Ministry issues instructions on lawyers' right to be present during presentations of foreign nationals to authorities of their country of origin

The Ministry of Justice and Public Security issued instructions on lawyers' right to be present during presentations of foreign nationals to the authorities of their country of origin. Foreign nationals subject to an obligation to leave Norway may lack valid travel documents and fail to cooperate in establishing their identity, creating uncertainty over whether their country of origin will accept their return. In such cases, the police may need to present them to the authorities of the country of origin, either in person or by videoconference to verify their nationality and identity and facilitate the issuance of travel documents.

Pending the adoption of new regulations, the police should generally attend compulsory presentations to the authorities of foreign nationals' countries of origin. Foreign nationals wishing to do so must normally be allowed to have a lawyer present, although the lawyer's role is limited to observation and they may be required to attend remotely or from an adjoining room. In urgent cases, practical arrangements may restrict the foreign national's choice of lawyer. There is no automatic entitlement to free legal aid, and applicants must generally cover legal costs themselves. Interpretation should be provided where necessary. Lawyers should also be informed of the foreign national's statutory obligations to obtain valid travel documents and cooperate in establishing their identity, insofar as these obligations do not conflict with a need for protection.

See the instructions in Norwegian here.

Source(s)

- Ministry of Justice and Public Security | Justis- og beredskapsdepartementet (20 November, 2026), GI-08/2026 - Revidert instruks om advokaters adgang til å være til stede mv. ved fremstilling for hjemlandets myndigheter i utlendingssaker [https://www.regjeringen.no/no/dokumenter/gi-082026-revidert-instruks-om-advokaters-adgang-til-a-vare-til-stede-mv.-ved-fremstilling-for-hjemlandets-myndigheter-i-utlendingssaker/id3194218/], https://www.regjeringen.no/no/dokumenter/gi-082026-revidert-instruks-om-advokaters-adgang-til-a-vare-til-stede-mv.-ved-fremstilling-for-hjemlandets-myndigheter-i-utlendingssaker/id3194218/

Date of development

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

20.11.2026

Country

Norway

Thematic area(s)

Legal counselling, assistance and representation, Detention, Return

Development type

Publication

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.