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Arbitrary and restrictive

How exemptions from relocation restrictions for refugees work today





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Summary

Refugees, like everyone else, in principle have the right to move within the country where they hold legal residence. However, Norwegian authorities have restricted refugees' right to move during the first five years after settlement by making certain welfare-state measures and benefits lapse upon relocation. Refugees who move away from their settlement municipality (*bosettingskommune*) before five years have passed are not entitled to the introduction program, introduction benefit, or social assistance in their new municipality. If they move, they must support themselves financially and lose the right to the social benefits that form society's lower safety net.

In this report, we have examined three possibilities available to refugees for obtaining exemptions from the current relocation restrictions. We have looked at how employees in municipal refugee services and in Nav (the Norwegian Labour and Welfare Administration) assess: 1) agreed secondary settlement (*sekundærflytting*) between municipalities, 2) granting the introduction program to refugees who have secondarily relocated, and 3) when it is "manifestly unreasonable" (*åpenbart urimelig*) to reject an application for financial social assistance from a refugee.

The question of exemptions from the current relocation restrictions has become topical because, in autumn 2026, Norwegian authorities are considering introducing a general relocation ban for refugees. In order for relocation restrictions and a relocation ban to comply with the Constitution and Norway's obligations under refugee law and human rights law, there must be room to make exemptions, to prevent unreasonable outcomes in individual cases.

In the report, we distinguish between refugees who may need an exemption for humanitarian reasons and situations where relocation before five years could be advantageous for integration. Humanitarian reasons can, for example, include experienced violence or threats in the settlement municipality. We find that even in situations where it is dangerous or highly burdensome to remain, such as in cases of violence, threats, or bullying, it is not a given that an exemption is granted. It may be advantageous for integration for a refugee to be granted an agreed secondary settlement if they have been settled in a municipality without relevant employment opportunities. But also in such cases, it is very difficult to obtain an exemption.

In cases concerning agreed secondary settlement and the introduction program, municipal employees see it, to a limited extent, as their role to grant exemptions in order to prevent unreasonable outcomes in individual cases. Rather, they have understood their mandate as being to limit secondary relocation among refugees. Often they do not carry out exemption assessments, and they justify their restrictive approach by arguing that exemptions could undermine settlement policy, generate more secondary relocation, or be resource-intensive for the municipality. This is not a matter of ill will on the part of individual employees, but of a system in which municipalities lack incentives to grant exemptions. There is a lack of guidelines regarding which refugees should be granted agreed secondary settlement and what such an agreement should entail. For the person

who must make the decision locally, it appears most rational to refer refugees back to the settlement municipality or on to another municipality.

For assessments concerning financial social assistance, Nav employees have a regulation and a circular they are required to follow. Not everyone is familiar with this regulatory framework, and those who are familiar with it interpret it strictly. The caseworkers we interviewed are well acquainted with the main rule that refugees who move before five years have passed can be referred back to the settlement municipality. The clarification in the circular stating that there are cases where it is "manifestly unreasonable" to reject an application for financial social assistance is less well known. Nav caseworkers themselves reject cases that the circular identifies as "manifestly unreasonable" to reject. This applies, for example, to families who have been self-sufficient in the new municipality for some time but who need financial social assistance in an emergency situation. The need to clarify the regulation and circular is also evident from the practice of the County Governors. In an appeal case, the County Governor of Trøndelag held that it is the receiving municipality — not the settlement municipality — that is responsible for social services to refugees who have secondarily relocated. This is a different interpretation from that set out in the circular and practiced at the Nav offices we interviewed. The County Governor of Trøndelag has stated that they cannot see that the circular's interpretation of the law is in line with the welfare-law protection that follows from the Refugee Convention.

We find that whether a refugee obtains an exemption depends more on circumstances such as which employees they encounter and which municipalities they move from and to, than on the situation they are in. Our conclusion is that central regulations, guidelines, and circulars do not adequately describe when exemptions can be granted, and that it is extremely rare for municipalities and Nav to grant such exemptions. It appears arbitrary which refugees are granted an exemption and can thus move without losing their safety net. The result is that refugees who need to move for humanitarian reasons, and refugees who would achieve better integration by moving, in practice do not have that option.

The findings in this report have consequences on three levels. First, for the individual refugee, who in reality is unable to move before five years have passed, even where the need may exist. Second, for how the current relocation restrictions function and whether these restrictions comply with Norway's Constitution and its obligations under human rights and refugee law. Third, for how a possible new general relocation ban for refugees should be designed.

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