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Changing Control of the Open Drug Scenes in Oslo— Crime, Welfare, Immigration Control, or a Combination?

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Abstract

Over the last few years there has been a societal move away from a perception of drug users as criminals to a perception of the users as sick. Contrary to what one may expect from such a change, reported drug crimes against the penal code are at record-high levels. It is the contradictory inherent in these tendencies that will be emphasized and highlighted in this article. The open drug scenes in Oslo and the police control of the scenes have changed. During the last few years there has been a growing element of foreign citizens in the drug scenes, and the police control has focused on the foreigners. Could part of the explanation of the contradictions be that there is a differentiation of how the different users are handled? Are there different forms of social control employed toward Norwegian and foreign actors in the open drug scenes? This article puts forward arguments that this is actually the case, driven by a consistent

association of foreign actors in the drug scene with organized crime, and a stricter Norwegian legislation and approach to immigration questions, with a tendency toward a conflation of immigration and criminal law.

Keywords:

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Undocumented migrants

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Notes

¹ Uteseksjonen is organized under the Alcohol and Drug Addiction Service in Oslo municipality, and provides social outreach services in downtown Oslo among children and young people under 25 years old, in addition to outreach work among adults with drug problems (Uteseksjonen [2011](#)).

² The Church City Mission is a Christian charity organization working with vulnerable populations and individuals, such as drug addicts. Møtestedet is a place where drug users can buy food and drinks at a very affordable price. The users are followed up by the employees who can also offer professional social assistance (Kirkens Bymisjon [2011](#), Møtestedet [2011](#)).

³ In the newspapers Aftenposten, Dagbladet, VG, Dagsavisen, and Klassekampen. These papers cover a spectrum of papers, from moderate-conservative through tabloid to social critics on the left.

⁴ Sandberg and Pedersen ([2006](#)) have described the open drug scene along the Akerselva river in Oslo. In their analyses they primarily emphasize Norwegian minority

youth, but they also describe the situation of migrants with unresolved residency.

⁵ Drug law violations are covered by the General civil penal code's §§ 162, 162b, 317, parts 4 and 5, and the Act relating to medicines etc. (see § 31, part 2).

⁶ All translations are by my translator, with the exception of published translations of law.

⁷ The source for the number of reports concerning violations of the Penal code § 162, parts 1, 2 and 3, is the police's criminal case figures, which are somewhat less reliable than Statistics Norway's ('SSB') figures. The SSB does not publish figures distinguishing between the number of reports for the Penal code's § 162, parts 1, 2 and 3. There are, however, no major variations between the general police report numbers from the SSB and those directly from the criminal case registry STRASAK.

⁸ Færre tyveri og flere narkotikalovbrudd, SSB ([2010](#)).

⁹ SSB does not publish tables clarifying both geographic areas and reported crime which distinguish between different types of drug law violations. Report numbers published by police are close to those published by SSB and in most cases only deviate with single digits below the SSB numbers.

¹⁰ The statistics only show an increase in police reports for the last two years. This could indicate a shorter-term increase based on a special focus on these cases over the last few years. I will argue rather that this is part of a trend that needs to be explained. The investigation and penalty numbers for drug crimes are decreasing. Statistics Norway has yet to publish statistics for these areas for 2010. Because it takes time before a reported crime reaches the court room, there will always be a lag in penalty statistics compared to reports statistics. The decrease in penalties could also indicate that the reported drug crimes are so insignificant that they never reach the court room.

¹¹ The Dublin Regulation provides that a migrant has to seek asylum in the first safe country in which the person arrives within the EU/EEA. If a person arriving in Norway has applied for protection, is registered with finger-prints, or has a visa/residence permit in a different country, this person is to be returned there (Dublin-samarbeidet [2011](#)).

¹² With the exception of return centers. Return centers are institutions for immigrants who have received a final rejection of their asylum applications and are awaiting return.

The institution is to cover immediate humanitarian needs, but no more (Faktaark om retursentrene [2011](#)).

¹³ Approximately €1,800.

¹⁴ Eighty percent of all users of Møtestedet are men.

¹⁵ Their material is from 2007. Perhaps more such sentences are handed down now.

¹⁶ Between 2002 and 2010 unemployment in Norway was between 2.5% and 4.5% ([Yrkesdeltakingstatistikk](#), SSB: Table 18, 2002–2010). By comparison, unemployment in Spain in 2010 was at 20.1%, while it was 8.4% in Italy and 12.6% in Greece (Eurostat [2011](#)).

¹⁷ There are some exceptions to this rule, such as for visiting lecturers, professional athletes, internships with international firms, and the like (Utlendingsdirektoratet [2010](#)).

¹⁸ Area close to Oslo Central Station, perhaps the most infamous open drug scene in Norway.

¹⁹ Some of the news articles before 2009 that mention foreign citizens in the drug scenes give us personal stories about the foreigners as well.

²⁰ This will be documented further in my forthcoming PhD dissertation.

²¹ The return directive concerns common standards and procedures in the EU states for the return of third-country citizens (non-Schengen citizens) residing illegally (Den europæiske unions tidende [2008](#)).

²² Drug crimes, aggravated drug crimes, and crimes against the Act relating to medicines, etc. have been combined.

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