Trans-national marriages perceived as a problem: Legislative measures in Norway

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Relevant legislation:

- *The Immigration Act of 1988 (under revision)*
- *The Marriage Act of 1991*
- *The Penal Code of 1902*
Marriage: residence permits are given to

⇒ A spouse or registered partner (hetero/homo)

⇒ Cohabitants to years prior to the application

⇒ Persons intending to marry (fiancé permit)
To contract a marriage

- Both parties must be present

- Marriage must be entered into freely

- 18 years minimum age (dispensations down to 16

- New proposals:
  a marriage entered into abroad may not be recognized if
  * one of the parties is under 18
  * the marriage was entered by proxy
  * one of the parties was already married
Forced marriages

- Difficult distinction arranged vs forced
- Migration strategy?
- To force someone can lead to 6 years in prison
- Mandatory prosecution
- Lack of statistics
- Family reunification may be denied
- Interviews of the sponsor
- Financial resources when under 23 years
- Annulment
- Direct divorce (proposed amendment)
"Mail-order brides"

• Trans-national marriages most frequent in the majority population

• Thai women in prostitution

• Men with history of violence – multiple marriages

• Settlement permit granted victims

• Visa and/or residence permit may be refused
Marriage of convenience (pro forma)

- The motive is to evade the immigration regulations
- The parties must live together
- Residence application can be denied on suspicion