



**SOM**

**The Parliamentary Ombudsman Norway**

**National Preventive Mechanism against  
Torture and Ill-Treatment**

## **VISIT REPORT**

**- Summary and Recommendations**

**Places of detention  
at Gardermoen  
22 April 2015**



# PLACES OF DETENTION AT GARDERMOEN

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## **Report Summary and Recommendations from the National Preventive Mechanism's Visit to Places of Detention at Gardermoen<sup>1</sup>**

**22 April 2015**

### **The Parliamentary Ombudsman's preventive role**

After Norway's ratification of the Optional Protocol to the Convention against Torture (OPCAT) in the summer of 2013, the Parliamentary Ombudsman was given a mandate to prevent torture and other cruel, inhuman or degrading treatment or punishment.<sup>2</sup> To fulfil this mandate, a special unit called the National Preventive Mechanism (NPM) was established in the Parliamentary Ombudsman's office.

Representatives of the NPM make regular visits to locations where people are deprived of their liberty, such as prisons, police custody facilities, psychiatric institutions and child welfare institutions. The visits may be announced or unannounced.

On the basis of these visits, recommendations are issued with the aim of preventing torture and other cruel, inhuman or degrading treatment or punishment.

The Parliamentary Ombudsman, through the NPM, is authorised to enter all places of detention and to engage in private conversations with those who have been deprived of their liberty. The NPM also has access to all essential information relating to detention conditions. Through independent observation and dialogue conducted during its visits, the NPM seeks to uncover risk factors that could open the way for abuses to occur. Conversations with persons deprived of their liberty are given special priority.

The NPM also conducts extensive dialogue with national authorities, civil society groups and international human rights bodies.

### **Summary**

The Parliamentary Ombudsman's National Preventive Mechanism (NPM) visited Gardermoen on 22 April 2015. The purpose of this visit was to map all places of detention at Gardermoen, focusing in particular on the premises that the National Police Immigration Service (NPIS) has at its disposal. The visit was unannounced.

The NPM first visited the temporary premises of the NPIS's Deportation Centre inside the airport area. The Deportation Centre had no ordinary cells. The premises were furnished so that they resembled an ordinary airport waiting area, intended for short stays before deportation. The waiting room was put to use shortly after the NPM's visit. Even though the written procedures for the waiting rooms appeared to be satisfactory, it was pointed out that the verbally described procedure for avoiding body searches with removal of clothing should be set out in local instructions.

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<sup>1</sup> You can find the full visit report in Norwegian on the NPM's website: <https://www.sivilombudsmannen.no/reports/category2967.html>.

<sup>2</sup> The Parliamentary Ombudsman Act § 3a.

Following the visit, the NPM obtained an overview for April 2015 of the use of coercive measures both in connection with stays at the Deportation Centre and in connection with persons being escorted out of the country. No coercive measures were used at the Deportation Centre during this period. Concerning the use of coercive measures when people are being escorted out of the country, the NPIS stated that information about such use is not stored in a way that enables the retrieval of statistics. Such information can only be obtained from the reports that are prepared in each case of escorted deportation. A review of these reports showed that coercive measures were used in 15 of a total of 98 escorted deportations in 2015. The NPM noted information that suggested that two persons were restrained by the use of strips during a long plane journey. Even though the use of strips is permitted under the Deportation Instructions, this appears to be an unfortunate practice, including for security reasons. The NPM pointed out that there was a need for establishing a solution for better documentation and subsequent control.

The NPM also made a visit to Romerike Police District's facility inside Oslo Airport Gardermoen, including three waiting rooms that are partially at the disposal of the NPIS. These waiting rooms are used in connection with the preparation of entry rejections and expulsions, during the registration of asylum applications and prior to deportation. The three waiting rooms are also at the disposal of the NPIS by agreement with the police district. According to the police, the period of occupancy was usually short (one to two hours), but could occasionally be as long as 12 hours.

The NPM also visited Norwegian Customs and Excise's premises at Oslo Airport Gardermoen, which is next door to the police facility. Customs and Excise has three custody cells of four to six square metres. Persons are not usually detained here for more than one to two hours. In the course of the past three months, three people had spent more than four hours in Customs and Excise's premises. The NPM pointed out that the information sheet that was presented contained passages that left the impression that Norwegian Customs and Excise had wider powers to conduct inspections for control purposes than warranted by applicable regulations.

Finally, the NPM visited Gardermoen Police Station, located approximately 500 metres from the terminal building at Oslo Airport. The Police Station reports to Romerike Police District and has six custody cells. Romerike Police District's management has stated on several occasions that this custody facility is not in use. On inspection, the NPM nevertheless found that the custody facility had an inmate. The local management had not been informed about this detention. Documentation obtained after the visit showed that there had been 19 cases of detention in 2015 up to the time of the visit, including several cases of detention overnight. Furthermore, the NPM found an information sheet posted on the wall of the custody facility that was inconsistent with the local custody instructions.

The cells measured around six square metres. There was no clear colour contrast between the floor and wall, which were painted in a dark grey colour. None of the cells had access to a clock. There was also a lack of daylight, even though the custody facility was on the ground floor. During the inspection, the NPM also noted that metal wires with rings for fastening handcuffs were installed along the wall behind a bench in the reception/registration room.

**Based on its visit, the National Preventive Mechanism finds that there are grounds for issuing the following recommendations:**

- It should be ensured that systematic and complete registration takes place of the use of coercive measures during stays at the Deportation Centre and in connection with escorted deportations.
- Local instructions should include a clarification to the effect that body searches are not meant to entail full removal of clothing.
- The customs authorities should change the information sheet concerning X-ray scanning so as to make it clear that use of the special toilet is voluntary under the provisions of the Customs Regulations.
- The local police management should ensure that a full overview is kept at all times of the use of the secondary custody facility at Gardermoen. Reporting lines and rules when other police authorities 'borrow' custody capacity should be clarified.
- Action should be taken to ensure that the custody facility is used in accordance with official instructions.
- It is recommended that the police upgrade the cells to give them a more humane design. All cells should have clocks installed.
- The police should remove the metal rings that are attached to the wall in the reception room.



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