights Act.

Section 107, third paragraph of the Norwegian Immigration Act further stipulates that detainees at Trandum are entitled to health services. More detailed rules are provided in

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

Section 5, first paragraph, first and second sentences, of the Immigration Detention Regulations:

The police shall ensure that the foreign national can receive the health care to which he or she is entitled under the Patient and User Rights Act, Section 2-1a and Section 2-1b, and the Infection Control Act, Section 6-1. The police shall ensure that the foreign national receives health care beyond what he or she is legally entitled to if the health personnel who examine or treat the foreign national refer to such treatment.

Pursuant to Section 5, third paragraph, of the Immigration Detention Regulations, the police shall also "facilitate contact with health personnel if the foreign national so requests or if there are indications that the foreign national is ill".

The wording of Section 5, first paragraph, of the Immigration Detention Regulations, which refers to health care "to which the person is entitled under Sections 2-1a and 2-1b of the Patient and User Rights Act", indicates that a detainee does not have extended rights compared to those he or she had prior to detention. In principle, this means that persons without legal residence in Norway do not have full rights under Sections 2-1a and 2-1b of the Patient and User Rights Act during detention, but that they are entitled to immediate health care and more specifically specified health care that cannot be postponed, etc.

For persons who are lawfully deprived of their liberty, the ECHR sets minimum requirements for health care. In the ECHR's Grand Chamber judgment of 31 January 2019, *Rooman v. Belgium* (ECHR-2011-18052), the starting point is formulated in paragraphs 142 and 143 as follows:

142. Measures depriving persons of their liberty inevitably involve an element of suffering and humiliation.

143. That being stated, Article 3 requires the State to ensure that all prisoners are detained in conditions which are compatible with respect for their human dignity, that the manner of their detention does not subject them to distress or hardship of an intensity exceeding the unavoidable level of suffering inherent in such a measure and that, given the practical demands of imprisonment, their health and well-being are adequately secured by, among other things, providing them with the requisite medical assistance (see *Stanev*, cited above, §204). The Court has emphasised that persons in custody are in a vulnerable position and that the authorities are under a duty to protect them (see *Enache v. Romania*, no. 10662/06, §49, 1 April 2014; *M.C. v. Poland*, no. 23692/09, §88, 3 March 2015; and *A.Ş. v. Turkey*, no. 58271/10, §66, 13 September 2016).

The basic principle is therefore that persons deprived of their liberty should not be subjected to «distress or hardship» beyond what is a consequence of their deprivation of

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

liberty. Given the practical requirements that follow from deprivation of liberty, detainees have the right to have their health safeguarded, as well as the right to medical assistance.

The ECHR emphasises that persons deprived of their liberty are in a vulnerable position and that the authorities have a duty to protect them. The Board believes that when a doctor treats and examines a detainee at Trandum, the time perspective must be longer than the detainee being deported the next day. This applies in particular to those who have been detained for some time, cf. also Section 3, third paragraph, of the Immigration Detention Regulations.

Furthermore, health is part of private life. Article 8 of the ECHR imposes positive obligations on the state to provide health care to detainees, cf. Kjølbros, Den Europæiske Menneskerettighedskonvention [The European Convention on Human Rights] (6th edition, 2023), page 910:

The state has a positive obligation to protect persons in the custody and control of the authorities, including conscripts, from contracting diseases and to ensure appropriate medical treatment, as the state has a duty to protect the health of such persons.

5.2. Transfer to the municipalities

For several years, the Supervisory Board has criticised the quality of health services at the Trandum immigration detention centre, as well as the organisation of these services. During these years, health services were organised through an agreement between a private provider and the National Police Immigration Service (NPIS).

From 1 January 2025, Ullensaker municipality has taken over responsibility for health services at the immigration detention centre. When the family unit at Haraldvangen is in use, Hurdal municipality's home care service is responsible for health services there.

Assessments of "fit to fly" remain the responsibility of the NPIS and are carried out by Dr. Dropin by agreement with the NPIS.

5.3. New expert group on the Board

The Supervisory Board has established a separate group that will focus specifically on the health services provided to detainees in the future.

In 2025, the Supervisory Board's health group has focused particularly on the reorganisation of the health service at Trandum. It has taken some time to get the new organisation of the health service fully in place, but from autumn 2025 this appears to have been resolved and cooperation routines with the NPIS have been established.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The health service at Trandum now has its own suitable premises on site, and health personnel are present between 8 a.m. and 9 p.m. on weekdays and between 10 a.m. and 8 p.m. on weekends and public holidays. Regular daily meetings have been established between the health department and shift supervisors at the detention centre, and at least weekly meetings between the head of the health department and the section head at the Police Immigration Detention Centre.

There are nine employees in the health department, divided into 8½ full-time position equivalents. This is divided between a full-time head of the health department, one health secretary, six nurses, four of whom have specialised training, and one part-time doctor (0.5 FTP).

5.4. The transition to municipal operations

The Supervisory Board has followed the transition to the new health service with a meeting with the new management of the health department as early as 2024. In April 2025, the Board held a meeting with the department head responsible for the health services for detainees at Trandum in Ullensaker municipality to discuss the organisation and coordination of the new health services. Furthermore, the health service has been a topic of discussion during the Board's two inspections at Trandum in 2025. During the inspection in autumn 2025, a member of the Board participated in the morning meeting between the health service and the NPIS. The Board also held a meeting with the head of the health department, where the situation of the health department was addressed.

During its inspections, the Board has received feedback that the cooperation between the new health service and the NPIS is working well at an overall level. The feedback the Board has received from detainees and conversations with employees and management at the NPIS further indicate that they generally feel that the health service is available when needed.

The Supervisory Board was informed that the new health service would not send health information directly to lawyers, even if the detainees had consented to this and it is possible to do so in a secure manner. After the Supervisory Board raised this issue with the health service, we were informed that this would be changed in the future.

So far, the Supervisory Board considers that the new organisation of the health service at the detention centre appears to be a positive change in that the arrangement has solved some of the challenges that existed in the previous arrangement. We also view positively the fact that the health service has implemented risk and vulnerability analyses related to the handling of medications and reduced staffing.

With regard to staffing, there has been no feedback to suggest that nursing coverage is inadequate. However, the Supervisory Board is uncertain whether medical coverage is

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

adequate, as a doctor is only available half of the week. For several reasons, it could be unfortunate if inadequate doctor coverage at Trandum leads to a higher threshold for contacting a doctor or to inappropriate use of the emergency medical service.

The health service was not present during the Board's inspection at Haraldvangen, but the Board is aware that the municipal health service in Hurdal has conducted a follow-up there.

5.5. Mental health care

There is no psychologist at Trandum. As pointed out in previous annual reports, it is reasonable to assume that some of the detainees may have existing mental health problems, including anxiety, depression and post-traumatic stress disorder. When these individuals are detained with the intention of being forcibly removed from the country, while at the same time being cut off from meaningful activity and contact with their loved ones, there is a significant risk that their suffering will escalate or that further symptoms will develop.

In a crisis situation, which detention will constitute for many, it is essential to be treated in ways that can have a calming and regulating effect, among other things to avoid serious outbursts or causing harm to oneself or others. It is also important to have specialist expertise available when it becomes necessary to assess whether there are early or serious indications of psychosis, suicidal tendencies or other conditions that will require emergency and highly qualified follow-up. A psychologist will be able to assess the detainee's state of health and suggest possible measures, or help to guide police officers and/or other health personnel (nurses and doctors) in cases where they themselves are in doubt and need to discuss observations, issues and any need for follow-up. Psychological expertise may also be important for the psychosocial environment at the detention centre through preventive and health-promoting work to reduce the risk of mental health problems, promote well-being and prevent conflict escalation.

The Supervisory Board considers it positive that several of the employed nurses have further education in mental health. Nevertheless, the Board believes that the reasoning behind our recommendation for a permanent psychologist at Trandum is still relevant and that a psychologist would be a sensible addition to the expertise already in place.

5.6. Limitations in health care

The Board has previously raised the issue of whether the public sector's responsibility should be extended further to include people who are subject to a letter of freedom. They find themselves in a situation where they are deprived of the opportunity to seek health care on their own that goes beyond the minimum offered, and they are under state control.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The Board has noted that the Directorate of Health is working on a circular to the regulations on health and care services for persons without permanent residence, and that the right to health care for persons without permanent residence under the regulations will be elaborated on therein. The Supervisory Board recommends that, in this context, the Directorate also take a closer look at the issues surrounding the services offered to detainees.

5.7. Fit to fly

Towards the end of 2025, the Supervisory Board was contacted about the fact that the “fit to fly” assessments carried out by Dr. Dropin appeared superficial, and questions were therefore raised as to whether they had any medical value in determining whether detainees could be deported. The Supervisory Board has so far received little information about how these examinations are carried out and is therefore uncertain about how they are actually conducted and what information is available to the doctors when making their assessments.

The Supervisory Board emphasises that these medical examinations must be in line with Norway's obligations under Article 5(c) of the Return Directive and Norway's other human rights obligations. This is therefore an issue that the Board will look into further in 2026.

5.8. Safeguarding non-refoulement during detention and in connection with removal

5.8.1. Background

The principle of non-refoulement means that detainees shall not be returned if this would entail a risk of persecution. The principle follows from Article 5 of the Return Directive 2008/115/EC (the Return Directive or the Directive), which states that Member States shall take ‘due account of the best interests of the child, family life and the health of the foreign national, and respect the principle of non-refoulement’. Section 93 of the Constitution, Article 7 of the UN Convention on Civil and Political Rights (SP) and Article 33(1) of the Refugee Convention also contain provisions on non-refoulement. In addition, Section 73 of the Immigration Act stipulates that the principle of non-refoulement applies to all forms of decisions under the Immigration Act and the implementation thereof.

In its annual report for 2024, the Supervisory Board expressed concern about the observance of the principle of non-refoulement during detention and in connection with deportation from Trandum. The background to this was, among other things, that Council of Europe's Committee for the Prevention of Torture (CPT) had focused on this in its supervisory activities and that the Supervisory Board became aware that several of the detainees had been presented to delegations from their home countries at Trandum for

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

identity clarification without their lawyer, interpreter or representatives from the Norwegian immigration authorities being present. On 17 October 2024 (C156/23), the European Court of Justice also handed down a judgment providing guidance on the state's obligations to uphold the principle of non-refoulement under Article 5 of the Return Directive. This judgment required the responsible authorities to assess whether the principle of non-refoulement is being upheld in connection with deportations, even if this has been assessed by the immigration authorities previously, as there may be a new situation for the foreign national.

5.8.2. Legal developments in 2025

In 2025, there have been several legal clarifications regarding the Norwegian authorities' obligation to uphold non-refoulement during detention and in connection with deportation. In its judgment of 4 September 2024 (C 313/25 PPU, Adrar), the European Court of Justice clarified that Articles 5 and 15 of the Return Directive require the court deciding on detention to independently assess whether the planned deportation would be contrary to, among other things, the principle of non-refoulement, the right to family life and the best interests of the child.

The ruling of the European Court of Justice has been followed up in two rulings by the Supreme Court. In a ruling from November 2025, HR-2025-2174-U, the Supreme Court Appeals Committee held that Norwegian courts also have a duty to conduct a preliminary examination of whether non-refoulement, the right to family life and the best interests of the child prevent deportation when deciding whether a foreign national can be lawfully detained. In a ruling by the Norwegian Supreme Court on 13 January 2026, HR-2026-94-U, the Appeals Committee specifies the rules of evidence that apply to the return protection under Article 3 of the ECHR. The Supervisory Board believes that the judgment of the European Court of Justice and the rulings of the Norwegian Supreme Court emphasise Norway's obligation to uphold the principle of non-refoulement during detention and in connection with deportation.

5.8.3. The Supervisory Board's work on non-refoulement in 2025

In 2025, the Supervisory Board raised concerns about the observance of non-refoulement in connection with deportation and presentation to delegations from their home countries.

On 6 January 2025, the Supervisory Board received a response from the National Police Directorate (POD) to an inquiry from the former Supervisory Board regarding the observance of the principle of non-refoulement. In the letter, the National Police Directorate mainly states that it is the Norwegian Directorate of Immigration (UDI) and the Immigration Appeals Board (UNE) that should assess whether adjustments are needed on the basis of the decision by the European Court of Justice.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

On 9 April 2025, the Supervisory Board sent a letter to the Ministry of Justice and Public Security and the Police Immigration Detention Unit regarding the observance of the non-refoulement principle during foreign delegations at Trandum. The background to this was that, during an inspection on 17 March 2025, the Supervisory Board was informed of changes in the implementation of foreign delegation visits, whereby both lawyers and case officers from the National Police Immigration Service were allowed to attend the presentation to the delegations in an adjacent room where an interpreter was also present. In the letter, the Supervisory Board stated that changes in the implementation of the visitation arrangements were necessary to safeguard the legal rights of the detainees and that these should be made permanent and also extended.

In order to ensure that Norway better safeguards the principle of non-refoulement, the Board recommends that the NPIS establish fixed procedures for when and how the presentation of detainees to foreign delegations should be carried out. As a minimum, these procedures should specify:

- Delegation visits should only be carried out when absolutely necessary to clarify the identity of the detainees
- That risk assessments should be carried out to determine the reprisals that detainees and their families may face upon return to their home country
- Requirements for monitoring the conditions of return
- Conditions stipulating that the case officer and lawyer must always be present during the interview
- Detainees should be given free legal aid and information prior to the hearing so that they have the opportunity to review this with their lawyer.

In a letter dated 15 May 2025, the National Police Immigration Service (NPIS) responds that the principle of non-refoulement is central to the police's return work and is enshrined in a number of places in the instructions for return. The legal rights of foreigners who are presented to the authorities of other countries are safeguarded. No information is ever disclosed about a foreign national having sought protection when presented to the authorities of their home country. Furthermore, it is mentioned that the NPIS has not yet developed general procedures for conducting delegation visits to the detention centre.

The Supervisory Board sent a letter to the Ministry of Justice on 18 June 2025 stating that the government has proposed to give detainees the right to legal assistance in the most serious cases under the Enforcement of Sentences Act. The Supervisory Board emphasised that detainees who are brought before foreign delegations may also find

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

themselves in a very vulnerable situation and should be granted free legal aid. In a letter dated 13 August 2025, the Ministry of Justice replied that the Ministry currently has no plans to extend the legal aid scheme to include free legal aid for detainees in connection with appearances before foreign delegations.

In its consultation response to the new detention regulations and Section 107 of the Immigration Act, the Supervisory Board stated that there was no legal basis for delegation visits in either the Act or the regulations. In addition, the Supervisory Board reiterated that the Ministry should develop better rules for how the NPIS should conduct visits by foreign delegations to Trandum in order to ensure non-refoulement.

At the end of January 2026, the Supervisory Board was made aware that several Ethiopians had been detained at Trandum and would probably be presented to foreign delegations at Trandum. The Supervisory Board sent a request to the NPIS regarding procedures for such visits that safeguarded the legal rights of the detainees. In an email dated 3 February 2026, the NPIS replied that presentations to foreign authorities are primarily part of the NPIS's identity clarification work and not part of the operation of the detention centre. However, the email also states that individual foreign nationals who are presented to a delegation at the immigration detention centre will be given the opportunity to be assisted by a lawyer/representative during the presentation and that an interpreter will be used during the presentation. The NPIS also wrote that when a presentation is approaching, the detainee will be informed of this in order to give them the opportunity to notify their lawyer.

When the Supervisory Board began its role in the return of detainees, emphasis was also placed on the fact that safeguarding the principle of non-refoulement is a natural part of this supervisory function. In a letter dated 16 January 2026, the Supervisory Board requested information about the assessments made regarding non-refoulement in connection with planned deportations to Iran. In a letter dated 22 January 2026, the NPIS replied, among other things, that assessments and information about deportations that have not been carried out fall outside the Supervisory Board's area of responsibility.

According to Section 1(c) of the Regulations on the Supervisory Board for Forced Returns and the Immigration Detention Centre, the Supervisory Board shall, prior to supervising forced returns, comply with Article 8(6) of Directive 2008/115/EC of the European Parliament and of the Council. Both the European Court of Justice and the Supreme Court have ruled that Norway is obliged to uphold non-refoulement in accordance with this directive. There can be no doubt that the Supervisory Board must also supervise that the Norwegian authorities uphold the principle of non-refoulement during detention and when transporting persons from Trandum. According to Section 6, first sentence, of the Regulations, the Supervisory Board may request the information necessary for its supervision.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

The NPIS claims that it is outside the Council's mandate to request information from the Norwegian authorities on how they have upheld the principle of non-refoulement in connection with specific deportations. The NPIS has pointed out procedures for upholding the principle of non-refoulement laid down in the "Instructions for the implementation of deportations". Section 3.2 reads:

Prior to deportation, the case officer shall ensure that the foreign national has a final decision that can be enforced. It must be clarified that there are no circumstances that prevent deportation, such as a request for deferred enforcement, a request for review or an application for return with the International Organization for Migration (IOM)/assisted return. The case officer must also ensure that the foreign national does not have any other residence cases pending that could prevent deportation from taking place.

In addition, an assessment must be made as to whether there is sufficient information about the foreign national's identity for deportation to take place, and an investigation must be carried out into the foreign national's whereabouts. If the NPIS/the police district receives new information about the case in connection with the planning of the deportation, the decision-making body must be contacted to clarify whether the deportation can still be carried out, see Section 90, eleventh paragraph, of the Immigration Act. Outside office hours, the police lawyer on duty at the NPIS or the responsible police district must be contacted immediately.

The Supervisory Board is uncertain about the content and implementation of these procedures and whether they are adequate to safeguard the principle of non-refoulement, and will follow up on this in more detail in 2026.

In its consultation response, the Board has stated that changes to the law and regulations are necessary to ensure that detainees can be presented to delegations from other states. The Board proposes that the Ministry take the initiative to improve the rules for safeguarding the principle of non-refoulement during detention and during deportation by amending Section 107 of the Immigration Act and introducing new regulations on immigration detention. The legal aid scheme should also be strengthened in connection with the ongoing regulatory work.

6. Forced returns



Low-altitude flight over the Police Immigration Detention Centre

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

6.1. Background

In 2023, a national body was established with a mandate to supervise forced returns from Norway. The supervisory scheme for forced returns was assigned to the Supervisory Board for the Immigration Detention Centre at Trandum. Its establishment was overdue. Return supervision is an obligation under Article 8(6) of the Return Directive. The provision requires Member States to have an “effective system for monitoring forced returns”. Norway has therefore been obliged to have a supervisory system for forced returns ever since the Return Directive entered into force in 2011.

Although the supervisory body was established in 2023, it was not until 2025 that the first inspection was carried out. Establishing a new supervisory body with all that this entails takes time. The reason why it took so long was due to circumstances beyond the Supervisory Board's control: it was not until the spring of 2025 that an insurance scheme for board members was put in place.

6.2. Mandate

The Supervisory Board is tasked with supervising the police's implementation of forced returns of persons under the Return Directive. The Board shall supervise whether forced returns are carried out in accordance with the national and international laws and guidelines that apply to deportation, including the use of force and means of coercion, cf. the Regulations on the Supervisory Board for Forced Returns and the Immigration Detention Centre, Section 1, letter c, cf. Section 11, first paragraph. The Supervisory Board shall also supervise that the right of the person being removed to non-refoulement is safeguarded. The responsibilities and tasks of the Supervisory Board are regulated in more detail in these regulations and in the Return Directive.

Supervision of forced returns is an important tool for ensuring that the dignity of every person who is deported from Norway is safeguarded and that no fundamental rights are violated in this process. There are many challenging aspects to forced returns. Nevertheless, forced returns must always be carried out in a humane and respectful manner and in accordance with human rights. To supervise this is at the core of the Supervisory Board's task.

6.3. The year 2025

Following the completion of the final necessary formalities in the spring of 2025, new members of the Board were quickly appointed and work continued on preparing for the first supervisory activities.

Section 4 of the Regulations on the Supervisory Board for Forced Returns and the Immigration Detention Centre stipulates that those who are to supervise forced returns must have completed "training in accordance with approved European standards". In

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

October 2025, the board members and the secretariat held a three-day training seminar. Participants were given an overview of how the National Police Immigration Service (NPIS) works with forced returns. Among other things, the NPIS provided an introduction to the deportation process, the legal framework, child welfare expertise and practical training in relevant methods and materials. The training seminar also focused on developing monitoring expertise through lectures and workshops by people with experience of monitoring forced returns in other countries and through the Frontex cooperation. The Danish Civil Ombudsman, who is responsible for supervising forced returns carried out by Danish authorities, contributed with professional content, in addition to contributions from the Police Academy. Learning is a continuous process, and is something the Board will also focus on in the year ahead.

The Board also spent part of the autumn developing guidelines, templates and procedures to form the basis for its work on supervising forced returns.

On 20 November, the first supervision of a forced return was carried out by the Norwegian authorities. The Board supervised a total of five forced returns in November and December 2025, and in accordance with Section 9, second paragraph of the regulations, has reported continuously from the return supervisions and sent the supervision reports to the NPIS.

The summary assessment of all the returns supervised by the Supervisory Board is that the rights of the deported foreign national have been safeguarded during the deportation. The escorts have treated the deported foreign national with respect and dignity and have been attentive to their basic needs.

The work involved in establishing the supervisory body for forced returns has entailed a considerable amount of work and dialogue with the NPIS. The Board is of the opinion that the necessary cooperation in connection with the establishment and start-up has been good and constructive.

6.4. Further work on forced returns

The Supervisory Board only has the capacity to supervise a limited number of forced returns. It has therefore been important for us to prioritise which forced returns we will supervise. The forced returns that the Board wishes to prioritise fall into two main categories: vulnerable persons³ and forced returns where there is an increased likelihood of the use of force.

³ In Article 3(9) of the Return Directive, 'vulnerable persons' are defined as 'minors, persons with disabilities, the elderly, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other forms of psychological, physical or sexual violence'.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

⁴ Category	Number	Proportion
Total number of returns	512	100
Accompanied returns	148	29
Returns involving the use of force	6	1% of all returns
Returns involving the use of force (escorted)	6	4% of escorted returns
Vulnerable persons	59	12% of all returns

Statistics for 2025 show that 512 persons were returned under the Return Directive. Of these, 148 persons were accompanied by the police. The police used force against 6 persons, which corresponds to approximately 1% of all returns. Furthermore, police statistics show that 59 of the returns concerned persons who were considered vulnerable according to the definition in the Return Directive.

The statistics show that there are few returns where the police use force. At the same time, the figures show that a significant proportion of returns concern vulnerable persons. This underlines the need for a targeted focus on, and prioritisation of, returns where risk assessments indicate an increased likelihood of the use of force, as well as returns involving vulnerable persons.

7. Overall recommendations

The Board refers to human rights challenges both at the immigration detention centre and during the implementation of forced returns. Although improvements have been initiated – particularly in relation to health services, the introduction of dormitory locks and greater transparency around return processes – there remain significant gaps in terms of legal safeguards.

The Board's recommendations to the Ministry of Justice and Public Security and the National Police Immigration Service are summarised below.

⁴ Percentages are calculated on an annual basis and rounded to the nearest whole percentage point.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

7.1. Recommendations to the Ministry of Justice and Public Security

7.1.1. Strengthened regulations

The Supervisory Board recommends that the Ministry establish clear legal and regulatory provisions governing the most intrusive measures at the immigration detention centre.

This applies in particular to:

- lockdowns and body searches
- communication restrictions
- delegation visits from foreign authorities.

The rules must be in line with international human rights, the Constitution and the Convention on the Rights of the Child, and ensure that measures are only implemented after individual and proportionate assessments.

7.1.2. Strengthen legal safeguards for children and consider a ban on detention

The Supervisory Board recommends that the Ministry:

- consider a legal ban on the detention of children
- establish mechanisms for independent oversight of police decisions on the detention of children
- ensures clear procedural requirements for assessing the best interests of the child.

7.1.3. Follow up on the European Court of Justice and Supreme Court requirements for non-refoulement

The Board recommends that the Ministry draw up separate rules on:

- the right to free legal aid and an interpreter before and during proceedings before foreign authorities during detention
- mandatory risk assessments with free legal aid related to non-refoulement, the best interests of the child and the right to family life upon return, in line with the EU Return Directive.

7.1.4. Ensuring a secure framework and quality in health services

It is proposed to:

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

- ensure that health services for detainees are strengthened beyond the minimum level for persons without legal residence in Norway.

7.2. Recommendations to the National Police Immigration Service (NPIS)

7.2.1. On reduced locking down

- Ensure individual assessments.
- Ensure that dormitory locks are technically functional and used systematically.

7.2.2. On transition to body scanners

- Complete the procurement of body scanners without further delay.
- Ensure that body searches are only used when less intrusive measures are not sufficient.
- Document necessity and proportionality assessments in each individual case.

7.2.3. Establish procedures for delegation visits and non-refoulement

Procedures should be developed for delegation visits to ensure:

- access to a lawyer and interpreter
- risk assessment of reprisals in the home country
- transparency and information to detainees in advance.

In addition, arrangements should be made to ensure that the Board receives the necessary documentation to be able to monitor that the Norwegian authorities comply with the principle of non-refoulement.

7.2.4. Strengthening children's rights in operational practice

It is recommended to:

- ensure the presence of an interpreter when children are involved
- minimise the number of persons present during arrest, transfer and transport
- ensure specific assessments of the child's best interests during the detention process.

THE SUPERVISORY BOARD FOR FORCED RETURNS AND THE IMMIGRATION DETENTION CENTRE

7.2.5. Improve the daily lives of detainees

The Board recommends, among other things, that:

- the activity centre is open daily
- the food on offer is more varied
- detainees are provided with better digital solutions and telephone access.
- increased opportunities for meaningful activities.

7.3. Final note

The Supervisory Board's recommendations are based on current challenges at the immigration detention centre and in the return process. The Board points to a number of measures that can be taken. The improvements implemented this year – such as dormitory locks, reduced lockdown times and cooperation with the new municipal health service – show a positive development that we hope can be reinforced through new regulations and a new operating model.

8. Contact

The Supervisory Board welcomes specific enquiries from detainees and others about their situation at Trandum and Haraldvangen by e-mail at tilsynsrad@sivilrett.no.