



International Students' Union of Norway (ISU)  
Storgata 19, 0184 Oslo, Tel 0047-98225998, Website: [www.isu-norway.no](http://www.isu-norway.no)  
Org.nr: 892 438 072

International Students' Union of  
Norway (ISU)

**REPORT** on the  
Expulsion of international students  
case

*February 12, 2010*

**Prepared by**  
George Vlazakis, National President

**Prepared for**  
Member Branches  
and  
Cooperating Partners

- [Studentenes Landsforbund \(StL\)](#)
- [Norsk Studentunion \(NSU\)](#)

### **Executive Summary**

PST's way of implementation of its obligation towards preventing the proliferation of weapons of mass destruction has been raising criticism and concern.

In particular, it was as early as 2003/2004 when Universities provided to the agency lists with personal information of international students from certain countries, for screening and surveillance purposes. Five years later (in 2009), the release of an alarming Threat Assessment Report, as followed by three cases of international students being expelled from Norway because of their nationality and choice of study program and on the basis of Norwegian officials interpretation of certain UNSC Resolutions, has increased the amount of engagement and concern within the student population in Norway, as well as the uncertainty among prospective students abroad who were planning to study in Norway.

In this respect, an *interdepartmental group* (with representatives from the Ministry of Foreign Affairs, the Ministry of Labour and Social Inclusion, the Ministry of Education, the Ministry of Justice, PST and the Norwegian Association of Higher Education Institutions (UHR)) has been formed and initiated collaboration in the end of 2009, with the aim to tackle (preventively, transparently and effectively) the issue of control over the transfer of knowledge.

### **Background Information (on the case)**

#### ***A. Request of lists with personal information in 2003/2004:***

1. In September 2003, University of Bergen has been requested by and supplied Norwegian Police Security Service (PST) with a list of names, addresses and personal numbers of 543 international students who –according to the local student newspaper Studvest- were nationals of countries other than EU, EEA, USA and Canada (most of which have been of African, Asian and South-American origin, and some from Eastern Europe) and have been enrolled in certain study programmes<sup>1</sup>; those students have not been previously contacted, informed, or otherwise consented for such treatment of their personal data.

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<sup>1</sup> According to the article written by the NSU Bergen Leader Geir Pollestad in January 30<sup>th</sup>, 2004, the study subjects which have been targeted by PST have been the following: Chemistry, Biochemistry, Biotechnology, Genetics, Microbiology, Metallurgy, Atomic physics, Electronic technology, Styringsteknikk, Robotics science.



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2. Shortly after, and following ISU Tromsø's alertness and local newspapers' interest on the issue, the Rector of Tromsø University admitted such information being also provided to PST by his institution.

3. Finally, according to new information -which became available in the middle of July 2004- University of Oslo's professors attended a training/seminar, organised by PST for the Institution's staff, during which they had been asked to look after students from particular countries.

### **B. Release of Threat Assessment for 2009:**

On February 10<sup>th</sup>, 2009, the Norwegian Police Security Service (PST) released its Threat Assessment for 2009, where –as in the previous released Assessment for 2008- there has been a chapter dedicated to “*non-proliferation of weapons of mass destruction*”.

*In the 2008 Assessment, PST's objective has been to “prevent know-how ... from being exported from Norway to players that may have an intention to develop and produce weapons of mass destruction or their means of delivery”, while admitting that “PST has also focused in 2007 on preventive activity directed at ... learning institutions in order to combat their wilful or inadvertent contribution to goods, technology or knowledge for use in the development of weapons of mass destruction”. Furthermore, the Assessment linked PST's work and aim towards “raising the consciousness of parties involved in export, as well as to further develop national mechanisms of export control”, with the latter being identified as “largely connected to lists of goods the export of which require a license” (thus, not mentioning intangible goods, as knowledge). Finally, according to PST's assessment for 2008, “it is hardly likely that a non-state player can carry out a terrorist strike with CBRN-material [:chemical, biological, radiological and nuclear material] in Norway resulting in mass murder. Several non-state players, however, show an interest in CBRN-materials”.*

In 2009 Assessment, though, the proliferation of weapons of mass destruction becomes a “*significant security threat*”, justified by the fact that “*during 2008, PST recorded several possible breaches of export control regulations*”. In this respect, “*controlling the export of intangible products, such as specialist know-how, presents a challenge*”, in view also of the fact that “*Norway has not established a way of controlling the export of know-how*”, and thus, assessing the possibility/risk of “*students and researchers from countries that give cause for concern<sup>2</sup> obtaining know-how and technology which can be abused in connection with the development of weapons of mass destruction*” as “*probable*”. The Assessment concludes by finding “*necessary to control the transfer of know-how related to sensitive areas*” through control systems which “*assess whether know-how that is about to be transferred can be abused in a programme for the development of weapons of mass destruction*”, control systems which are “*in most instances connected to applications for residence permits*”.

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<sup>2</sup> The reference is being made to “*states that have not signed international agreements relating to non-proliferation, or that act in contravention of such agreements*”, as stated in the Assessment's footnote no. 5.



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### **C. *Specific cases of expulsion in Norway (2009):***

Within 2009, there have been three cases where international students have been deprived of their right of access to higher education in Norway, and either revoked or denied a (student) residence permit due to Norwegian officials' interpretation of United Nations Security Council (UNSC) Resolutions. The three cases include one national from Iran and two from North-Korea, who have been initially accepted to enrol in studies, which –later- the Norwegian officials assessed as dangerous, due to the possibility and risk of development of weapons of mass destruction in their country of origin.

In particular, the first case concerns a 36-year-old Iranian student (Mr. Shahram Yazdanpanah), who had already been studying Norwegian language course and culture in Norway for a year under a valid residence permit; despite he had been accepted to a Master programme in satellite technology by Narvik University College<sup>3</sup>, though, he had been denied the extension (renewal) of his residence permit by the Norwegian Directorate of Immigration (UDI), as instructed by the Ministry of Labour and Social Inclusion on information provided by PST, and provided with a 12-day deadline to leave the country<sup>4</sup>. The reason of the denial had been a fear that the knowledge acquired could be misused and directed for the development of missiles (for weapons of mass destruction) in Iran, and was based on PST's interpretation of United Nations Security Council (UNSC) Resolutions (on Iran).

The other two cases refer to two North-Korean students, who have initially (before summer 2009) been invited by the University of Stavanger (which had already received prior clearance and permission from the Ministry of Foreign Affairs) in order to undertake a doctorate (PhD) in information technology. After a month, though, the students, which had already undertaken in 2006 their Master's degree in the same University under a -fully funded by the University, the Ministry of Education and the Ministry of Foreign Affairs- project called "North-Korea cooperation", have been notified by the University that the Ministry of Foreign Affairs did not consider the two North-Koreans welcomed in Norway anymore, because of the risk that knowledge received on information technology could be used to develop weapons technology in North Korea; in this case too, the Ministry based its decision on UNSC Resolutions (on North-Korea).

### **Media Attention (major contributions only)**

#### **1. Focused on the PST's request of lists (2003/2004):**

- Studvest/Geir Pollestad's (NSU Bergen Leader) article under the title "*Storebror seg deg (om due r ikke-vestlig)*", published on **February 4<sup>th</sup>, 2004**, which can be found at <http://www.studvest.no/200403/ytringar.asp><sup>5</sup>.
- Studvest/ Øyvind Lefdal Eidsvik 's article under the title "*Utlever alle studentar til overvakinga*", published on **February 4<sup>th</sup>, 2004**, which can be found at <http://www.studvest.no/200403/nyhende3.asp>.

<sup>3</sup> His bachelor in space science has been acquired from Iran.

<sup>4</sup> The student, who was married and planning to settle in Norway because of relatives in the country, left Norway together with his wife.

<sup>5</sup> More information could be in the past found at BT/Geir Pollestad's (NSU Bergen Leader) article, published on January 30<sup>th</sup>, 2004, which –previously- could be found at <http://www.bt.no/lokalt/bergen/article230342>.



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- Studvest/Hans Ebbing's (Senior Consultant in the University of Bergen) article under the title "*UIB versus PST*", published on **April 21<sup>st</sup>, 2004**, which can be found at <http://www.studvest.no/200412/ytringar.asp>.
- Studvest/Iselin Åsedotter Strønen and Øyvind Lefdal Eidsvik's article under the title "*Åtvarar 16.000 studentar om overvaking*"; Hans Ebbing's article under the title "*Må nekte neste gong*"; and, Rektor Kirsti Koch Christensen's interview, all three published on **April 22<sup>nd</sup>, 2004**, which can be found at <http://www.studvest.no/200412/nyhende1.asp><sup>6</sup>.

## 2. Focused on the PST's Threat Assessments (2008, but mainly 2009):

- Dagsavisen/Bjørn Kristiansen's article under the title "*PST bigger opp om fordommer*", published on **February 11<sup>th</sup>, 2009**, which can be found at <http://www.dagsavisen.no/innenriks/article397593.ece>.

## 3. Focused on the Iranian in Narvik (Master in Satellite Technology):

- NRK/Olav Døvik, Lars Sigurd Sunnana and Helge Carlsen's article under the title "*Iransk satelitt-student kastet ut*", published on **October 27<sup>th</sup>, 2009**, which can be found at <http://www.nrk.no/nyheter/verden/1.6838014>.
- Dagbladet/Harald Klungtveit's article under the title "*Frykter iransk student skulle skaffe rekattinfo I Norge*", published on **October 27<sup>th</sup>, 2009**, which can be found at [http://www.dagbladet.no/2009/10/27/nyheter/atomvapen/politiets\\_sikkerhetstjeneste/8759066/](http://www.dagbladet.no/2009/10/27/nyheter/atomvapen/politiets_sikkerhetstjeneste/8759066/).
- Aftenposten's article under the title "*PST kastet iraner ut fra romfartsstudier*", published on **October 27<sup>th</sup>, 2009**, which can be found at <http://www.aftenposten.no/nyheter/iriks/article3342808.ece>.
- Aftenbladet's article under the title "*PST kastet iraner ut fra romfartsstudier*", published on **October 27<sup>th</sup>, 2009**, found at [http://www.aftenbladet.no/innenriks/1102379/PST\\_kastet\\_ut\\_iraner\\_fra\\_romfartsstudier.html](http://www.aftenbladet.no/innenriks/1102379/PST_kastet_ut_iraner_fra_romfartsstudier.html).
- Blog of the Leader of the Executive Board of the Student Parliament in Narvik (Pål Espen Bondestag) on **October 27, 2009**, found at <http://pebondestad.wordpress.com/2009/10/27/narvikstudent-utvist-fra-landet-pa-grunn-av-utdanningsvalg/>.
- NRK/Helge Carlsen's article under the title "*Iraner drømte om å bli romforsker*", published on **October 28<sup>th</sup>, 2009**, and found at <http://nrk.no/nyheter/verden/1.6838361>.
- Dagbladet/Harald Klungtveit's article under the title "*Stemplet som bombeforskere og kjeppjagget til Iran*", published on **October 28<sup>th</sup>, 2009**, which can be found at [http://www.dagbladet.no/2009/10/28/nyheter/politiets\\_sikkerhetstjeneste/iran/8762649/](http://www.dagbladet.no/2009/10/28/nyheter/politiets_sikkerhetstjeneste/iran/8762649/).
- NRK/Helge Lyngmo's article under the title "*Ber Norge ta student tilbake*", published on **November 10<sup>th</sup>, 2009**, and found at <http://www.nrk.no/nyheter/distrikt/nordland/1.6859444>.

## 4. Focused on the North Koreans in Stavanger (PhD in Information Technology):

- NRK/Olav Døvik's article under the title "*Får ikke studere data i Norge*", published on **November 22<sup>th</sup>, 2009**, which can be found at <http://www.nrk.no/nyheter/1.6876415>.
- SmiS/Endre Stangeby and Mohammed Basefer's article under the title "*Oppgitt over UD*", published on **November 22<sup>th</sup>, 2009**, which can be found at <http://smis.no/?p=6530>.

## 5. Non-focused/general:

- NRK/Amund Aune Nilsen, Olav Døvik and Ida Titlestad Dahlback's article under the title "*Vil unngå nye Nord-Korea og Iran-saker*", published on **November 24<sup>th</sup>, 2009**, which can be found at <http://www.nrk.no/nyheter/1.6878967>.
- NRK/Hans Erik Weiby's article under the title "*Nødvendig med alvorlige tiltak*", published on **November 30<sup>th</sup>, 2009**, which can be found at <http://www.nrk.no/nyheter/norge/1.6889059> (comments by Foreign Minister Jonas Støre included).
- Question no.232 (2009-2010) on **30.11.2009**, addressed to Jonas Gahr Støres (Ministry of Foreign Affairs) from Trine Skei Grande (V) in the Parliament, which can be found at [www.regjeringen.no/nb/dep/ud/aktuelt/svar\\_stortinget/sporretime/2009/studenter.html?id=587491](http://www.regjeringen.no/nb/dep/ud/aktuelt/svar_stortinget/sporretime/2009/studenter.html?id=587491).

<sup>6</sup> More information could be in the past found at BT's article, published on January 28<sup>th</sup>, 2004, which –previously- could be found at <http://www.bt.no/lokalt/bergen/article229648>.



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## Legal Regime and Supporting Documentation

Table.1: *Existing* legislation and policy-making documents (as of February 12<sup>th</sup>, 2009)

	Legislation (international)	Legislation (national)	Policy-making documents	Additional documents
<b>Relevant to Iran (international)</b>	UNSCR1696/31.7.06, UNSCR1737/23.12.06, UNSCR1747/24.3.07, UNSCR1803/3.3.08, UNSCR1835/27.9.08	---	PST's Threat Assessment reports 2008 and 2009 <sup>7</sup>	(a) NSU National Board's Resolution (February 8 <sup>th</sup> , 2004)
<b>Relevant to North-Korea (international)</b>	UNSCR825/11.5.93, UNSCR1695/15.7.06, UNSCR1718/14.10.06, UNSCR1874/12.6.09	---		(b) ISU Resolution RES-2009-A concerning Norwegian Enforcement of UNSC Resolutions 1698 and 1737 (November 1 <sup>st</sup> , 2009).
<b>General on non-proliferation of weapons of mass destruction</b>	NPT 1968 ( <i>entered into force: 5.3.70</i> ) UNSCR1540/28.4.04, UNSCR1887/24.9.09			(c) NSU/StL Resolution No.2 (November 29 <sup>th</sup> , 2009).
<b>General/other relevant</b>	1. <i>on terrorists acts:</i> UNSCR1624/14.9.05. 2. <i>on the 1540 Committee:</i> UNSCR1673/27.4.06, UNSCR1810/25.4.08.			

Table.2: *Expected* legislation and policy-making documents (as of February 12<sup>th</sup>, 2009)

	Legislation (national)	Policy-making documents	Additional documents
<b>Relevant to Iran (international)</b>	---	PST's Threat Assessment report 2010	
<b>Relevant to North-Korea (international)</b>	---		
<b>General on non-proliferation of weapons of mass destruction</b>			
<b>General/other relevant</b>			

<sup>7</sup> PST's Threat Assessment report for 2008 can be found at [www.pst.politiet.no/System/english/Annual%20%20threat%20assessment/PST%20Threat%20Assessment%202008.pdf](http://www.pst.politiet.no/System/english/Annual%20%20threat%20assessment/PST%20Threat%20Assessment%202008.pdf), while the report for 2009 at [www.pst.politiet.no/System/english/Annual%20%20threat%20assessment/Unclassified%20threat%20assessment%202009.pdf](http://www.pst.politiet.no/System/english/Annual%20%20threat%20assessment/Unclassified%20threat%20assessment%202009.pdf).



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### ISU Reporting Activity (on and for the case)

#### **A. (1/a) Media contacted (Jan.28<sup>th</sup> – Feb.4<sup>th</sup>, 2004)<sup>8</sup>:**

The Media interviewed and contacted the Leader of the Union of Advocates for asylum and foreign(ers) rights *Mr. Arvid Humlen*, who said that such lists are “*making the whole group suspicious*”, as well as that “*PST cannot request for such information without concrete suspicion*”.

Furthermore, ”*førsteamanuensis*” at the Institute of comparative politics of the University of Bergen *Mr. Torstein Hjellum* also reacted on the issue by stating that “*it is a problem that the university is working together with the police in such a way. The police should have been able to get this information using other means. The students who are registered at the university (or those studying in Norway) have permits to stay in Norway. The police could have gotten this list from elsewhere if they really had to. At the same time, the university is contributing to the legitimating of surveillance and this can threaten freedom in research*”.

PST’s district Leader *Mr. Steinar Karlsen* replied by stating that it would have resulted for the agency more work to get such information from other sources. He also said that the law regarding foreigners (paragraph 45) legitimated PST to request for such information. When questioned the purpose for which such lists would be used for, he replied the following:

“*The Parliament has planned to prevent the spreading of technology, which can develop weapons of mass destruction. PST is a group, which will contact students in order to examine/inquire what kind of studies and research they are doing in Norway. Some of the students have already been contacted*”, while it would not be necessary for all students to be contacted. Finally, when asked whether PST will request for list of names of foreigners who have been employed in Norwegian companies, PST officer replied that the agency “*can also do that with other institutions in the community. But I cannot tell if we can get access to list of names from private institutions*”.

Finally, an article in the local newspaper *Studvest* has been written by the Leader of NSU Bergen *Mr. Geir Pollestad*, where he stated that such issue could ruin the reputation of the university since would scare most students away.

*For more information, please refer to the chapter above “Media Attention”, p.3-4.*

#### **A. (1/b) NSU National Board Resolution adopted (Feb.8<sup>th</sup>, 2004):**

NSU National Board opposed to the process/procedure of the provision of such list to PST, characterising it “*unacceptable*”, and called upon “*the responsible authorities to take necessary action in order to inform international students about the rules and guidelines that apply to the work of the PST in Norway*”.

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<sup>8</sup> For more information, please refer to <http://www.isu-norway.no/NAII/cases/PST.htm> .



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**A. (1/c) First Meeting between ISU/NSU and PST attended (Aug.2<sup>nd</sup>, 2004):**

ISU together with NSU asked for a meeting, which had been attended by ISU National Coordinator Nina Rojina, NSU Norway Leader Jørn Henriksen and NSU Oslo Leader Eirik Nedreliid in Oslo on August 2<sup>nd</sup>, 2004.

After a –rather different from Media’s- presentation of the case, PST representatives explained their interest and aim in preventing the export of the mechanism that allows weapons of mass distractions to be built. In this respect and within such framework, PST insisted that the information requested by University of Bergen has been relevant to the number of student (without names) that were currently studying at the Institution in order to have an overview of the total figure of students residing in Norway, while described the information meeting at the University of Oslo (in July 2004) as a step towards increasing awareness among University staff in respect of certain students interested in misusing the education provided.

The meeting ended with ISU/NSU and PST agreeing upon the latter:

- Sending first-hand information to the student organizations (which will be forwarded to the local branches), rather than communicating through the Media, and thus, allowing information to be misinterpreted by the latter.
- Consulting with the Universities in case a decision is being made upon a publication of any criteria in relation to screening suspicious students or processing any personal information.

**B. (1/a) ISU Statement released (Feb.2009):**

After the release of the Threat Assessment for 2009 by PST (February 10<sup>th</sup>, 2009), ISU’s National President (Farshad Tami) had released a *Statement*<sup>9</sup>, according to which PST, having not defined the meaning of a “rogue state” or the academic studies affected by PST’s view on the need to increase monitoring on international students coming from certain (“rogue”) countries, entails future eventual violations of privacy laws, visa and residence permit regulations, as well as endangers the availability of both academic and professional services for international students in Norway. Additionally, it is being characterised as discriminatory against students with Asian, Middle Eastern, African nationality, which would be a reason for further tension, mistrust and alienation between international community and Norwegian society. In this respect, ISU requested from media and concerned parties (including ISU’s partner organisations) for:

- (a) Equal privacy rights for all students, whether international or not;
- (b) No arbitrary monitoring of anyone in Norway, nor denial of visa or residence permit, as long as they are not suspects or there is proof of false intentions; and
- (c) PST safeguarding human rights and academic freedom, while discouraging any discriminatory or alienatory acts which might lead to tension.

*For more information on ISU’s Statement, please refer to [www.isu-norway.no/docs/PSTcase.pdf](http://www.isu-norway.no/docs/PSTcase.pdf).*

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<sup>9</sup> For more information on ISU’s Statement, please refer to [www.isu-norway.no/docs/PSTcase.pdf](http://www.isu-norway.no/docs/PSTcase.pdf).



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**B. (1/b) Media contacted by NSU (Feb.11<sup>th</sup>, 2009):**

NSU's reaction –through the intervention of its Leader Ingvild Reymert in Dagsavisen on February 11<sup>th</sup>, 2009- has been immediate, by stating that “*PST chief Jørn Holme stigmatizes international students, and helps in building up prejudice when he is calling for stricter control of foreign students and researchers*”. Such behaviour/document “*could lead to suspicion of international students*”, according to NSU Leader, and thus, result in “*poor integration of foreign students, and poor advertising for Norway as a research nation*”, with an ultimate consequence which “*may go beyond the research community in Norway*”, in view also of the oncoming White Paper on Internationalization. Reymert concluded by stating in Dagsavisen that “*perhaps the most important task is to improve the conditions in order to attract international students to Norway, and get them to thrive here. This [the 2009 Threat Assessment] contributes to the contrary*”.

Jørn Holme (Director General of PST) has denied PST stigmatizing anyone, because “*it does not apply to international students in general*”, but to “*very few students from a few concerned countries*”, as he stated.

Finally, according to Dagsavisen/ Bjørn Kristiansen's article (February 11<sup>th</sup>, 2009), the Norwegian Directorate of Immigration (UDI) had been instructed (by PST) on how immigration issues that affect Norway's security should be handled. Despite that foreign students were not specifically provided for/included, “*respective cases are, however, caught up*”, as the Deputy Director of UDI, Frode Forfang, stated, while further admitting on the existence of “*a partnership between UDI and Ministry of Labour and Social Inclusion for the revision of the instruction, which [will] include a clarification in relation to foreign students as may be appropriate*”, and which, according to Forfang, would have been “*ready within the year [2009]*”.

For more information on Dagsavisen's article, please see [www.dagsavisen.no/innenriks/article397593.ece](http://www.dagsavisen.no/innenriks/article397593.ece) (as above, Media attention, no.1).

**B. (2) First Meeting between ISU/NSU/StL and PST attended (Feb.19<sup>th</sup>, 2009):**

During February 2009, PST expressed -through the media- a concern relevant to the agency's incapacity to follow up on screening students from “*rogue countries*” interested in the development of weapons of mass destruction, who are applying for education in Norway, due to insufficient means and resources. Such announcement, which has been relevant to the recent release of the 2009 Threat Assessment report, led to ISU's -along with its partners, NSU, StL and SAIH- reaction, prompt response and invitation of PST for a meeting<sup>10</sup> on February 19<sup>th</sup>, 2009.

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<sup>10</sup> The meeting has been attended by Head of PST's department on non-proliferation Jørn Presterudstuen, StL's International Officer Ina Tandberg, NSU's Academic affairs officer Even Sørland, SAIH's Vice-president Runar Myrnes Balto, ISU's National President Farshad Tami and ISU's Organizational Secretary Solveig Aamodt.



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Mr. Jørn Presterudstuen, Head of Non-proliferation Section, indeed, attended such meeting, where the PST gave a presentation of its activities on non-proliferation (stemming from Norway's international obligations of compliance to treaties adopted), by explaining that PST's work relates to informing Norwegian authorities about potential threats, on which relevant agencies have to further decide upon. The agency's interest –according to Mr. Jørn Presterudstuen- was not to be identified with monitoring students in Norway, but rather for the screening of students to take place by immigration authorities before their arrival in Norway and in connection to their permit.

Furthermore, on student organisations' concern regarding the wording of the Threat Assessment (which could contribute to stigmatisation of international students in Norway, and –thus- lead to and discrimination that would –ultimately- hinder academic freedom), Mr. Jørn Presterudstuen had been cooperative, by promising to inform PST on our views and agreeing to try to explain the agency's report properly to the media in the future, as well as avoid future statements that increase stigmatization against international students in Norway, as ISU and its partners requested. In addition, he signalled the agency's intention and interest in keeping a dialogue with student organisations; and, finally, suggested that we contact students' organisations in the UK and Czech Republic in order to get more information on their experiences with the existing (national, operative) screening system.

*For relevant information on the meeting, please refer to ISU's Bimonthly Report 090331, dated March 31<sup>st</sup>, 2009, which can be found at [www.isu-norway.no/NAI2009/REP\\_090331\\_ISU\\_NATIONAL.pdf](http://www.isu-norway.no/NAI2009/REP_090331_ISU_NATIONAL.pdf).*

**C. (1/a) ISU Resolution-2009-A/01.11.2009 adopted (Nov.1<sup>st</sup>, 2009):**

ISU's commitment for the interests of all international students at Higher educational Institutions in Norway led to the adoption of a “*Resolution concerning Norwegian enforcement of UNSC Resolutions 1698 and 1737*” during ISU's National Assembly in Narvik (October 30<sup>th</sup> – November 1<sup>st</sup>, 2009).

Such Resolution, apart from acknowledging Norwegian government's legal commitments towards the observance of the UNSC Resolutions as well as every individual's human rights, suggested for (a) a “*political definition of the interpretation of the UNSC Resolutions by Norwegian authorities*”, as well as (b) the adoption of “*specific guidelines concerning the fields that these restrictions will apply*”, through a “*dialogue*” which will include the government, educational institutions and students' organisations.

*For more information on ISU's Resolution, please refer to [www.isu-norway.no/docs/RES\\_091101\\_ISU\\_UN%20RES.pdf](http://www.isu-norway.no/docs/RES_091101_ISU_UN%20RES.pdf).*

**C. (1/b) NSU/StL Resolution No.2/29.11.2009 adopted (Nov.29<sup>th</sup>, 2009):**

Norsk Studentunion (NSU)'s and Studentenes Landsforbund (StL)'s (ISU's cooperating partners) commitment to internationalisation of education led less than a month later –during their common Landsstyremøte in Oslo (November 27-29, 2009)- to the adoption of a similar Resolution, with which, student organisations:



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- (i) Expressed their “worry” on the lack of “*common guidelines*” for UDI, PST, KD, educational institutions and students to be able to depend upon when applying for a residence permit, thus, facilitating the creation of an “*unsafe and not very predictable framework for students who want to study in Norway*”;
- (ii) Commented on the content that should form the basis under which a threat assessment should be handling relevant cases, as well as on the content of information provided by PST to UDI;
- (iii) Asked for an “*interpretation of UN Resolution 1737*”;
- (iv) Expressed their belief that “*internationalisation of education is a basic and important principle*”, and therefore, “*Norway should have an open and inclusive education policy*”;
- (v) And concluded, by stating their “belief” on/expectation for:
  - clear and easily accessible criteria for the issuance of student residence permits
  - study options or nationality not to justify expulsion (clear evidence to be sought)
  - alignment of state policy to every resident in Norway
  - openly available knowledge
  - academic freedom not to be restricted by monitoring of foreign students and employees in Norway.

*For more information on NSU/StL's Resolution No.2, please refer to [www.stlweb.no/article.asp?w=63194394&x=1375](http://www.stlweb.no/article.asp?w=63194394&x=1375).*

**C. (2/a) PST presentation at the Norwegian University of Life Sciences/UMB, Ås (Nov. 30<sup>th</sup>, 2009):**

On November 30th, 2009, ISU's National President George Vlazakis -after receiving a kind invitation from the Leader of NSU Ås Margrethe Valler- has attended an orientation presentation (of and) from PST<sup>11</sup> in UMB, Ås, which has been also attended by UMB's management and student representatives from NSU<sup>12</sup> and ISU<sup>13</sup>.

In such meeting, information about PST's work –in general, as well as on knowledge export-, its legal framework and accessibility, have been presented and relevant questions answered, while both ISU and NSU have also presented (and handed out copies of) their respective and relevant Resolutions on the issue, favouring the solution(s) suggested thereon; a short discussion between Svein Erik Molstad and Margrethe Valler after the end of the formal meeting helped towards keeping an open channel of communication between PST and student organisations on the issue, and thus, facilitating the arrangement of a new (second) meeting between PST and ISU/NSU/StL (effectuated on Feb.3<sup>rd</sup>, 2010 - see below).

It has to be noted that, during the above meeting:

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<sup>11</sup> PST has been represented both nationally by Mr. Svein Erik Molstad, as well as locally by a local Director.

<sup>12</sup> Namely, the Leader and the International Officer of NSU Ås, Ms. Margrethe Valler and Ms. Camilla Sæbjørnsen respectively.

<sup>13</sup> Namely, the President of ISU Ås Mr. Andrew Larsen.



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- PST pointed that its work is being dealt in a more “open” way than in the past, and admitted of the inexistence of legal provision focusing on students, but rather on cases dealt upon on the basis of Norwegian authorities’ legal interpretation of UNSC Resolutions.

- NSU stressed the importance and need for PST to clarify "oppholdstillatelse" criteria (especially relevant to prospective students, who need to be informed before next application round/Feb.1<sup>st</sup>, 2010), as well as inform concerned current international students, while offering students’ organisations’ communication channels in disseminating relevant information provided. In this respect, PST has been asked for a statement in order to be distributed to international students.

- PST invited NSU/ISU to follow-up on the issue and to provide input for a new policy which would clarify uncertainties regarding students and the UNSC Resolution(s) on export (control) of knowledge<sup>14</sup>.

**C. (2/b) Communication and awareness-raising on an inter-organisational level (Dec. 3<sup>rd</sup>, 2009):**

On December 3<sup>rd</sup>, 2009, StL’s International Officer Anette Cvijanovic addressed an e-mail to the Executive Board of the European Students’ Union (ESU) –after including ISU National President’s George Vlazakis comments on the draft circulated beforehand-, with which the current situation has been extensively presented, and support and information on the way relevant issues have been dealt within respective countries has been sought.

**C. (3) Meeting between ISU and NSU/StL on the forthcoming PST meeting (Jan.27<sup>th</sup>, 2010):**

On January 27<sup>th</sup>, 2010, ISU National President George Vlazakis and NSU/StL International Officers Magnus Malnes and Anette Cvijanovic have met with the scope of updating each other on the progress of the case, as well as forming the agenda and a common strategy in view of the forthcoming (second) meeting with PST (on February 3<sup>rd</sup>, 2010).

An issue extensively discussed and mutually agreed has been the one referring to safeguarding the establishment of a set of rules that are publicly available and predictable and to which all international students could relate in advance. In addition, StL and NSU expressed their interest on an individual assessment of international students (who are in PST’s interest), while a commonly acceptable understanding has been reached that there should be general rules that everyone can relate to, as well as some guidelines to how the rules shall be carried out.

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<sup>14</sup> Please refer to the e-mail of Margrethe Valler to Svein Erik Molstad under the title “Resolution from ISU and NSU+StL. Constructive dialogue on the urgent issue affecting international students in Norway”, dated December 1<sup>st</sup>, 2009.



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Finally, an additional outcome of the meeting has been the following agenda (formed for the PST oncoming meeting), which has been divided in 3 pillars:

1. PST: Be invited to express their opinion, standing and grounding on the issue, as well as their procedures, communication channels and review processes, and any comments to NSU/StL and ISU Resolutions. Also, identify the authorities responsible for dealing with relevant cases.
2. Student organisations: Address the issue of the (in)existence/unavailability of legal instructions on non-Norwegian students, the expectation of a result on the announced revision of UDI's existing instructions, and the need for such regulations to be made publicly available.
3. Student organisations: Get more information on the Institutions involved in the case of international students and national security.
4. Student organisations - PST: Discuss the possibility of a dialogue/meeting between the involved actors in this case, with the aim to facilitate the process of creating common guidelines for all parties involved.

#### **C. (4) Second Meeting between ISU/NSU/StL and PST attended (Feb.3<sup>rd</sup>, 2010):**

A meeting between Director of Communications Trond Hugubakken, Deputy of Non-proliferation Section Svein Erik Molstad, Advisor Ragnhild Endresen (from PST's side), and ISU National President George Vlazakis, NSU/StL International Officers Magnus Malnes and Anette Cvijanovic regarding the case has been attended on February 3<sup>rd</sup>, 2010.

Such meeting (which lasted two hours) progressed with PST's presentation on information regarding the agency's work –in general, as well as on knowledge export- and the relevant legal framework (as on the presentation in Ås), but, in addition, the questions addressed resulted in the acknowledgement -from PST's side- that, despite the existing *sufficient amount of legislation* in general, there has been (a) *a problem of definition regarding education* and whether the exchange/transfer of it (:education) could be regarded as trade of a product (or not), as well as (b) *a lack of a proper system*, which would allow the (interpretation and) implementation of such legislation, and which would –ultimately- help the agency administer its work; such lack (of a system) in Norway is owed –according to PST- to the insufficient number of cases of students being regarded a threat.

In this regard, the agency expressed its interest in having a fair, predictable and easy to understand (good) system, and, in this respect, informed us on their participation on the Ministry of Foreign Affairs (MFA)'s<sup>15</sup> current effort to assemble an *interdepartmental group*<sup>16</sup> with the scope of investigating the way to proceed on the establishment of a system, on which all relevant parties (including Higher Education Institutions and international students) could refer to. On our request for a point of contact (on the group) in the Ministry of

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<sup>15</sup> It is important to be noted that PST is a governmental agency supervised by the Ministry of Justice, to which they report. 90% of the work –according to the agency itself- is being directed on preventive activities (through awareness-raising of the private job sector, HEI, and so on).

<sup>16</sup> It has not been announced by PST whether the Ministry of Education has been included in this work so far.



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Foreign Affairs, PST agreed to get back to us after a scheduled meeting with the above Ministry.

**C. (5) ISU Meeting with the State Secretary (Education) Kyrre Lekve attended (Feb.10<sup>th</sup>, 2010):**

On February 10<sup>th</sup>, 2010, ISU National President George Vlazakis and NSU/StL Leaders Anne-Karine Nymoene and Ina Tandberg have met with the State Secretary (of Education) Kyrre Lekve with the scope of presenting ISU's agenda (together with proposals and suggested solutions) on issues included in ISU's Action Plan 2009-2010 (adopted in the last National Assembly in Narvik), as being concretised and prioritised in ISU's Leaders' meeting in Telemark (Feb. 5<sup>th</sup> – 7<sup>th</sup>, 2010)<sup>17</sup>. One of the issues presented and discussed upon (relevant to the current Report) has been exactly the “*expulsion of international students based on nationality and study subject*”.

The State Secretary responded (on and) for the case and ISU's proposals by:

- (i) Reassuring that the three cases of international students (one in Narvik, two in Stavanger) have been particular cases of certain governmental practise, and not a general tendency stemming from national policy (it has been a governmental practise, but not a policy);
- (ii) Informing that no new legislation is being needed<sup>18</sup>; and, finally,
- (iii) Committing himself towards safeguarding that faster decisions on international students will be made by involved agencies in the future.

**C. (6) Communication and awareness-raising on an inter-organisational level (Feb. 14<sup>th</sup>, 2010):**

On February 14<sup>th</sup>, 2010, ISU's National President George Vlazakis has addressed an e-mail to a member of the National Union of Students of United Kingdom (with whom had been earlier acquainted on an StL's Seminar), e-mail which –apart from forwarding the earlier communication addressed by StL's International Officer Anette Cvijanovic to the Board of ESU, dated 3<sup>rd</sup> December 2009- was additionally asking for his support and help (through an opinion and/or advise to be provided) on the way relevant issues have been dealt within his country/United Kingdom.

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<sup>17</sup> For more information on the ISU's agenda, please refer to the Memo which has been provided to the State Secretary, which can be found at [www.isu-norway.no/docs/DOC\\_100210\\_ISU\\_MEMO.pdf](http://www.isu-norway.no/docs/DOC_100210_ISU_MEMO.pdf).

<sup>18</sup> Thus, sharing a common understanding with PST on the sufficiency of existing legislation.



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**Table.1** Summary of case-oriented meetings that ISU attended (*throughout 2009 and onwards*):

Meeting	Date /Place	Agenda	Outcome
(First) ISU-PST meeting (Farshad Tami, Solveig Aamodt)	February 19, 2009 / Oslo	Content of Threat Assessment 2009, and relevant PST's press statements	PST: (a) Agreed to try to explain properly to the media in the future the agency's Treat Assessment report, and avoid future statements that increase stigmatization against intl students in Norway. (b) Signalled the agency's intention and interest in keeping a dialogue with student organisations. (c) Suggested that contact and information from students' organisations in the UK and Czech Republic is being sought, with the aim to get more information on their experiences with the existing (national, operative) screening system.
PST presentation/orientation (George Vlazakis, Andrew Larsen)	November 30 <sup>th</sup> , 2009 / Norwegian University of Life Sciences (UMB), Ås	Orientation presentation of information on PST's work –in general, as well as on knowledge export-, its legal framework and accessibility	(a) ISU/NSU presented/handed out copies of their adopted Resolutions. (b) PST invited NSU/ISU to follow-up on the issue and to provide input for a new policy to be formed.
ISU-NSU/StL meeting (George Vlazakis)	January 27 <sup>th</sup> , 2010 / NSU/ISU office	Updating each other on the progress of the case, forming the agenda and a common strategy for the forthcoming (2 <sup>nd</sup> ) PST meeting	Agenda formed and common strategy adopted, as follows: (a) Invite PST to explain its position. (b) Discuss about the existence of legal instructions on intl students. (c) Identify the authorities involved in the case. (d) Discuss the possibility of a dialogue/meeting between the involved actors in this case.
(Second) NSU/StL/ISU-PST meeting (George Vlazakis)	February 3 <sup>rd</sup> , 2010 / PST office (Nydalen, Oslo)	1. Invite PST to explain its position. 2. Discuss about the existence of legal instructions on intl students. 3. Identify the authorities involved in the case. 4. Discuss the possibility of a dialogue/meeting between the involved actors in this case.	PST: (a) Acknowledged the existing <i>legislation is sufficient</i> in general. (b) Identified a <i>problem of definition regarding education</i> and whether its transfer could be regarded as trade of a product (or not). (c) Identified a <i>lack of a proper system</i> , which would allow the (interpretation and) implementation of such legislation. (d) Expressed its interest in having a fair, predictable and easy to understand (good) system. (e) Informed us on their participation on the MFA's effort to assemble an <i>interdepartmental group</i> .
ISU-State Secretary (Kyrre Lekve) meeting (George Vlazakis)	February 10 <sup>th</sup> , 2010 / State Secretary's office, Oslo	Presentation of the case and discussion on the suggested proposals/solutions.	The State Secretary: (a) Reassured ISU that the 3 cases of intl students have been particular cases, and not a general tendency (it has been a governmental practise, but not a policy). (b) Informed ISU that no new legislation is being needed. (c) Committed himself towards safeguarding faster decisions on intl students from governmental agencies in the future.



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**Table.2** Summary of other relevant activities undertaken (from November 2009 and onwards):

Activity	Date /Place	Purpose	Outcome
ISU's adoption of a Resolution	November 1 <sup>st</sup> , 2009 / National Assembly, Narvik	"Dialogue" to be created for: 1. A "political definition of the interpretation of the UNSC Resolutions by Norwegian authorities". 2. The adoption of "specific guidelines concerning the fields that these restrictions will apply".	(ongoing project)
NSU/StL's adoption of a Resolution	November 29 <sup>th</sup> , 2009 / Landsstyremøte, Oslo	NSU/StL: 1. Expressed their "worry" on the lack of "common guidelines" for UDI, PST, KD, educational institutions and students to be able to depend upon when applying for a residence permit. 2. Commented on the content that should form the basis under which a threat assessment should be handling relevant cases, as well as on the content of information provided by PST to UDI. 3. Asked for an "interpretation of UN Resolution 1737". 4. Stated their "belief" on/expectation for - clear and easily accessible criteria for the issuance of student residence permits - study options or nationality not to justify expulsion (clear evidence to be sought) - alignment of state policy to every resident - openly available knowledge - academic freedom not to be restricted by monitoring of foreign students and employees.	(ongoing project)
StL's (Anette) e-mail to ESU's Board for support	December 3 <sup>rd</sup> , 2009	1. Informing and alerting ESU members on the issue. 2. Requesting support and information on available solutions known to other national unions.	(no reply received yet)
ISU's (George Vlazakis) e-mail to NUS UK for support	February 14 <sup>th</sup> , 2010	1. Informing and alerting NUS UK on the issue. 2. Requesting support and help (through an opinion and/or advise to be provided) on the way relevant issues have been dealt within UK.	(no reply received yet)

### Additional Information and Notes

No additional information and/or notes at this point. Any future developments and updates on the case will be followed by (numbered and dated) "Critical Updates", which are going to be attached and annexed to the current Report, and will form an integral and undivided part of it.



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## Aknowledgements

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- (a) ISU's cooperating partners, that is NSU and StL; in particular, our *special thanks* go to the Leaders **Anne-Karine Nymo**en and **Ina Tandberg** for their guidance, International Officers **Magnus Malnes** and **Anette Cvijanovic** for their constant efforts, support, patience and comments, **Even Sørland** for his kind suggestion that gave light to ISU and NSU/StL Resolutions concerning the UNSC Resolution implementation in Norway, NSU UMB Ås Leader **Margrethe Valler** and International Officer **Camilla Sæbjørnson** for the very kind invitation to attend PST's presentation/orientation on November 2009 in Ås as well as for the excellent translation services provided, **Karsten W. Nielsen** for the very useful information and advice which kindly send us and patiently provide us on a regular basis, and **Hallvard Lavoll-Nylenna** for his excellent training for the meeting with the State Secretary;
- (b) SAIH and its Leader **Runar Balto**;
- (c) the ex-ISU National President **Farshad Tami** for his efforts on the issue throughout the previous year, ISU National Board and Vice Presidents **Karen Lisperguer-Contreras** and **Mark Achaw** as well as ISU National Secretary **Solveig Aamodt** for their constant help and support; and, finally,
- (d) all past, present and future contributors, for their help and support.



## Critical Update No. I (as of February 22<sup>th</sup>, 2010)

1. Annual Threat Assessment 2010: comment (*ongoing project*).
2. Provisions of UNSC Resolutions: legal analysis (*ongoing project*).