

Norway

Mid-term Implementation Assessment



Promoting and strengthening
the Universal Periodic Review
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on, and implement their commitments. States should implement the recommendations that they have accepted, and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible, and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate index is described at the end of this document.

Geneva, 5 July 2012

Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/norway>

We invite the reader to consult that webpage since all recommendations, all stakeholders reports, as well as the unedited comments can be found at the same internet address.

5 stakeholders' reports were submitted for the UPR. 5 NGOs were contacted. The Permanent Mission to the UN was contacted. The domestic NHRI and the Ombudsman for Children were contacted as well.

3 NGOs responded to our enquiry. The State under Review responded to our enquiry. Both the domestic NHRI and the Ombudsman for Children responded to our enquiry as well.

IRI: 7 recommendations are not implemented, 38 recommendations are partially implemented, and 34 recommendations are fully implemented. No answer was received for 31 out of 117 recommendations (full list of unanswered recommendations is available at the end of this document).

2. Index

Hereby the issues which the MIA deals with:

rec. n°	Issue	page	IRI
2	Development	page 6	fully impl.
3	Right to food, Right to education,	page 6	fully impl.
4	Asylum-seekers - refugees	page 10	partially impl.
7	Torture and other CID treatment, International instruments,	page 20	fully impl.
9	International instruments, Disabilities,	page 21	fully impl.
10	International instruments, Enforced disappearances,	page 22	fully impl.
11	International instruments, Disabilities,	page 23	partially impl.
12	International instruments, ESC rights - general,	page 23	partially impl.



rec. n°	Issue	page	IRI
13	Women's rights	page 35	fully impl.
14	Asylum-seekers - refugees	page 10	not impl.
17	Women's rights, Racial discrimination, International instruments,	page 25	partially impl.
18	Poverty	page 6	fully impl.
19	Poverty	page 7	partially impl.
20	Migrants	page 11	partially impl.
21	Women's rights, Trafficking, Rights of the Child,	page 39	partially impl.
22	Women's rights, Rights of the Child,	page 40	partially impl.
23	Women's rights, Rights of the Child, Human rights education and training,	page 40	partially impl.
24	Women's rights	page 40	fully impl.
25	Racial discrimination, Minorities,	page 11	fully impl.
26	Migrants	page 13	-
28	Racial discrimination, Migrants,	page 13	partially impl.
29	Racial discrimination, Minorities,	page 16	fully impl.
30	Migrants	page 13	partially impl.
31	Women's rights, Rights of the Child,	page 43	fully impl.
32	International instruments, Disabilities,	page 25	fully impl.
33	International instruments, Enforced disappearances,	page 22	fully impl.
36	Torture and other CID treatment, International instruments,	page 26	not impl.
37	International instruments, Disabilities,	page 25	fully impl.
38	Women's rights, Migrants,	page 44	fully impl.
39	Sexual Orientation and Gender Identity	page 35	partially impl.
40	Migrants	page 16	fully impl.
42	Asylum-seekers - refugees	page 17	fully impl.
43	Women's rights, Minorities, Migrants,	page 44	partially impl.
45	Indigenous peoples	page 17	fully impl.
46	Other	page 52	-
48	Migrants, Labour,	page 18	partially impl.
49	Women's rights, Treaty bodies, Trafficking, Rights of the Child,	page 45	partially impl.
50	Women's rights, Trafficking, Rights of the Child, National plan of action,	page 46	-
51	Torture and other CID treatment, International instruments,	page 26	not impl.
52	Minorities, Migrants,	page 13	partially impl.
53	Women's rights	page 46	fully impl.
55	Women's rights	page 41	partially impl.
56	Women's rights, Rights of the Child,	page 46	-
57	Right to education	page 8	fully impl.
58	International instruments, Indigenous peoples,	page 27	partially impl.
59	Treaty bodies, Racial discrimination, International instruments,	page 27	not impl.
60	Rights of the Child	page 47	fully impl.
61	Racial discrimination	page 13	fully impl.
63	Women's rights, Treaty bodies,	page 48	partially impl.
64	Treaty bodies, Rights of the Child,	page 48	partially impl.



rec. n°	Issue	page	IRI
65	International instruments, Disabilities,	page 25	fully impl.
66	Detention conditions	page 31	partially impl.
67	Women's rights, Rights of the Child,	page 46	partially impl.
68	Migrants	page 13	partially impl.
69	Treaty bodies, Special procedures, Rights of the Child, Migrants, Asylum-seekers - refugees,	page 27	fully impl.
70	International instruments	page 29	partially impl.
72	Treaty bodies, Migrants,	page 18	fully impl.
73	Rights of the Child	page 49	fully impl.
74	Women's rights	page 41	fully impl.
76	Rights of the Child, Justice,	page 49	partially impl.
78	Women's rights, Human rights education and training,	page 50	partially impl.
81	International instruments, Disabilities,	page 25	fully impl.
82	International instruments, Enforced disappearances,	page 29	not impl.
83	Torture and other CID treatment, International instruments,	page 26	not impl.
84	Development	page 6	fully impl.
85	Human rights education and training	page 8	partially impl.
86	Trafficking	page 31	fully impl.
87	Detention conditions	page 32	-
88	Minorities, Migrants,	page 19	partially impl.
89	International instruments, Disabilities,	page 25	partially impl.
91	Trafficking	page 34	fully impl.
93	Rights of the Child	page 49	partially impl.
94	International instruments, ESC rights - general,	page 29	not impl.
99	Migrants	page 19	fully impl.
100	International instruments, Disabilities,	page 25	fully impl.
102	Women's rights, Human rights education and training,	page 51	partially impl.
104	Minorities, Migrants,	page 19	partially impl.
105	Rights of the Child	page 51	partially impl.
108	Detention conditions	page 32	-
110	Minorities, Migrants,	page 19	partially impl.
111	UPR process, Civil society,	page 30	partially impl.
114	Rights of the Child, NHRI, Minorities, Human rights education and training, Civil society,	page 52	-
115	Migrants	page 20	partially impl.
116	Migrants	page 20	fully impl.
117	Human rights education and training	page 6	partially impl.
118	Human rights education and training	page 9	partially impl.



3. Feedbacks on recommendations

ESC Rights

Recommendation n°2: *Continue to help the least developed countries affected by the world economic and financial crisis, and modify its development assistance to continue to increase the amount allocated for agriculture and stabilize populations in their countries of origin* (Recommended by Algeria)

IRI: *fully implemented*

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Recommendation n°3: *Intensify its solidarity efforts for the rights to food and education in countries that cannot afford to ensure this due to a lack of financial resources* (Recommended by Algeria)

IRI: *fully implemented*

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Recommendation n°18: *Continue to support developing countries in fighting poverty through its development assistance* (Recommended by Bangladesh)

IRI: *fully implemented*

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Recommendation n°84: *Continue its efforts in the domain of development aid, in particular in favour of the least developed countries* (Recommended by Morocco)

IRI: *fully implemented*

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Recommendation n°117: *Continue providing assistance and sharing its experiences with other countries in the area of human rights education and training* (Recommended by Viet Nam)

IRI: *partially implemented*

State of Norway response:

In 2010 Norway allocated NOK 6 billion (USD 997 million) to the least developed countries. This amounts to 22 % of total development aid and 29 % of all government-to-government aid. The amount has remained stable over the last two years, with small variations. The five largest recipients of development aid in 2010 were Tanzania, Brazil, Afghanistan, Sudan and the Palestinian Territory. Norway's development policy is based on assistance to fragile states, the fight against poverty, and its climate and forest initiative.

An important goal of Norwegian development aid is to close the gap between the norms and realities on the ground. Norway is allocating around NOK 260 million in 2012 to the target areas human rights and democracy. Priority is being given to human rights defenders, freedom of expression, the development of democracy and the rule of law, and the abolition of capital punishment. As the objectives of all Norwegian development aid are to combat poverty and promote human rights, the



funds allocated to human rights-based approaches to development are much larger than the allocations specified as human rights and democracy aid in the OECD/DAC statistics.

Recommendation [n° 3] concerns solidarity efforts for the rights to food and education. The right to education is one of Norway's priority areas, and in 2010 Norway allocated NOK 1.6 billion to education, or 5.8 % of its total development aid for that year. Norway focuses particularly on supporting education in fragile states, and champions the right to education in crisis and conflict situations. Norway is also the largest donor to UNICEF's education programme "Basic Education and Gender Equality", and a key partner in the Global Partnership for Education (GPE). In addition we provide bilateral support for education in a number of countries and support NGOs that work for the right to education at country level.

Aid for agricultural purposes is allocated under a number of different budget items and schemes, especially in the fields of food security and agriculture, research and climate-smart agriculture and sustainable resource management. In 2010, NOK 462 million was allocated to the agricultural sector, which was 1.7 % of total development aid for that year. Agricultural aid is provided at the bilateral level and through multilateral channels and NGOs. Norway also provides substantial support for capacity-building and competence development through university cooperation, particularly through the Norwegian University of Life Sciences.

Norway is actively engaged in promoting the right to food. This right means that the individual state must ensure that all its citizens have the right and opportunity to feed themselves, and that this right is implemented in an equitable and non-discriminatory way. Thus social schemes, employment and economic development are just as important for food security as increased production in the agricultural and fisheries sectors. Norway supports normative and technical efforts aimed at realisation of the right to food, primarily through the Food and Agricultural Organization of the United Nations (FAO).

Norway attaches importance to the rights of indigenous and local communities, and is giving priority to prevention of natural disasters and research on food plants that are resilient to climate change. Much of Norway's support is channelled through multilateral development banks.

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In its budget for 2010, the Government is allocating 1,09 per cent of gross national income (GNI) to official development assistance. The Millennium Development Goals are an important basis for Norway's development policy. Increased food security is a key element of Norway's support for climate change adaptation, an area where Norway will intensify its efforts over the next four years.

Recommendation n°19: *Take a lead role in generating global opinion in favour of promoting human rights through fighting poverty* (Recommended by Bangladesh)

IRI: *partially implemented*

State of Norway response:

[See response to recommendation n° 2]



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Poverty is one of the greatest human rights challenges facing us today. Norway will therefore continue to promote human rights by fighting global poverty. The overall aim of Norway's development policy is to reduce poverty and promote human rights.

Recommendation n°57: Ensure that foreign students are not being arbitrarily deprived of the right to education in universities on their own free choice and interest (Recommended by Iran)

IRI: *fully implemented*

State of Norway response:

There is no statutory right to higher education in Norway, but everyone has an equal right to access to education. The entrance requirements for higher education are set out in the Act relating to universities and university colleges and the Regulations concerning admission to higher education. The rules are general and apply to everyone, regardless of ethnicity, social affiliation, nationality, etc.

In order to ensure equal opportunities for higher education, Norway has a number of schemes for giving certain groups the opportunity to pursue higher education. These include a well developed system of educational grants and a number of welfare benefits such as cheap student housing. There are no fees for attending higher education institutions in Norway; education free of charge is a fundamental principle.

Equal access to education does not, however, mean that every higher educational programme is open to all. Qualifications for admission are ranked in terms of the academic results at lower educational levels. This also applies to evaluations of non-formal learning. Educational qualifications based on education at an institution outside Norway are ranked according to special rules.

Recommendation n°85: Pursue the integration of human rights education and training in school programmes and other sectors such as the administration of justice and the police (Recommended by Morocco)

IRI: *partially implemented*

Norwegian Centre for Human Rights (NCHR) response:

The mid-term report from the state does not mention training of the administration of justice. NCHR notes that it would be useful to have more information on the level of knowledge about HR in this sector.

Norwegian Ombudsman for Children (BOC) response:

Partially done.

Grimstad MPAT-Institute (GMPATI) response:

Human sexual rights are but to a minor degree included in these programs

State of Norway response:

Primary and secondary education

The Ministry of Education and Research commissioned the Norwegian Directorate for Education and Training and the Department of Teacher Education and School Research at the University of Oslo to conduct a study on the results of human rights



education in primary and secondary schools in Norway. The study, which was completed in autumn 2010, showed that Norwegian school pupils have good knowledge of human rights and that these are well integrated with their studies in general.

The goal of human rights education and education for democratic citizenship in Norway is to develop the pupils' understanding of and support for human rights, democratic values, gender equality and democratic participation. In a follow-up study of the Norwegian results in the International Civics and Citizenship Education Study, the researchers concluded that the results were very satisfactory. The follow-up study also showed that human rights and democratic values are integrated with many school activities and with the competence objectives of the various curriculums.

Higher education

The Ministry of Education and Research commissioned the Norwegian Centre for Human Rights to examine the extent to which the human rights perspective is taken into account in higher education. The study was conducted in spring 2010 and submitted to the ministry in November of the same year. Six study programmes at different universities and university colleges were examined. The results were mainly positive but the authors concluded that due to certain problems relating to visibility, integration and specialisation, their description of human rights education in higher education in Norway should be treated with reservation. The report also made recommendations on measures for giving more prominence to human rights and strengthening knowledge of human rights in education. The Ministry of Education and Research considers that measures will be most effective if implemented at institutional level, and has circulated the report to all higher education institutions requesting them to consider the relevance of the recommendations to their own study programmes.

Human rights education in the police

The National Police University College seeks to integrate human rights into its educational programmes to the best extent possible. One of the goals of the college is that the students should understand that human rights are an overriding set of values, that they serve as ethical principles and as a corrective in the exercise of their profession, and that they should practise these values in their daily work as police officers.

Recommendation n^o118: *Further strengthen human rights education and training for police officers* (Recommended by Viet Nam)

IRI: *partially implemented*

Grimstad MPAT-Institute (GMPATI) response:

Education in recognising and rendering space for human qualities linked to unusual gender and unusual sexual orientation is not fully included in the education of police officers.

State of Norway response:

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Minorities

Recommendation n^o4: *Show understanding and flexibility for refugees and asylum-seekers who are often in an irregular situation and face possible expulsion* (Recommended by Algeria)

IRI: *partially implemented*

Grimstad MPAT-Institute (GMPATI) response:

There are few signs to the effect that asylum-seekers representing unusual sexual orientation and/or gender are granted information and flexibility concerning their rights to protection and integration

State of Norway response:

[...] Norway respects the principle of non-refoulement, and the Norwegian authorities have good routines for ensuring that correct decisions are made in asylum cases. The Norwegian Country of Origin Information Centre, Landinfo, ensures that the authorities have access to ample information on the situation in the asylum-seeker's country of origin. Training courses are held regularly for immigration administration personnel that are intended to ensure correct assessments, including a course on the new Immigration Act and appurtenant regulations of 1 January 2010.

UNHCR recommendations are always valuable, and the Norwegian immigration authorities attach great importance to them. All applications are evaluated individually, and in certain cases the Norwegian authorities disagree with the UNHCR's assessment. Section 16-4 of the new Immigration Regulations, which entered into force on 1 January 2010, states that if practice conflicts with formal country-specific recommendations from UNHCR regarding protection, or the question arises of establishing a new practice in conflict with such recommendations, then as a general rule at least one representative case shall be decided by a Grand Board, unless the practice is in accordance with instructions issued by the Ministry to the Directorate of Immigration.

Recommendation n^o14: *Take measures to guarantee proper and genuine analysis of each refugee petition on a case-by-case basis* (Recommended by Argentina)

IRI: *not implemented*

Norwegian Centre for Human Rights (NCHR) response:

NCHR would like to point out the fact that Norway still has a challenge when it comes to giving refugee children status as individuals and handling their cases on individual grounds, not only as part of the family.



Grimstad MPAT-Institute (GMPATI) response:

There is still no regular practice apt to render refugee's option on a case-by-case basis to describe their sexual orientation and gender status and be informed as to what consequences this may have in the asylum seeking process.

State of Norway response:

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Recommendation n°20: *Take effective measures for integration of migrants in Norway through, among others, non-discriminatory access to education, housing and employment (Recommended by Bangladesh)*

IRI: *partially implemented*

Norwegian Ombudsman for Children (BOC) response:

From the Ombudsman of Children's point of view; this is not done. As an example, there is a lack of effective measures taken to ensure non-discrimination regarding minor asylum seekers opportunities to participate in college education.

State of Norway response:

[See response to recommendation n° 28]

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Non discrimination and integration are a priority for the Government. As described both in Norway's UPR report and in the statement to the Working Group of the Non discrimination and integration are a priority for the Government. As described both in Norway's UPR report and in the statement to the Working Group of the Human Rights Council on 2 December 2009, several measures are being implemented to promote integration, further improve access to housing and employment and to strengthen participation in education for migrants and national minorities. Also, immigrants are a central target group of the labor market policy.

Recommendation n°25: *Continue efforts to collect and generate disaggregated data on actual manifestations of racism and discrimination with a view to evaluating the*



situation regarding racial, ethnic and minority groups in Norway (Recommended by Brazil)

IRI: *fully implemented*

Grimstad MPAT-Institute (GMPATI) response:

Two reports are under construction, one on the living conditions for lesbian, gay and bisexuals and one separate one on the living conditions for trans-people.

State of Norway response:

Measuring the scale, forms and causes of discrimination is difficult. Important information is provided by Statistics Norway, which regularly produces statistics and analyses on immigration and emigration by gender and reason for migration. It also produces statistics on employment, unemployment and participation in job creation schemes and refugees' introduction programmes among immigrant women and men. Annual statistics are produced for young male and female immigrants' work participation and participation in educational programmes, and on attitudes to immigrants and immigration.

Several of the measures in the action plan to promote gender equality and combat ethnic discrimination deal with acquiring more knowledge about the forms, scale and causes of discrimination in different social sectors. A forum has been established for gender-sensitive data consisting of the data users (ministries and subordinate agencies and the Equality and Anti-discrimination Ombudsman) and the data producer (Statistics Norway). This is one of the steps being taken towards a more integrated and systematic approach to collection of data that will reveal the level of gender equality and possible grounds for discrimination. A survey has also been conducted (based on correspondence testing) on whether persons with minority backgrounds are systematically discriminated in the Norwegian labour market. A review has been conducted of research on discrimination of children and young people, and a comprehensive effort is being made to document attitudes to Jews and Judaism and other minority groups in Norway such as Muslims and the Roma people.

As regards the scale of hate crime, the National Police Directorate and Oslo Police District have compiled a report on hate crime based on a review of all cases marked as hate crime from 2007 to 2009. According to the report, 242 cases of hate crime were reported in 2009, of which 183 were based on race or ethnicity, 23 on religious affiliation and 36 on sexual orientation. Most of the reported cases involved violence, discrimination, frightening and annoying behaviour or disturbance of peace and order. Crimes of violence are by far the largest type of crime for the categories sexual orientation, religious affiliation and race/ethnicity.

Measures to ensure housing for vulnerable and marginalised groups

In August 2011, a government-appointed committee submitted a recommendation to the Minister of Local Government and Regional Development on social housing policy for the future (Official Norwegian Report 2011:15). The committee considered that the municipalities should be given more room for action and that the responsibility for housing policy needs to be clarified if Norway's housing policy vision of safe and adequate housing for everyone is to be realised. The committee also



pointed out that the importance of housing in welfare policy has been downplayed, and that housing must be established as the fourth pillar of social welfare policy together with health, education and a secure income. The Government plans to submit a white paper on future housing policy in 2012, which will have a broader housing policy perspective than the committee's recommendation.

Recommendation n°26: *Strengthen efforts to secure human rights for immigrants in irregular situations* (Recommended by Brazil)

IRI: -

Grimstad MPAT-Institute (GMPATI) response:

There is still no regular practice apt to render refugee's option on a case-by-case basis to describe their sexual orientation and gender status and be informed as to what consequences this may have in the asylum seeking process.

[...]

Recommendation n°28: *Continue and intensify its efforts to prevent and eliminate all forms of de facto discrimination against immigrants based on ethnicity* (Recommended by Canada)

IRI: *partially implemented*

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Recommendation n°30: *Take measures to improve the participation of persons of immigrant background, especially young people, in the labour market, and to improve their access to education and housing* (Recommended by Canada)

IRI: *partially implemented*

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Recommendation n°52: *Strengthen action to improve the situation of national minorities and immigrants, especially in the areas of education, housing and employment* (Recommended by Ghana)

IRI: *partially implemented*

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Recommendation n°61: *Undertake a comprehensive set of measures to tackle racial discrimination and to combat resolutely all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance* (Recommended by Iran)

IRI: *fully implemented*

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Recommendation n°68: *Take further measures to address the problems faced in the areas of employment, education and housing by persons with immigrant background* (Recommended by Japan)

IRI: *partially implemented*

State of Norway response:

Non discrimination and integration are a priority for the Government. As described both in Norway's UPR report and in the statement to the Working Group of the Human Rights Council on 2 December 2009, several measures are being implemented to promote integration, further improve access to housing and employment and to strengthen participation in education for migrants and national minorities. Also, immigrants are a central target group of the labor market policy.



The Government's efforts in this area are based on an action plan to promote gender equality and prevent ethnic discrimination (2009–2012). The plan contains 68 new measures, which are being implemented by nine ministries. The status report submitted in 2010 showed that 58 measures had been implemented or started.

One of the main goals of the plan is to promote compliance with the duty to act and the duty to report under anti-discrimination legislation. The duty to act requires all public authorities, public and private employers with more than 50 employees, and the social partners to make active, focused and systematic efforts to promote gender equality and combat discrimination, including reporting on planned and implemented measures in annual reports or annual budgets. To this end cooperation has been established with the main social partners on measures to combat ethnic discrimination in connection with the duty to act and the duty to report.

Indicators have been developed and statistics compiled to enable enterprises to find out how many persons with an immigrant background are employed in their branch of industry and to compare this number with the proportion of immigrants who live in the geographical region where the enterprise is located.

The action plan also contains measures to improve knowledge about the discrimination to which children and young people are exposed. A review has been conducted of existing research on ethnic discrimination of children and young people in Norway, which showed that children and young people do experience ethnic discrimination but that so far no information is available on how many this applies to or who are the most severely affected.

The Action Plan for the Integration and Inclusion of the Immigrant Population 2007–2010 has had good results, and the Government has continued the activities under the plan in 2011 and 2012.

Public committees and white papers

A sound integration policy for the future can only be developed on the basis of knowledge. Two committees were appointed to examine various aspects of integration and inclusion (the Brochmann committee, Official Norwegian Report 2011:7, on welfare and migration, and the Kaldheim committee, Official Norwegian Report 2011:14, on better integration). The committees' reports, which were submitted last year, form a sound knowledge base for the forthcoming white paper on integration, which will be submitted in 2012. The white paper will present an integration policy, including the principles on which such a policy will be based. The white paper will also discuss measures to ensure good living conditions for the entire population and issues related to community-building.

Statistics and data collection

Measuring the scale, forms and causes of discrimination is difficult. Important information is provided by Statistics Norway, which regularly produces statistics and analyses on immigration and emigration by gender and reason for migration. It also produces statistics on employment, unemployment and participation in job creation schemes and refugees' introduction programmes among immigrant women and men.



Annual statistics are produced for young male and female immigrants' work participation and participation in educational programmes, and on attitudes to immigrants and immigration.

Several of the measures in the action plan to promote gender equality and combat ethnic discrimination deal with acquiring more knowledge about the forms, scale and causes of discrimination in different social sectors. A forum has been established for gender-sensitive data consisting of the data users (ministries and subordinate agencies and the Equality and Anti-discrimination Ombudsman) and the data producer (Statistics Norway). This is one of the steps being taken towards a more integrated and systematic approach to collection of data that will reveal the level of gender equality and possible grounds for discrimination. A survey has also been conducted (based on correspondence testing) on whether persons with minority backgrounds are systematically discriminated in the Norwegian labour market. A review has been conducted of research on discrimination of children and young people, and a comprehensive effort is being made to document attitudes to Jews and Judaism and other minority groups in Norway such as Muslims and the Roma people.

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Norway has recently launched a comprehensive set of measures against ethnic discrimination. The action plan to promote equality and prevent ethnic discrimination addresses racism, xenophobia and related intolerance. The Equality and Anti-Discrimination [Ombudsman] plays a central role. The provisions relating to hate speech have been strengthened in the new Penal Code. Protection against hate speech must be balanced against freedom of expression.



Recommendation n°29: *Generate data on manifestations of racial discrimination and on the position of minority groups in society, which could help identify patterns of direct and indirect racial discrimination* (Recommended by Canada)

IRI: *fully implemented*

State of Norway response:

Measuring the scale, forms and causes of discrimination is difficult. Important information is provided by Statistics Norway, which regularly produces statistics and analyses on immigration and emigration by gender and reason for migration. It also produces statistics on employment, unemployment and participation in job creation schemes and refugees' introduction programmes among immigrant women and men. Annual statistics are produced for young male and female immigrants' work participation and participation in educational programmes, and on attitudes to immigrants and immigration.

Several of the measures in the action plan to promote gender equality and combat ethnic discrimination deal with acquiring more knowledge about the forms, scale and causes of discrimination in different social sectors. A forum has been established for gender-sensitive data consisting of the data users (ministries and subordinate agencies and the Equality and Anti-discrimination Ombudsman) and the data producer (Statistics Norway). This is one of the steps being taken towards a more integrated and systematic approach to collection of data that will reveal the level of gender equality and possible grounds for discrimination. A survey has also been conducted (based on correspondence testing) on whether persons with minority backgrounds are systematically discriminated in the Norwegian labour market. A review has been conducted of research on discrimination of children and young people, and a comprehensive effort is being made to document attitudes to Jews and Judaism and other minority groups in Norway such as Muslims and the Roma people.

As regards the scale of hate crime, the National Police Directorate and Oslo Police District have compiled a report on hate crime based on a review of all cases marked as hate crime from 2007 to 2009. According to the report, 242 cases of hate crime were reported in 2009, of which 183 were based on race or ethnicity, 23 on religious affiliation and 36 on sexual orientation. Most of the reported cases involved violence, discrimination, frightening and annoying behaviour or disturbance of peace and order. Crimes of violence are by far the largest type of crime for the categories sexual orientation, religious affiliation and race/ethnicity.

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Norway works to improve the collection of data that helps to identify patterns of direct and indirect ethnic discrimination. The Equality and Anti-Discrimination [Ombudsman] publishes annual reports that include data in this field. In addition, Statistic Norway has published several surveys and reports on discrimination and immigrants' living conditions.

Recommendation n°40: *Accord particular attention to the protection of the rights of migrant workers* (Recommended by Republic of Congo)

IRI: *fully implemented*

Grimstad MPAT-Institute (GMPATI) response:

Some, but not all LGBT groups are receiving government support, and these groups are establishing offers to their focus groups. Still there is a flow of "queer immigrants" to the larger cities. Non ethnical Norwegians face harder challenges than the ethnic Norwegians in rural and low populated areas. As a comparison: The number of praying houses exceed by far the number of meeting places for gays, lesbians and other people of queer statuses.

State of Norway response:

[See recommendation n° 28]

Recommendation n°42: *Respect the rights of refugees, especially the principle of nonrefoulement* (Recommended by *Republic of Congo*)

IRI: *fully implemented*

Grimstad MPAT-Institute (GMPATI) response:

The State Administrations do not always seek advice from the minority organisations in the countries of origin when individuals claim that they are being persecuted on basis of gender and/or sexual orientation.

State of Norway response:

Norway respects the principle of non-refoulement, and the Norwegian authorities have good routines for ensuring that correct decisions are made in asylum cases. The Norwegian Country of Origin Information Centre, Landinfo, ensures that the authorities have access to ample information on the situation in the asylum-seeker's country of origin. Training courses are held regularly for immigration administration personnel that are intended to ensure correct assessments, including a course on the new Immigration Act and appurtenant regulations of 1 January 2010.

Recommendation n°45: *Take further steps to adopt special and concrete measures to ensure the adequate development and protection of the Sami people* (Recommended by *Denmark*)

IRI: *fully implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done, an action plan for Saami languages has been produced.

State of Norway response:

Norwegian legislation is presumed to be in accordance with Norway's international obligations towards the Sami people. The agreement on the procedure for consultations between the central authorities and the Sami Parliament is an important instrument for ensuring that new measures and statutory provisions are in accordance with the UN Declaration on the Rights of Indigenous Peoples. Under the agreement the Sami Parliament and, it is presumed, other affected Sami interests, must be consulted on matters that may affect them directly. The Declaration on the Rights of Indigenous Peoples has been translated into Norwegian and North Sami, and will by summer this year be translated into South Sami and Lule Sami, in order to make it more accessible to affected groups.



The Norwegian authorities have implemented several major processes to safeguard the rights of the Sami people. Negotiations are being conducted on the draft of a Nordic Sami Convention. The head and two members of the Norwegian delegation, which was appointed in March 2011, were proposed by the Government and a further two members by the Sami Parliament. The Sami Parliament will also be consulted during the negotiations. The goal is that the negotiations should be completed within five years of the starting date.

The authorities are currently working on follow-up to the report of the second Sami Rights Commission, which contains an examination of Sami rights south of Finnmark. It is too early to say when follow-up of the report will be completed.

A review is being conducted in cooperation with the relevant ministries and in a dialogue with the Sami Parliament of the provisions of the Sami Act relating to the Sami language. One of the aims of the review is to ensure that the rules governing use of the Sami language are in accordance with Norway's international obligations.

Recommendation n°48: Take more effective measures to eliminate discrimination against noncitizens in relation to working conditions and work requirements, adopt legislation prohibiting discrimination in employment and take further measures to reduce unemployment among immigrants (Recommended by Egypt)

IRI: *partially implemented*

State of Norway response:

[See recommendation n° 28]

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Reference is made to the answer to recommendation[s n° 20, 30, 52, 68 and 99]. Workers have the same legal rights in the Norwegian labour market, irrespective of nationality. Several legislative measures have been implemented in order to ensure that workers rights are fulfilled.

The supervisory capacity of the Labour Inspection Authorities has been strengthened, and inspection of enterprises to detect poor conditions for non-citizens is a high priority.

Recommendation n°72: Take extra measures to support migrants and implement the recommendations of the Committee on the Rights of Child with regard to migrants (Recommended by Kyrgyzstan)

IRI: *fully implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done.

State of Norway response:

[See response to recommendation n° 28]

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Norway is working continuously to implement the recommendations from the Committee on the rights of the child. Norway is implementing a wide range of measures to support migrants and their children, as stated in Norway's UPR report, and is continuously working to improve migrants' opportunities in working life.



Recommendation n°88: *Strengthen its policies to protect the rights of migrants and minority groups and ensure the integration of those groups into Norwegian society* (Recommended by *Netherlands*)

IRI: *partially implemented*

Grimstad MPAT-Institute (GMPATI) response:

There are no visible efforts taken to protect and integrate people of unusual gender and/or sexual orientation into the Norwegian society. On a general basis, these groups are not given the attention needed to serve their special needs in integration

State of Norway response:

[See response to recommendation n° 28]

Recommendation n°99: *Pursue its efforts to overcome the problems faced by migrants, particularly in having access to education and to the labour and housing markets* (Recommended by *Russian Federation*)

IRI: *fully implemented*

State of Norway response:

[See response to recommendation n° 28]

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Non discrimination and integration are a priority for the Government. As described both in Norway's UPR report and in the statement to the Working Group of the Human Rights Council on 2 December 2009, several measures are being implemented to promote integration, further improve access to housing and employment and to strengthen participation in education for migrants and national minorities. Also, immigrants are a central target group of the labor market policy.

Recommendation n°104: *Implement all necessary measures to eliminate discrimination faced by persons belonging to minorities and persons with an immigrant background* (Recommended by *Sweden*)

IRI: *partially implemented*

Grimstad MPAT-Institute (GMPATI) response:

Thus far those measures have not reached the health care system where children, adolescents and adults belonging to minority groups of gender face discrimination in not receiving the same right to diagnose and second opinion as is offered to other client groups. Gender minorities are faced with castration requirements in order to obtain gender status in accordance with their self perception.

State of Norway response:

[See response to recommendation n° 28]

Recommendation n°110: *Continue its process of supporting integration for newly arrived immigrants, particularly those from ethnic minority backgrounds* (Recommended by *United Kingdom*)

IRI: *partially implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done. Example; some of the asylum reception centers have parental guiding and information. However, this is not the situation for all the centers.



State of Norway response:

[See response to recommendation n° 28]

Recommendation n°115: *Adopt appropriate measures to comprehensively counter any type of discrimination against migrants* (Recommended by Uzbekistan)

IRI: *partially implemented*

Grimstad MPAT-Institute (GMPATI) response:

Immigrants are still described as uniform groups not as case-to-case individuals which weakens their options of being fairly treated on individual basis.

State of Norway response:

[See response to recommendation n° 28]

Recommendation n°116: *Set up a monitoring system to ensure the rights of migrants and members of their families, especially rights to housing, employment and education* (Recommended by Uzbekistan)

IRI: *fully implemented*

State of Norway response:

[See response to recommendation n° 28]

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Various systems that take into consideration the rights of migrants and members of their families are already in place in Norway, including periodical reviews of the living conditions of the whole population and a specific survey of the immigrant population. The national budget reports annually on the attainment of goals for social inclusion of immigrants and their descendants. In addition, the results of the introduction programme are monitored. The Equality and Anti-Discrimination [Ombudsman] and Tribunal ensure comprehensive monitoring of all forms of discrimination on all grounds. The county councils have an obligation to ensure that all pupils receive education according to the Education Act. In the housing sector overall goals are monitored, such as the goal to prevent exclusion of immigrant groups from the ordinary housing market.

International Instruments

Recommendation n°7: *Consider the possibility of ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment CAT* (Recommended by Argentina)

IRI: *fully implemented*

Norwegian Centre for Human Rights (NCHR) response:

The Government is considering how to put in place a National Preventive Mechanism (NPM) required by OPCAT. Civil society has been invited to give input through two meetings with the governmental working group working on the issue. It remains to see whether perspectives from civil society are duly incorporated in the organizational set up and the functions of the NPM. The NCHR finds the information



in the midterm report from the state insufficient as there is no indications on future follow up from the state.

State of Norway response:

Norway is party to most of the UN human rights conventions, and is considering ratifying recently adopted instruments. Norway stated in its first UPR report that work with a view to ratifying and implementing the UN Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is a national human rights priority. Norway has accepted the recommendations to consider the possibility of ratifying these instruments.

Norway attaches importance to thorough preparations before ratifying a convention in order to ensure full compliance from the moment the convention enters into force in Norway. [...]

With respect to the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, an interministerial working group was appointed in June 2011 to propose which body or bodies should be set up or designated as a national preventive mechanism and to draw up a report assessing the consequences of possible Norwegian ratification. The working group consulted the Norwegian Centre for Human Rights (Norway's national institution for human rights), relevant NGOs and the Parliamentary Ombudsman, and submitted its report to the Ministry of Foreign Affairs in April 2012. The report has been circulated for general review to relevant public organisations and NGOs with a time limit of 20 September 2012 for response.

Recommendation n°9: Consider the possibility of signing and-or ratifying the Convention on the Rights of Persons with Disabilities (Recommended by Argentina)

IRI: fully implemented

Norwegian Centre for Human Rights (NCHR) response:

The Government has considered the issue and are planning to ratify as soon as required legal changes are in place. The midterm report from the state gives good information on how the issue will be followed up.

Norwegian Ombudsman for Children (BOC) response:

Partially done. It's expected that Norway will ratify this convention in 2013.

State of Norway response:

Norway is party to most of the UN human rights conventions, and is considering ratifying recently adopted instruments. Norway stated in its first UPR report that work with a view to ratifying and implementing the UN Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is a national human rights priority. Norway has accepted the recommendations to consider the possibility of ratifying these instruments.



Norway attaches importance to thorough preparations before ratifying a convention in order to ensure full compliance from the moment the convention enters into force in Norway. [...]

Norway is currently working with a view to ratifying the Convention on the Rights of Persons with Disabilities. When Norway signed the Convention it was already clear that the existing Guardianship Act was in conflict with Article 12, which states that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life. A new Guardianship Act was adopted on 26 March 2010 and the intention is that it will enter into force on 1 July 2013. In May 2012 the Government presented a proposition to the Storting (the Norwegian parliament) requesting its consent to ratification of the Convention. Provided the Storting gives its consent, the Convention will be ratified as soon as the new Guardianship Act enters into force. As regards the individual communications procedure under the Optional Protocol to the Convention on the Rights of Persons with Disabilities, Norway has not yet decided on ratification

Recommendation n°10: *Consider the possibility of signing and-or ratifying the International Convention for the Protection of all Persons from Enforced Disappearance CED (Recommended by Argentina)*

IRI: *fully implemented*

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Recommendation n°33: *Consider ratifying the International Convention for the Protection of all Persons from Enforced Disappearance CED (Recommended by Chile)*

IRI: *fully implemented*

Norwegian Centre for Human Rights (NCHR) response:

The Government informs that they are working on legal changes that are required before ratification. NCHR has no further information on this issue than the very limited information given in the midterm report from the state which gives very few indications for future follow up by the state.

State of Norway response:

Norway is party to most of the UN human rights conventions, and is considering ratifying recently adopted instruments. Norway stated in its first UPR report that work with a view to ratifying and implementing the UN Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is a national human rights priority. Norway has accepted the recommendations to consider the possibility of ratifying these instruments.

Norway attaches importance to thorough preparations before ratifying a convention in order to ensure full compliance from the moment the convention enters into force in Norway. [...]



Ratification of the International Convention for the Protection of All Persons from Enforced Disappearance raises questions about the need to amend Norwegian legislation and/or practice. These questions, which involve several different ministries, are under consideration.

Recommendation n^o11: Consider the possibility of signing and-or ratifying the *Optional Protocol to the Convention on the Rights of Persons with Disabilities* (Recommended by *Argentina*)

IRI: *partially implemented*

Norwegian Centre for Human Rights (NCHR) response:

NCHR has no information which indicates that the state has started to consider whether to ratify the OP CRPD. The midterm report from the state only states that there is no decision made, but seems to indicate that the issue is still not under consideration.

State of Norway response:

Norway is party to most of the UN human rights conventions, and is considering ratifying recently adopted instruments. Norway stated in its first UPR report that work with a view to ratifying and implementing the UN Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is a national human rights priority. Norway has accepted the recommendations to consider the possibility of ratifying these instruments.

Norway attaches importance to thorough preparations before ratifying a convention in order to ensure full compliance from the moment the convention enters into force in Norway. [...]

Norway is currently working with a view to ratifying the Convention on the Rights of Persons with Disabilities. When Norway signed the Convention it was already clear that the existing Guardianship Act was in conflict with Article 12, which states that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life. A new Guardianship Act was adopted on 26 March 2010 and the intention is that it will enter into force on 1 July 2013. In May 2012 the Government presented a proposition to the Storting (the Norwegian parliament) requesting its consent to ratification of the Convention. Provided the Storting gives its consent, the Convention will be ratified as soon as the new Guardianship Act enters into force. As regards the individual communications procedure under the Optional Protocol to the Convention on the Rights of Persons with Disabilities, Norway has not yet decided on ratification.

Recommendation n^o12: Consider the possibility of signing and/or ratifying OP-CESCR (Recommended by *Argentina*)

IRI: *partially implemented*

Amnesty International – Norway (AI) response:

The Norwegian government has yet to decide whether to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-



ICESCR). During Norway's first Universal Periodic Review (UPR) at the UN Human Rights Council (HRC) in 2009, the government made a commitment to assess the legal implications of ratifying the OP-ICESCR, in response to recommendations to sign and ratify the treaty made by Argentina and Portugal.

Norwegian Ombudsman for Children (BOC) response:

This is not done.

Norwegian Centre for Human Rights (NCHR) response:

The state made a voluntary commitment to consider ratifying OP-CESCR. The Government assigned an external consultant to give a legal review of the issue. Civil society was invited to give input. The NGOs rejected as a reaction to what they consider as a non-open process. The NCHR considered it useful to influence the process and gave input, both to the consultant and when the report was out for an open hearing (February 2012). The Government has given no reaction to the report, and there is no information available on how the issue will be followed up. The midterm report from the state gives no indications on how the state will follow up on this issue.

On 29 June 2012, during the 20th session of the HRC, Norway [gave] a short presentation to the HRC on their UPR mid-term report. In the report, they refer to the invitation that was sent to representatives of the civil society to participate in the abovementioned assessment, and that the civil society declined to do so due to unacceptable processes and conditions including lack in transparency and lack of inclusion of all stakeholders.

For some years Norwegian NGOs have tried to establish a dialogue with the authorities on the OP-ICESR, and called for transparency and an open debate without success.

In 2011 and 2012 the Norwegian NGOs declined to contribute to and thereby legitimize the Government's assessment report in a process that so far lacks transparency and dialogue. This is the first time a joint NGO platform decides to boycott cooperation with the Norwegian authorities.

State of Norway response:

Norway has made a voluntary commitment to consider the possibility of signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights when a study has been conducted of its legal implications. The study was expected to be completed within a year (by March 2011). However, this turned out not to be possible, and the report on the study was submitted in September 2011. It has been published on the website of the Ministry of Foreign Affairs. NGOs were invited to open meetings with the external legal expert responsible for the report and to provide written input to the issues discussed in it. The NGOs declined the invitation on the grounds that they were highly critical of the role played by Norway during the negotiations on the Protocol and that the process had been lacking in transparency and had not been inclusive enough.



The report was circulated for general review to relevant public organisations and NGOs, with a time limit of 1 March 2012 for responses. These have been published on the Ministry's website and are under consideration. Norway's decision on whether to become a party to the Optional Protocol will be based on the outcome of this process.

Recommendation n°17: *Incorporate both CEDAW and ICERD in the Human Rights Act (Recommended by Azerbaijan)*

IRI: *partially implemented*

Norwegian Centre for Human Rights (NCHR) response:

Partially accepted for CEDAW which is incorporated into the Human Rights Act. The Government do not wish to incorporate ICERD into the Human Rights Act.

Recommendation n°32: *Consider ratifying the Convention on the Rights of Persons with Disabilities (Recommended by Chile)*

IRI: *fully implemented*

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Recommendation n°37: *Consider ratifying the Convention on the Rights of Persons with Disabilities (Recommended by China)*

IRI: *fully implemented*

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Recommendation n°65: *Consider with priority ratifying the Convention on the Rights of Persons with Disabilities (Recommended by Italy)*

IRI: *fully implemented*

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Recommendation n°81: *Consider ratifying the Convention on the Rights of Persons with Disabilities (Recommended by Mexico)*

IRI: *fully implemented*

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Recommendation n°89: *Consider ratifying the Convention on the Rights of Persons with Disabilities, and ensuring its full implementation in domestic law (Recommended by New Zealand)*

IRI: *partially implemented*

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Recommendation n°100: *Consider ratifying the Convention on the Rights of Persons with Disabilities (Recommended by Slovenia)*

IRI: *fully implemented*

Norwegian Centre for Human Rights (NCHR) response:

The Government has considered the issue and are planning to ratify as soon as required legal changes are in place. The midterm report from the state gives good information on how the issue will be followed up. As far as NCHR knows there is no specific strategy to ensure the implementation of the rights in the convention

Norwegian Ombudsman for Children (BOC) response:

This is done; Norway has considered this.

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A new legislation which will implement these rights is expected to take effect during 2013. After this, Norway is expected to ratify this convention.



State of Norway response:

Norway is party to most of the UN human rights conventions, and is considering ratifying recently adopted instruments. Norway stated in its first UPR report that work with a view to ratifying and implementing the UN Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is a national human rights priority. Norway has accepted the recommendations to consider the possibility of ratifying these instruments.

Norway attaches importance to thorough preparations before ratifying a convention in order to ensure full compliance from the moment the convention enters into force in Norway. [...]

Norway is currently working with a view to ratifying the Convention on the Rights of Persons with Disabilities. When Norway signed the Convention it was already clear that the existing Guardianship Act was in conflict with Article 12, which states that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life. A new Guardianship Act was adopted on 26 March 2010 and the intention is that it will enter into force on 1 July 2013. In May 2012 the Government presented a proposition to the Storting (the Norwegian parliament) requesting its consent to ratification of the Convention. Provided the Storting gives its consent, the Convention will be ratified as soon as the new Guardianship Act enters into force. As regards the individual communications procedure under the Optional Protocol to the Convention on the Rights of Persons with Disabilities, Norway has not yet decided on ratification

Recommendation n°36: *Ratify the Optional Protocol to the Convention on Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment* (Recommended by Chile)

IRI: not implemented

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Recommendation n°51: *Ratify as soon as possible the Optional Protocol to the Convention on Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment, and create an independent national mechanism for monitoring detention centres* (Recommended by France)

IRI: not implemented

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Recommendation n°83: *Ratify the Optional Protocol to the Convention on Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment* (Recommended by Mexico)

IRI: not implemented

Norwegian Centre for Human Rights (NCHR) response:

The Government is considering how to put in place a National Preventive Mechanism (NPM) required by OPCAT. Civil society has been invited to give input through two meetings with the governmental working group working on the issue. It remains to see whether perspectives from civil society are duly incorporated in the organizational set up and the functions of the NPM. The NCHR finds the information



in the midterm report from the state insufficient as there is no indications on future follow up from the state.

Norwegian Ombudsman for Children (BOC) response:

This is not done.

Recommendation n°58: *Implement effectively the United Nations Declaration on the Rights of Indigenous Peoples (Recommended by Iran)*

IRI: *partially implemented*

State of Norway response:

Norwegian legislation is presumed to be in accordance with Norway's international obligations towards the Sami people. The agreement on the procedure for consultations between the central authorities and the Sami Parliament is an important instrument for ensuring that new measures and statutory provisions are in accordance with the UN Declaration on the Rights of Indigenous Peoples. Under the agreement the Sami Parliament and, it is presumed, other affected Sami interests, must be consulted on matters that may affect them directly. The Declaration on the Rights of Indigenous Peoples has been translated into Norwegian and North Sami, and will by summer this year be translated into South Sami and Lule Sami, in order to make it more accessible to affected groups.

The Norwegian authorities have implemented several major processes to safeguard the rights of the Sami people. Negotiations are being conducted on the draft of a Nordic Sami Convention. The head and two members of the Norwegian delegation, which was appointed in March 2011, were proposed by the Government and a further two members by the Sami Parliament. The Sami Parliament will also be consulted during the negotiations. The goal is that the negotiations should be completed within five years of the starting date.

The authorities are currently working on follow-up to the report of the second Sami Rights Commission, which contains an examination of Sami rights south of Finnmark. It is too early to say when follow-up of the report will be completed.

A review is being conducted in cooperation with the relevant ministries and in a dialogue with the Sami Parliament of the provisions of the Sami Act relating to the Sami language. One of the aims of the review is to ensure that the rules governing use of the Sami language are in accordance with Norway's international obligations.

Recommendation n°59: *Incorporate the content of the International Convention on the Elimination of All Forms of Racial Discrimination ICERD in the Human Rights Act of 1999 and ensure that its provisions prevail over inconsistent domestic legislation as highlighted by the relevant treaty bodies (Recommended by Iran)*

IRI: *not implemented*

Norwegian Centre for Human Rights (NCHR) response:

The Government do not wish to incorporate ICERD into the Human Rights Act.

Recommendation n°69: *Consider implementing, as appropriate, the recommendations of the Office of the United Nations High Commissioner for*



Refugees UNHCR, human rights treaty bodies and special procedures with respect to asylumseekers and irregular immigrants, especially children (Recommended by Jordan)

IRI: *fully implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done. However, The Ombudsman for Children is deeply worried about the fact that unaccompanied asylum-seeking and refugee children in the age of 15-18 are not given the same care as the children under 15 years. The Ombudsman for Children is also worried about the situation for the children who have waited for several years for a decision in their family's asylum application.

State of Norway response:

Norway respects the principle of non-refoulement, and the Norwegian authorities have good routines for ensuring that correct decisions are made in asylum cases. The Norwegian Country of Origin Information Centre, Landinfo, ensures that the authorities have access to ample information on the situation in the asylum-seeker's country of origin. Training courses are held regularly for immigration administration personnel that are intended to ensure correct assessments, including a course on the new Immigration Act and appurtenant regulations of 1 January 2010.

UNHCR recommendations are always valuable, and the Norwegian immigration authorities attach great importance to them. All applications are evaluated individually, and in certain cases the Norwegian authorities disagree with the UNHCR's assessment. Section 16-4 of the new Immigration Regulations, which entered into force on 1 January 2010, states that if practice conflicts with formal country-specific recommendations from UNHCR regarding protection, or the question arises of establishing a new practice in conflict with such recommendations, then as a general rule at least one representative case shall be decided by a Grand Board, unless the practice is in accordance with instructions issued by the Ministry to the Directorate of Immigration.

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Unaccompanied asylum-seeking minors

Some of the recommendations were specifically concerned with safeguarding the rights of unaccompanied asylum-seeking minors (recommendation 10 and partly accepted recommendation 3). In the latter recommendation Norway is requested to ensure that a guardian is appointed for these children, as recommended by the Committee on the Rights of the Child and UNHCR. It is a requirement in Norway that all unaccompanied minors have a guardian, and a guardian is appointed before the application for asylum is registered by the National Police Immigration Service. The Immigration Act has recently been amended to ensure unaccompanied asylum-seeking minors the right to a representative, and the amendment emphasises that all children in this group are entitled to respect and protection of their rights. The new arrangement will strengthen the legal rights of vulnerable groups, promote competence-building and result in a more unified guardianship system. The amendment is due to enter into force on 1 July 2013.



Recommendation n°70: *Further incorporate, as appropriate, its international obligations under human rights instruments into domestic law* (Recommended by Jordan)

IRI: *partially implemented*

Norwegian Centre for Human Rights (NCHR) response:

CEDAW has recently been incorporated into the Human Rights Act. The Government do not wish to incorporate ICERD into the Human Rights Act.

Grimstad MPAT-Institute (GMPATI) response:

The rights of people of unusual gender perception and expression has no particular protection, but is gathered under a wider umbrella that does not render "first class" protection.

Recommendation n°82: *Ratify the International Convention for the Protection of all Persons from Enforced Disappearance CED* (Recommended by Mexico)

IRI: *not implemented*

Norwegian Centre for Human Rights (NCHR) response:

[See response to recommendation n°10]

Norwegian Ombudsman for Children (BOC) response:

This is not done.

State of Norway response:

[See response to recommendation n°10]

Recommendation n°94: *Sign and ratify OP-CESCR, allowing individual complaints of alleged violations of these rights to be heard by the Committee* (Recommended by Portugal)

IRI: *not implemented*

Norwegian Centre for Human Rights (NCHR) response:

The state made a voluntary commitment to consider ratifying OP-CESCR. The Government assigned an external consultant to give a legal review of the issue. Civil society was invited to give input. The NGOs rejected as a reaction to what they consider as a non-open process. The NCHR considered it useful to influence the process and gave input, both to the consultant and when the report was out for an open hearing (February 2012). The Government has given no reaction to the report, and there are no information available on how the issue will be followed up. The midterm report from the state gives no indications on how the state will follow up on this issue.

Norwegian Ombudsman for Children (BOC) response:

This is not done.

Amnesty International – Norway (AI) response:

The Norwegian government has yet to decide whether to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR). During Norway's first Universal Periodic Review (UPR) at the UN Human Rights Council (HRC) in 2009, the government made a commitment to assess the



legal implications of ratifying the OP-ICESCR, in response to recommendations to sign and ratify the treaty made by Argentina and Portugal.

On 29 June 2012, during the 20th session of the HRC, Norway [gave] a short presentation to the HRC on their UPR mid-term report. In the report, they refer to the invitation that was sent to representatives of the civil society to participate in the abovementioned assessment, and that the civil society declined to do so due to unacceptable processes and conditions including lack in transparency and lack of inclusion of all stakeholders.

For some years Norwegian NGOs have tried to establish a dialogue with the authorities on the OP-ICESCR, and called for transparency and an open debate without success.

In 2011 and 2012 the Norwegian NGOs declined to contribute to and thereby legitimize the Government's assessment report in a process that so far lacks transparency and dialogue. This is the first time a joint NGO platform decides to boycott cooperation with the Norwegian authorities.

State of Norway response:

Norway has made a voluntary commitment to consider the possibility of signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights when a study has been conducted of its legal implications. The study was expected to be completed within a year (by March 2011). However, this turned out not to be possible, and the report on the study was submitted in September 2011. It has been published on the website of the Ministry of Foreign Affairs. NGOs were invited to open meetings with the external legal expert responsible for the report and to provide written input to the issues discussed in it. The NGOs declined the invitation on the grounds that they were highly critical of the role played by Norway during the negotiations on the Protocol and that the process had been lacking in transparency and had not been inclusive enough.

The report was circulated for general review to relevant public organisations and NGOs, with a time limit of 1 March 2012 for responses. These have been published on the Ministry's website and are under consideration. Norway's decision on whether to become a party to the Optional Protocol will be based on the outcome of this process.

Recommendation n^o111: Continue to engage with human rights civil society groups in the followup to the universal periodic review (Recommended by United Kingdom)

IRI: partially implemented

Norwegian Centre for Human Rights (NCHR) response:

NCHR hopes for a stronger follow up in the future. Norway, both the state and the non-state actors should, should put more effort into the follow up of the UPR mechanism with the aim to make Norway an international "best practice" example.



Justice

Recommendation n°66: *Ensure that all detainees and prisoners, including those who are mentally ill, are given access to appropriate care, including where necessary by being transferred to specialized health institutions (Recommended by Italy)*

IRI: *partially implemented*

Norwegian Centre for Human Rights (NCHR) response:

Norway still has great challenges concerning mental health care for inmates in Norwegian prisons.

State of Norway response:

Prisoners' right to health care

The right to health care also applies to prisoners. The Directorate of Health is currently revising the guidelines for health services to prisoners for publication at the beginning of 2012. The guidelines will clarify the division of responsibility between municipal services, county administrations, the specialist health services and the Correctional Services. They also cover prisoners' rights, such as the right to an individual treatment plan, medication, dental care, treatment outside prison, prevention, complaints procedures and client confidentiality.

Under Section 12 of the Execution of Sentences Act, prisoners may serve their sentence in a treatment or residential care institution instead of in prison. In 2010, 511 persons were transferred to such an institution, and the figure remained relatively stable in the period 2008–10. It is still an explicit goal that many more prisoners are able to make use of this possibility.

In the period 2007–11, 13 substance abuse treatment units were established in prisons through cooperation between the Ministry of Health and Care Services and the Ministry of Justice and Public Security. The units provide rehabilitation to prisoners in need of treatment for psychiatric disorders as well as for substance abuse. The resources of the Correctional Services have been strengthened to enable the personnel to provide therapeutic dialogues, substance abuse programmes and assistance in planning release. The Ministry of Justice and Public Security and the Ministry of Health and Care Services are drawing up a set of common rules for the substance abuse treatment units, and evaluations and other measures will be implemented to ensure that the units operate as intended. The Centre for Research and Education in Forensic Psychiatry is conducting a national survey of mental disorders among prisoners in the form of an epidemiological study on the prevalence of mental disorders among a representative selection of prisoners.

Recommendation n°86: *Evaluate the measures taken with regard to the action plan concerning combating human trafficking and strengthen its efforts in this regard through follow-up measures (Recommended by Netherlands)*

IRI: *fully implemented*

Norwegian Ombudsman for Children (BOC) response:

The plan is evaluated and a new plan is in place.



State of Norway response:

Under the Crisis Centre Act of 2009, municipalities are obliged to provide human trafficking victims with accommodation in a crisis centre. The ROSA project offers safe housing and provides information and advice on following up trafficking victims. ROSA housed 51 women in 2009, 42 women in 2010 and 44 women in 2011. The Government is continuing its support for the project.

A new plan of action against trafficking – United against Human Trafficking – was launched by the Norwegian Government in December 2010. The plan contains 35 updated measures to combat trafficking and is based on evaluations of some of the main measures in the previous action plan, in line with recommendation 47.

Statistics

Norway is working continuously to improve data on trafficking in women and girls, as proposed in recommendation 49. From 2003 to March 2011, 29 persons were convicted of human trafficking. According to the statistics compiled by the National Coordinating Unit for Victims of Trafficking (KOM), a total of 319 persons identified in 2010 or previous years as victims of trafficking have accepted assistance and protection measures. The actual number of victims is assumed to be higher.

Residence permits for victims of human trafficking

Norway has an arrangement whereby a period of reflection is granted to alleged trafficking victims, with the possibility of a new residence permit in connection with criminal proceedings. Under Norwegian law, a previous trafficking victim is considered to be a member of a particular social group, and may on this basis be entitled to recognition as a refugee. Norwegian law also states that when determining whether a residence permit is to be granted on humanitarian grounds, the fact that the foreign national has been a victim of human trafficking is to be taken into consideration. Trafficking victims who give testimony as the aggrieved party in criminal proceedings against the perpetrators have as a rule the right to a residence permit. A residence permit may also be granted to other witnesses in this type of criminal proceedings.

Recommendation n^o87: *Strengthen its efforts to ensure that the necessary capacity is provided to make sure that pre-trial detention is dealt with according to international standards (Recommended by Netherlands)*

IRI: -

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Recommendation n^o108: *Look into the need for concrete measures, on the basis of detailed statistical data, to reduce the duration of preventive detention (Recommended by Switzerland)*

IRI: -

State of Norway response:

Norway received a number of recommendations to safeguard human rights during deprivation of liberty [see below]. These included intensifying its efforts to ensure that remand in custody is dealt with according to international standards, examining the need for concrete measures to reduce the use of remand in custody and ensuring



that all prisoners are given access to appropriate health care. Recommendations were also made concerning imprisonment of minors.

In its evaluation of follow-up of the recommendations, Norway has taken account of recommendations in this field by other treaty bodies, particularly those of the UN Committee against Torture (CAT) and the UN Human Rights Committee (CCPR). The legal framework and system governing the use of custody were described in paragraphs 3–6 of Norway's 7th report to CAT (2011), and paragraphs 122–140 of Norway's 6th report to CCPR (2010). Measures taken to reduce the use of remand in custody were also described in these paragraphs.

Prisoners' right to health care

The right to health care also applies to prisoners. The Directorate of Health is currently revising the guidelines for health services to prisoners for publication at the beginning of 2012. The guidelines will clarify the division of responsibility between municipal services, county administrations, the specialist health services and the Correctional Services. They also cover prisoners' rights, such as the right to an individual treatment plan, medication, dental care, treatment outside prison, prevention, complaints procedures and client confidentiality.

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Juveniles remanded in custody and serving a sentence

The Government's goal is that no minors shall be imprisoned, and efforts are under way to increase the use of alternatives to imprisonment. This is in accordance with the provisions of the Convention on the Rights of the Child stating that children may only be deprived of their liberty as a measure of last resort, when all other alternatives have been considered and found to be inadequate.



In order to reduce the number of juveniles in prison, the Government proposed a bill in summer 2011 to introduce a new sanction for juveniles aged 15 to 18 years who have committed serious or repeated crimes, the “juvenile sentence”. In such cases the sanction will be implemented locally, in the community where the convicted person lives. Social control, in the form of close follow-up, will then replace the physical control that would be exercised in prison. The juvenile sentence will involve close contact between the offender, their personal network, various levels of the justice sector and other public bodies, all of which will be part of an individually adapted follow-up programme. The victim may also be involved if he or she is willing. For the youngest offenders, maximum use is to be made of the community sentence system. The amendment was passed by the Storting in December 2011, but has not yet entered into force.

In the above-mentioned bill the Government also proposed several other legislative amendments to strengthen the legal rights of juveniles in conflict with the law. The following amendments entered into force in January 2012:

- Minors may only be remanded in custody in cases where it is “compellingly necessary”.
- A shorter time limit for bringing a juvenile before the court has been introduced: in the case of minors whom the police consider should be remanded in custody the minor must be brought before the court as soon as possible and at the latest on the day following their arrest.
- The police now have a duty to notify the municipal child welfare service if it is considered necessary to apply for remand in custody of a person under 18 years of age.
- A representative of the child welfare service must attend the remand hearing and provide information on the appropriate measures and their preparation.
- The conditions for remanding a minor in custody must be reviewed at least every two weeks.

In order to avoid the imprisonment of juveniles together with adults and to ensure better detention conditions for this group, a trial project is currently being conducted in which separate prison units are being established for young offenders. Two separate units are to be established, with a total of 10 places. One of these, in Bergen, has been operational since 1 September 2009 and the other, in eastern Norway, is being planned. The project will be evaluated during and after its completion.

Recommendation n°91: *Continue efforts to provide appropriate assistance to victims of human trafficking and utilize the OHCHR recommended Principles and Guidelines on Human Rights and Human Trafficking as a reference* (Recommended by Philippines)

IRI: *fully implemented*

State of Norway response:
[see recommendation n° 86]

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The OHCHR guidelines are in line with the Convention on Action against Trafficking in Human Beings of the Council of Europe, which Norway ratified in 2008.

Sexual Rights

Recommendation n°39: *Improve, with more in-depth efforts, the conditions of young gays and lesbians who live outside large cities and for those who live in multicultural communities (Recommended by Colombia)*

IRI: *partially implemented*

Grimstad MPAT-Institute (GMPATI) response:

Some, but not all LGBT groups are receiving government support, and these groups are establishing offers to their focus groups. Still there is a flow of "queer immigrants" to the larger cities. Non ethnical Norwegians face harder challenges than the ethnic Norwegians in rural and low populated areas. As a comparison: The number of praying houses exceed by far the number of meeting places for gays, lesbians and other people of queer statuses.

State of Norway response:

In 2008 the Government presented the action plan Improving Quality of Life among Lesbians, Gays, Bisexuals and Trans Persons 2009–2012. The purpose of the action plan is to put an end to the discrimination encountered by lesbians, gays, bisexuals and trans persons (LGBT) and promote better living conditions and quality of life for these groups. A status report on the plan, submitted in 2011, showed that the great majority of the measures have been started or implemented and that many will be continued. A state-run centre has been established to raise awareness and identify and address challenges connected with sexual orientation and gender identity, and to keep up with developments in the field at national and international level. The Government is preparing a new act that will contain a general prohibition on discrimination based on sexual orientation, gender identity or sexual expression.

Women & Children

Recommendation n°13: *Take measures to control domestic violence, specifically for the rights of women (Recommended by Argentina)*

IRI: *fully implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done. The Government has published an Action Plan to combat Domestic Violence for 2012. At the end of the year, we expect a new extended action plan in 2013.



State of Norway response:

Statistics show that domestic violence is a persistent problem in Norway: 9 % of women and 2 % of men have been victims of violence that could lead to serious injury from a current or previous partner, and many more have been exposed to less serious violence and use of force (Norwegian Institute for Urban and Regional Research, 2005). The number of domestic violence cases reported to the police has risen considerably in recent years. In 2010, 2 474 such cases were reported, an increase of 50.5 % over 2008. The most likely causes of the rise are a growing tendency to report domestic violence and growing confidence in the police. The new penal provision on domestic violence (section 219 of the Penal Code) entered into force on 1 January 2006.

In 2008 the commission appointed by the Government to investigate rape estimated that between 8 000 and 16 000 persons a year are victims of rape or attempted rape in Norway, and it is thought that 90 % of cases never come to the notice of the police. In 2010, 1 045 cases of rape or attempted rape were reported. Six of the 29 homicide victims in 2010 were women who had been murdered by a current or ex-partner, and 83 women have been murdered by a current or ex-partner since 2000. Murder by an intimate partner accounts for 20–30 % of the annual number of homicides in Norway. About 2 500 stays at crisis centres by women and about 1 800 by children are registered annually, and the figures have remained stable over the past 10 years.

The Government will continue to give high priority to combating rape and domestic violence through a broad range of measures to strengthen for example victim protection, violence prevention, help for perpetrators and awareness-raising.

New Penal Code

The new General Civil Penal Code of 2005 has not yet entered into force, but from the date it enters into force the penalty for domestic abuse will be imprisonment for up to six years and for aggravated abuse up to 15 years, and there will be a substantial increase of sentence within the penalty limits. If the violence has been witnessed by a child, this will be considered an aggravating circumstance.

Making access to a crisis centre a statutory requirement

The Act relating to municipal crisis centres (the Crisis Centre Act) entered into force on 1 January 2010. The Act makes it clear that the authorities are responsible for ensuring that victims of domestic violence receive protection, assistance and follow-up. The municipalities are responsible for ensuring that a crisis centre service is available to women, men and children and for providing a comprehensive service that includes adaptation to individual needs and measures for women with disabilities. They are also responsible for improving cooperation between the emergency assistance and the long-term follow-up services that many of the victims need. The crisis centre service must provide support, guidance and assistance in contacting other services. It must be able to offer safe temporary housing, daytime services, a 24-hour helpline and follow-up during rehabilitation. The services are to be free of charge and without a referral requirement. In 2010, 2 038 women, 1 994 children and 37 men were staying in a single Norwegian crisis centre, and 2 278 had made use of daytime services one or more times. This is an increase from 2009.



Action plans to combat domestic violence

In 2011 the Government's Action Plan against Domestic Violence (2008–2011) was phased out. The plan contained 50 measures and had been drawn up by six ministries. A new, provisional action plan was launched on 5 January 2012, which applies for one year and fills the need for continuity and for strengthening the efforts in the short term. The Government is now preparing a white paper on domestic violence, which will describe the status of the work, identify challenges and provide guidelines for the further work in this area. A new action plan is being drawn up in connection with the white paper that will apply to the period 2013–16.

Measures targeted at children

Seven children's houses have been established, in Hamar, Bergen, Kristiansand, Trondheim, Tromsø, Stavanger and Oslo, and another is planned for Ålesund in 2012. The houses provide comprehensive help, care and treatment for children who are victims of sexual abuse or violence, or who have witnessed violence or ill-treatment within the family.

On 2 June 2009 a national helpline was established for children and young people, and for children, young people and adults to express their concern about children they believe are being exposed to violence, abuse or neglect. The helpline has received 23 886 calls since it started in 2009.

The Norwegian Centre for Violence and Traumatic Stress Studies is conducting research and improving knowledge on violence and sexual abuse against children. The report "Do hospitals detect child abuse?" was published in spring 2010, and guidelines on detection of child abuse are currently being drawn up for the health services as part of the health authorities' follow-up of the report.

Help for perpetrators

A help and treatment programme for perpetrators is a key element in the efforts to combat domestic violence. The Government's goal is to establish a nation-wide help and treatment service for these perpetrators, and the Alternative to Violence centre is playing a central role in the development of services for perpetrators. Currently the centre has nine offices and more are being established. The allocation to services under the auspices of the Alternative to Violence centre has been increased from NOK 2.5 million in 2004 to NOK 22.5 million in 2011.

An anger management programme has been started under the auspices of Reform – the Resource Centre for Men, and the family counselling service provides treatment for families with problems involving violence.

Another important source of help for perpetrators is the anger management model developed by the Brøset competence centre, which teaches perpetrators alternative methods of dealing with their violence and aggression problems. It is designed for use by services such as the primary and specialist health services, the family counselling service and the prison and aftercare services. The Brøset model is being systematically distributed to the various services through the regional resource centres for violence, traumatic stress and suicide prevention. The Norwegian Centre



for Violence and Traumatic Stress Studies is evaluating the Brøset model and the Alternative to Violence services.

Awareness-raising

The Fotball mot vold (Football against Violence) campaign was launched in April 2011 and terminated in December 2011. The campaign was a cooperative effort by the Ministry of Children, Equality and Social Inclusion together with Reform – the Resource Centre for Men (under the latter's White Ribbon campaign), with support from the Football Association of Norway. The campaign encouraged football teams at all levels to take an active stand against violence against women by serving as White Ribbon ambassadors.

Children and young people are also important target groups for prevention efforts. In cooperation with schools and the family counselling service, the Directorate for Children, Youth and Family Affairs has developed an educational programme for upper secondary school pupils on communication and conflict management, with a focus on couples and other family relationships. The programme was tried out in 10 upper secondary schools in 2011 and is being offered to all upper secondary schools in 2012.

Domestic violence and homicide

In almost half the cases where women have been murdered, the perpetrator was her current or her ex-partner. A study of such homicides will be conducted to identify risk factors and develop better prevention and protection measures.

To ensure that victims of violence and threats receive more comprehensive help and protection, the National Police Directorate started a trial project in 2011 in two police districts. The Spousal Assault Risk Assessment (SARA) has a checklist that is designed to ensure that all information resources have been consulted, and a score form to screen for risk factors for spousal assault and other domestic violence so that preventive measures can be taken.

Evaluation of police efforts

To strengthen the knowledge base and further improve the efforts against domestic violence, the National Police University College is evaluating the work done by the police in this area. The evaluation, which will be completed in 2012, includes an analysis of victims' perception of police treatment.

Socioeconomic consequences of domestic violence

The Government has commissioned a study to survey and estimate the socioeconomic costs of domestic violence, which is to be completed by the end of 2012. We need more knowledge about such consequences in order to address this type of crime constructively.

Survey of the prevalence of domestic violence

The Centre for Violence and Traumatic Stress Studies is conducting a national survey on the prevalence of domestic violence at the request of the Ministry of



Justice and Public Security. After a pilot project had been carried out, data collection was started in spring 2012.

Recommendation n°21: Pursue efforts to counter trafficking in women and children (Recommended by Belarus)

IRI: partially implemented

Norwegian Ombudsman for Children (BOC) response:

Partially done. Example; the Government has suggested a new legislation in The Law of Child Welfare concerning trafficking in children. This legislation has not yet been adopted by the Parliament. The Parliament will debate the suggestion shortly. A new action plan against trafficking is in place.

Grimstad MPAT-Institute (GMPATI) response:

The law that criminalises buyers of sexual services (prostitution) has had little or no effect on the practice, and thus the law has not given the wished for effect on trafficking.

State of Norway response:

Action plan against Human Trafficking

Under the Crisis Centre Act of 2009, municipalities are obliged to provide human trafficking victims with accommodation in a crisis centre. The ROSA project offers safe housing and provides information and advice on following up trafficking victims. ROSA housed 51 women in 2009, 42 women in 2010 and 44 women in 2011. The Government is continuing its support for the project.

A new plan of action against trafficking – United against Human Trafficking – was launched by the Norwegian Government in December 2010. The plan contains 35 updated measures to combat trafficking and is based on evaluations of some of the main measures in the previous action plan, in line with recommendation 47.

Statistics

Norway is working continuously to improve data on trafficking in women and girls, as proposed in recommendation 49. From 2003 to March 2011, 29 persons were convicted of human trafficking. According to the statistics compiled by the National Coordinating Unit for Victims of Trafficking (KOM), a total of 319 persons identified in 2010 or previous years as victims of trafficking have accepted assistance and protection measures. The actual number of victims is assumed to be higher.

Residence permits for victims of human trafficking

Norway has an arrangement whereby a period of reflection is granted to alleged trafficking victims, with the possibility of a new residence permit in connection with criminal proceedings. Under Norwegian law, a previous trafficking victim is considered to be a member of a particular social group, and may on this basis be entitled to recognition as a refugee. Norwegian law also states that when determining whether a residence permit is to be granted on humanitarian grounds, the fact that the foreign national has been a victim of human trafficking is to be taken into consideration. Trafficking victims who give testimony as the aggrieved party in criminal proceedings against the perpetrators have as a rule the right to a residence



permit. A residence permit may also be granted to other witnesses in this type of criminal proceedings.

Recommendation n°22: *Toughen liability for sexual crimes, rape and child abuse and enhance the training of those working for the protection of children's rights (Recommended by Belarus)*

IRI: *partially implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done.

Grimstad MPAT-Institute (GMPATI) response:

The training of sexologists - the group most liable to feel comfortable with matters of sex and gender, including sexual violence, has not been strengthened since 2001 when the University of Agder took on the task of offering a 60 Bologna points course in sexology.

State of Norway response:

[See response to recommendation n° 13]

Recommendation n°23: *Strengthen its preventative measures in the areas of rape and domestic violence, looking more deeply into the statistical data to better understand the causes, developing effective policies and targeted prevention campaigns, education and awareness-raising among young people and adopting measures that are geared to changing the models and patterns that result in stereotyping of women (Recommended by Belgium)*

IRI: *partially implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done. The Government is expected to evaluate the 2012 Action Plan to combat Domestic Violence at the end of the year. A new and extended action plan is expected in 2013.

Grimstad MPAT-Institute (GMPATI) response:

To some extent there has been an increase of centers where youth can get education about sexual matters, but the schools focusing on the age group 13-19 has no compulsory and no voluntary offer of any course in sexual knowledge and competence.

State of Norway response:

[See response to recommendation n° 13]

Recommendation n°24: *Further address challenges related to the position of women in the labour market and gender representation at all levels of society, in addressing discrimination against persons with an immigrant background (Recommended by Bosnia & Herzegovina)*

IRI: *fully implemented*

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Recommendation n°55: *Take steps to address pay gaps between men and women and other forms of discrimination against women* (Recommended by Ghana)

IRI: *partially implemented*

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Recommendation n°74: *Consider stepping up efforts to combat persisting stereotypical cultural attitudes on the role of men and women and continue improving access to the labour market and education for women* (Recommended by Malaysia)

IRI: *fully implemented*

State of Norway response:

Gender equality has been a high priority for Norway for many years, and gender equality policy is the responsibility of the Ministry of Children, Equality and Social Inclusion. A wide range of measures have been implemented in a number of key social sectors to enable gender equality to be taken further as new challenges arise.

Women may be discriminated because of their gender, but some women experience double or triple discrimination, for example on the grounds of religion, ethnicity, disability, gender identity or sexual orientation, in addition to gender. Gender stereotyping and traditional gender roles in the family remain important causes of gender inequality in Norway today.

The Government's action plan for gender equality 2014

The action plan Gender Equality 2014 was launched in autumn 2011, and applies to the period 2011–14. This is the first comprehensive action plan for gender equality to be adopted for 20 years, and sets out specific measures for implementing the Government's political goals for gender equality in all sectors of society. There are nine priority areas with a total of 86 new measures. Indicators are proposed for the measures in each priority area against which results and developments can be assessed. The plan addresses areas such as labour market segregation, gender-typical education choices, economic power, equal parenting, domestic violence, combating gender stereotyping, women in leadership, democratic participation and health issues. Status reports on the measures and indicators will be delivered halfway through the plan period, in spring 2013, and at the end of the period, at the beginning of 2015. On the basis of these reports a mid-term evaluation of the plan will be made in spring 2013 and a final evaluation in 2015. The plan will be revised on the basis of the mid-term evaluation.

Commission to report on Norway's gender equality policy based on people's life-cycle, ethnicity and social class

In 2010 the Government appointed a commission to lay the foundation for a coherent, knowledge-based policy for gender equality. The commission was tasked to identify gender equality dilemmas and challenges from a life-cycle, social class and ethnicity perspective. The commission submitted a report in November 2011, *Structure for Equality* (Official Norwegian Report 2011:18), in which it reviewed and evaluated public agencies and services in the field of gender equality and anti-discrimination. The commission had also evaluated a number of models that could be used for efforts to meet the need for cooperation and dialogue between the public authorities, civil society and the social partners. The commission will submit its final report to the Ministry of Children, Equality and Social Inclusion on 27 August 2012.



The Government will follow up the conclusions in the report in a white paper on gender equality to be submitted in 2013 and a proposition proposing anti-discrimination legislation.

White paper on equal pay

The Government's goal is to reduce documented pay differences based on gender inequality. Women in Norway have on average a lower hourly wage than men, equivalent to about 85 % of men's hourly wage. The situation has remained relatively stable, with a weak positive trend over the last 10 years. The main challenge in Norway today is to address pay gaps due to structural conditions in the labour market rather than those due to infringements of the provisions of the Gender Equality Act.

The Government's white paper on equal pay for equal work is based on the report by the Norwegian Equal Pay Commission on gender and pay (Official Norwegian Report 2008:6) and the subsequent public consultation, and sets out the tools and measures the Government will use to reduce pay disparities. One of the proposed measures is to promote openness regarding pay in the workplace. The Government intends to impose a requirement for compilation of pay statistics by gender. The Government also intends to impose a requirement on employers to provide information concerning pay in case when employees suspect that they are subject to pay discrimination. On 17 February 2012 the Government submitted a proposition on amendments to the National Insurance Act concerning the division into three of the parental benefits period (Proposition 64 L (2011–2012) to the Storting). Under this proposal the mother's quota will be the same length as that of the father, 12 weeks, and they themselves may then decide how to divide the remainder of the parental benefits period between them. The Government also intends to promote non-traditional gender choices of education and occupation and to reduce the scale of involuntary part-time work.

On 1 June 2012, the Government submitted a proposition to the Storting (Proposition 126 L (2011-2012)) on amendments to the Gender Equality Act concerning parents' right to non-discrimination in connection with parental leave.

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The goals of the Government's integration and diversity policy are equal opportunities, rights and obligations for women, men and children with immigrant backgrounds to participate in and contribute to society and working life. Among the most important conditions for women in this group to achieve real gender equality are knowledge of Norwegian society and language, and access to a social network. Financial independence promotes gender equality.

A report published in 2010 by Statistics Norway on living conditions and gender disparities among immigrant women from 10 countries showed that in most of these groups there are considerable disparities in living conditions between women and men. The women have had less work experience and a lower standard of education in their country of origin, less often have jobs in Norway, reported that they had a poorer knowledge of Norwegian and do significantly more housework than the men. The most important cause of a persistently low income is lack of labour market attachment and participation. Mobilising women in these groups to obtain



occupational qualifications is therefore an important goal for the Government. A programme entitled New Chance has been introduced, which is a qualification programme for immigrants who after several years in Norway do not have a permanent connection to the labour market. The goal is to enable the participants to become self-reliant through employment or in mainstream education. The programme is targeted particularly at women homemakers with immigrant backgrounds who have no contact with or have not been reached by the public services, or who are long-term recipients of social assistance. The aim is to increase the proportion of immigrant women who participate in the labour market. Another measure to this end is the establishment of networks of mentors for women with immigrant background aimed at strengthening their labour market participation.

The Government attaches great importance to further development of the vocational training programmes for immigrants who need to improve their qualifications for the Norwegian labour market. The Government is also taking steps to combat discrimination and promote more inclusive recruitment. Grants are being awarded to immigrant organisations for the purpose of promoting greater participation among persons with immigrant backgrounds, increasing their confidence in Norwegian society, strengthening their participation in local voluntary organisations and giving them access to social networks.

Norway will continue to address challenges related to the position of women with an immigrant background in the labour market and with respect to their representation at all levels of society, including through the implementation of the action plan to promote equality and prevent ethnic discrimination.

Recommendation n°31: *Undertake comprehensive reporting and statistical analysis of the scale and character of violence against women and children to determine if Norway's Action Plan to Combat Domestic Violence 2008-2011 is curbing the severity of the phenomenon* (Recommended by Canada)

IRI: fully implemented

Norwegian Centre for Human Rights (NCHR) response:

The Government has considered the issue and are planning to ratify as soon as required legal changes are in place. The midterm report from the state gives good information on how the issue will be followed up.

Norwegian Ombudsman for Children (BOC) response:

Partially done. The Government is expected to evaluate the 2012 Action Plan to combat Domestic Violence at the end of the year. A new and extended action plan is expected in 2013

State of Norway response:

[See response to recommendation n° 13]

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As part of the plan of action to combat domestic violence, a nationwide survey of domestic violence and sexual assault (rape) will be carried out in 2010 and 2011. In addition police efforts to combat domestic violence will be evaluated in 2010.



Recommendation n°38: *Continue paying special attention to the situation of women migrant workers* (Recommended by Colombia)

IRI: *fully implemented*

State of Norway response:

Measures targeted at women with immigrant backgrounds

The goals of the Government's integration and diversity policy are equal opportunities, rights and obligations for women, men and children with immigrant backgrounds to participate in and contribute to society and working life. Among the most important conditions for women in this group to achieve real gender equality are knowledge of Norwegian society and language, and access to a social network. Financial independence promotes gender equality.

A report published in 2010 by Statistics Norway on living conditions and gender disparities among immigrant women from 10 countries showed that in most of these groups there are considerable disparities in living conditions between women and men. The women have had less work experience and a lower standard of education in their country of origin, less often have jobs in Norway, reported that they had a poorer knowledge of Norwegian and do significantly more housework than the men. The most important cause of a persistently low income is lack of labour market attachment and participation. Mobilising women in these groups to obtain occupational qualifications is therefore an important goal for the Government. A programme entitled New Chance has been introduced, which is a qualification programme for immigrants who after several years in Norway do not have a permanent connection to the labour market. The goal is to enable the participants to become self-reliant through employment or in mainstream education. The programme is targeted particularly at women homemakers with immigrant backgrounds who have no contact with or have not been reached by the public services, or who are long-term recipients of social assistance. The aim is to increase the proportion of immigrant women who participate in the labour market. Another measure to this end is the establishment of networks of mentors for women with immigrant background aimed at strengthening their labour market participation.

The Government attaches great importance to further development of the vocational training programmes for immigrants who need to improve their qualifications for the Norwegian labour market. The Government is also taking steps to combat discrimination and promote more inclusive recruitment. Grants are being awarded to immigrant organisations for the purpose of promoting greater participation among persons with immigrant backgrounds, increasing their confidence in Norwegian society, strengthening their participation in local voluntary organisations and giving them access to social networks.

Recommendation n°43: *Continue in the advancement of empowering women, particularly to ensure that the representation of women in political and public organs fully reflects the diversity of people in Norway, including migrant workers, migrant women and women who belong to minorities* (Recommended by Cuba)

IRI: *partially implemented*



Grimstad MPAT-Institute (GMPATI) response:

This question is continuously being debated in Norwegian media involving all political denominations.

State of Norway response:

[See response to recommendation n° 24]

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[See response to recommendation n° 38]

Recommendation n°49: *Take even further measures to continue to address issues of data on trafficking in women and girls in line with recommendations of the Committee on the Elimination of Discrimination against Women (Recommended by Finland)*

IRI: *partially implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done. Example; the Government has suggested a new legislation in The Law of Child Welfare concerning trafficking in children. This legislation has not yet been adopted by the Parliament. The Parliament will debate the suggestion shortly. A new action plan against trafficking is in place.

Grimstad MPAT-Institute (GMPATI) response:

The law criminalising customers of prostitution has not had any major effect on trafficking, especially trafficking from African countries.

State of Norway response:

Under the Crisis Centre Act of 2009, municipalities are obliged to provide human trafficking victims with accommodation in a crisis centre. The ROSA project offers safe housing and provides information and advice on following up trafficking victims. ROSA housed 51 women in 2009, 42 women in 2010 and 44 women in 2011. The Government is continuing its support for the project.

A new plan of action against trafficking – United against Human Trafficking – was launched by the Norwegian Government in December 2010. The plan contains 35 updated measures to combat trafficking and is based on evaluations of some of the main measures in the previous action plan, in line with recommendation 47.

Statistics

Norway is working continuously to improve data on trafficking in women and girls, as proposed in recommendation 49. From 2003 to March 2011, 29 persons were convicted of human trafficking. According to the statistics compiled by the National Coordinating Unit for Victims of Trafficking (KOM), a total of 319 persons identified in 2010 or previous years as victims of trafficking have accepted assistance and protection measures. The actual number of victims is assumed to be higher.

Residence permits for victims of human trafficking

Norway has an arrangement whereby a period of reflection is granted to alleged trafficking victims, with the possibility of a new residence permit in connection with criminal proceedings. Under Norwegian law, a previous trafficking victim is considered to be a member of a particular social group, and may on this basis be



entitled to recognition as a refugee. Norwegian law also states that when determining whether a residence permit is to be granted on humanitarian grounds, the fact that the foreign national has been a victim of human trafficking is to be taken into consideration. Trafficking victims who give testimony as the aggrieved party in criminal proceedings against the perpetrators have as a rule the right to a residence permit. A residence permit may also be granted to other witnesses in this type of criminal proceedings.

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Since receiving the concluding comments of CEDAW in 2007, the Norwegian Coordination Unit for Victims of Trafficking has compiled and analysed data on trafficking from relevant agencies and organisations. Further measures will be taken to improve statistics and data in this area.

Recommendation n°50: *Evaluate its 2006-2009 national plan of action against trafficking of women and children to determine which actions were effective and should be continued in the future* (Recommended by France)

IRI: -

Grimstad MPAT-Institute (GMPATI) response:

The law criminalising customers of prostitution has not had any major effect on trafficking, especially trafficking from African countries.

State of Norway response:

[See response to recommendation n° 49]

Recommendation n°53: *Strengthen efforts to combat domestic violence and violence against women* (Recommended by Ghana)

IRI: fully implemented

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Recommendation n°67: *Maintain a strong focus on the issue of domestic violence and implement systematic measures to protect the victims of domestic violence* (Recommended by Italy)

IRI: partially implemented

Norwegian Ombudsman for Children (BOC) response:

Partially done. The Government is expected to evaluate the 2012 Action Plan to combat Domestic Violence at the end of the year. A new and extended action plan is expected in 2013

State of Norway response:

[See response to recommendation n° 13]

Recommendation n°56: *Considering the high number of rape cases, take all necessary measures with a view to strengthening the foundation of family and avoid resorting to measures and legislation which endanger the very foundation of the family in society* (Recommended by Iran)

IRI: -

Grimstad MPAT-Institute (GMPATI) response:

Investigation has taken place into these matters have found the difference between ethnic Norwegian and non-ethnic Norwegians rapists to be smaller than anticipated.



The education in elementary school is good and well integrated on matters of sexual education, but the same efforts have been weakened in secondary school since the mid 1990'ies.

Recommendation n°60: Strengthen the capacity of the criminal police to deal with crimes related to child pornography on the Internet and inform children and their parents about the safe use of the Internet (Recommended by Iran)

IRI: *fully implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially done. Grooming has been criminalized.

Grimstad MPAT-Institute (GMPATI) response:

Much good and efficient police work is done in this area.

State of Norway response:

In order to intensify efforts to prevent offences against children on the Internet, an online police station has been established where people can report directly to the police about sexual exploitation of children, trafficking of human beings and racist expressions on the Internet. The Government cooperates with Internet service providers to block websites that display child abuse images. Section 201 of the Penal Code states that a person who makes arrangements to meet children under the age of 16 with the intention of abusing them shall be liable to fines or imprisonment for a term not exceeding one year.

Measures against child pornography

The Ministry of Justice and Public Security has taken the initiative at Nordic level to strengthen the protection of children and young people against exposure to internet-related abuse. The police forces of Denmark, Finland, Norway and Sweden undertake joint operations against persons suspected of sharing photos and films showing child sexual abuse over the internet. The internet will not be allowed to be a lawless area. The police patrol the internet to expose and take action against sexual abuse offences. A direct channel to the police has been set up in the form of an easily identifiable icon (a red button) on websites that children and young people can use if they log onto a website with illegal content.

The Government has previously provided financial support to Interpol's efforts to prevent and combat child sexual abuse, which include identifying child victims of abuse with a view to providing help. This has made the work of the Norwegian police more effective by giving them access to large numbers of photos of abuse victims. Thus in addition to exposing the perpetrators, the victims can be identified and the distribution of photos and videos prevented.

The National Criminal Investigation Service (Kripos) has set up a hotline for tips from the public concerning photos and other forms of internet-related child abuse. Kripos then assesses whether the content is in conflict with the provisions of the Penal Code.



Recommendation n°63: *Ensure that women are proportionately represented in all aspects of Norwegian political and public life, including migrant and minority women, as recommended by the Committee on the Elimination of Discrimination against Women (Recommended by Israel)*

IRI: *partially implemented*

State of Norway response:

[See response to recommendation n° 24]

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[See response to recommendation n° 38]

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A wide range of measures have already been implemented as part of Norway's policy on equality and social inclusion, and Norway is working continuously to implement the recommendations of the Committee on Elimination of Discrimination against women.

Recommendation n°64: *Review its practices concerning the removal of children from the family environment and seek alternative solutions, as stipulated by the Committee on the Rights of the Child and the Committee on Economic, Social, and Cultural Rights, and ensure that all children in foster care have a legal guardian, as well as establishing a unified national guardian system for unaccompanied asylum seeking and refugee children, as recommended by the Committee on the Rights of the Child and UNHCR (Recommended by Israel)*

IRI: *partially implemented*

Norwegian Ombudsman for Children (BOC) response:

Partially accepted. According to "legal guardian" (Norway does not use this term): Norway works continuously to ensure that all children in foster homes have a person who is responsible for supervising them. Norway also accepts and works with how to solve the special need for guardians that asylum-seeking and refugee children have.

State of Norway response:

[...] Norway respects the principle of non-refoulement, and the Norwegian authorities have good routines for ensuring that correct decisions are made in asylum cases. The Norwegian Country of Origin Information Centre, Landinfo, ensures that the authorities have access to ample information on the situation in the asylum-seeker's country of origin. Training courses are held regularly for immigration administration personnel that are intended to ensure correct assessments, including a course on the new Immigration Act and appurtenant regulations of 1 January 2010.

UNHCR recommendations are always valuable, and the Norwegian immigration authorities attach great importance to them. All applications are evaluated individually, and in certain cases the Norwegian authorities disagree with the UNHCR's assessment. Section 16-4 of the new Immigration Regulations, which entered into force on 1 January 2010, states that if practice conflicts with formal country-specific recommendations from UNHCR regarding protection, or the question arises of establishing a new practice in conflict with such recommendations, then as a general rule at least one representative case shall be decided by a Grand Board, unless the practice is in accordance with instructions issued by the Ministry to the Directorate of Immigration.



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The number of children who receive assistance measures in the family has increased substantially compared to the number of children under protective care. Norway will continue to develop effective assistance measures in this field. Thus, at this stage, Norway will not review practices regarding placements out of home. Norway does not use the term “legal guardian”, but will work continuously to ensure that all children in foster homes have a person who is responsible for supervising them.

Norway also accepts the part of the recommendation regarding unaccompanied asylum-seeking and refugee children. The Government is working on amendments to legislation aimed at meeting the specific needs of unaccompanied asylum seeking children with regard to guardians.

Recommendation n°73: Consider continuing to ensure that children are not discriminated against on the basis of their religion or ethnic backgrounds (Recommended by Malaysia)

IRI: fully implemented

Norwegian Ombudsman for Children (BOC) response:
Partially done.

State of Norway response:
[see response to recommendation n° 28]

Recommendation n°76: Face up to the challenges and establish appropriate measures to deal with the situation of children in the juvenile justice system, taking fully into account the best interest of the children concerned and ensuring their smooth reintegration into society (Recommended by Mauritius)

IRI: partially implemented

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Recommendation n°93: Strengthen measures to improve the welfare and conditions of detention of children in conflict with the law (Recommended by Philippines)

IRI: partially implemented

Norwegian Centre for Human Rights (NCHR) response:

Norway still place children in police arrests with stripped cells - too often, too long and without considering the best interest of the child. Norway still has challenges also in creating better solutions for the children placed in custody and serving time in jails.

Norwegian Ombudsman for Children (BOC) response:

Partially done. The Government has made several changes regarding juvenile justice. New legislation has already taken effect and is expected to take further effect during 2012. This legislation's aim is amongst others to reduce the number of juveniles in prison. Where prison is the only opportunity, Norway is developing alternative units for convicted juveniles, "juvenile units". In these units the juveniles are separated from the adults, they are given proper care and education, activities and therapy. The prison in Bergen has one such unit with 2 places. Bergen is supposed to have 4 places, and we are waiting for the remaining 2. We are also waiting for the remaining unit, which is supposed to be located in the South-East of the country. This unit will have 6 places.

State of Norway response:

The Government's goal is that no minors shall be imprisoned, and efforts are under way to increase the use of alternatives to imprisonment. This is in accordance with the provisions of the Convention on the Rights of the Child stating that children may only be deprived of their liberty as a measure of last resort, when all other alternatives have been considered and found to be inadequate.

In order to reduce the number of juveniles in prison, the Government proposed a bill in summer 2011 to introduce a new sanction for juveniles aged 15 to 18 years who have committed serious or repeated crimes, the "juvenile sentence". In such cases the sanction will be implemented locally, in the community where the convicted person lives. Social control, in the form of close follow-up, will then replace the physical control that would be exercised in prison. The juvenile sentence will involve close contact between the offender, their personal network, various levels of the justice sector and other public bodies, all of which will be part of an individually adapted follow-up programme. The victim may also be involved if he or she is willing. For the youngest offenders, maximum use is to be made of the community sentence system. The amendment was passed by the Storting in December 2011, but has not yet entered into force.

In the above-mentioned bill the Government also proposed several other legislative amendments to strengthen the legal rights of juveniles in conflict with the law. The following amendments entered into force in January 2012:

- Minors may only be remanded in custody in cases where it is "compellingly necessary".
- A shorter time limit for bringing a juvenile before the court has been introduced: in the case of minors whom the police consider should be remanded in custody the minor must be brought before the court as soon as possible and at the latest on the day following their arrest.
- The police now have a duty to notify the municipal child welfare service if it is considered necessary to apply for remand in custody of a person under 18 years of age.
- A representative of the child welfare service must attend the remand hearing and provide information on the appropriate measures and their preparation.
- The conditions for remanding a minor in custody must be reviewed at least every two weeks.

In order to avoid the imprisonment of juveniles together with adults and to ensure better detention conditions for this group, a trial project is currently being conducted in which separate prison units are being established for young offenders. Two separate units are to be established, with a total of 10 places. One of these, in Bergen, has been operational since 1 September 2009 and the other, in eastern Norway, is being planned. The project will be evaluated during and after its completion.

Recommendation n°78: Step up its efforts to adequately address the issues of gender inequality and gender-based violence through appropriate and concrete



institutional, structural, cultural and awareness-raising measures (Recommended by Mauritius)

IRI: *partially implemented*

Grimstad MPAT-Institute (GMPATI) response:

[...]

State of Norway response:

[See response to recommendation n° 24]

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[See response to recommendation n° 13]

Recommendation n°102: Continue its efforts with regard to the gender policy and, more concretely, specialize in programmes in the area of education against gender violence for professionals in law enforcement and the judiciary (Recommended by Spain)

IRI: *partially implemented*

Grimstad MPAT-Institute (GMPATI) response:

The education is still not comprehensive on matters of unusual gender and/or sexual orientation.

State of Norway response:

Higher education

The Ministry of Education and Research commissioned the Norwegian Centre for Human Rights to examine the extent to which the human rights perspective is taken into account in higher education. The study was conducted in spring 2010 and submitted to the ministry in November of the same year. Six study programmes at different universities and university colleges were examined. The results were mainly positive but the authors concluded that due to certain problems relating to visibility, integration and specialisation, their description of human rights education in higher education in Norway should be treated with reservation. The report also made recommendations on measures for giving more prominence to human rights and strengthening knowledge of human rights in education. The Ministry of Education and Research considers that measures will be most effective if implemented at institutional level, and has circulated the report to all higher education institutions requesting them to consider the relevance of the recommendations to their own study programmes.

Human rights education in the police

The National Police University College seeks to integrate human rights into its educational programmes to the best extent possible. One of the goals of the college is that the students should understand that human rights are an overriding set of values, that they serve as ethical principles and as a corrective in the exercise of their profession, and that they should practise these values in their daily work as police officers.

Recommendation n°105: Take further measures to ensure that rights of children deprived of their liberty are fully protected, including by ensuring that children shall be



deprived of their liberty only as a measure of last resort and for the shortest appropriate period of time (Recommended by Sweden)

IRI: *partially implemented*

Norwegian Centre for Human Rights (NCHR) response:

Norway still place children in police arrests with stripped cells - too often, too long and without considering the best interest of the child. Norway still has challenges also in creating better solutions for the children placed in custody and serving time in jails.

Norwegian Ombudsman for Children (BOC) response:

Partially done. The Government has approved and effectuated new legislation to protect the rights of children who are deprived of their liberty. Now we are waiting to see whether the police and courts will practice these rights according to the intentions.

State of Norway response:

[See response to recommendation n° 93]

Recommendation n°114: Work with the Ombudsman for Children and relevant civil society organizations to create programmes to educate law enforcement officials on how to proactively address the problem of adolescents from ethnic minority backgrounds feeling stigmatized by and lacking trust in the police (Recommended by United States)

IRI: -

Grimstad MPAT-Institute (GMPATI) response:

No concrete action has been taken to create programs that can educate law enforcement officials in matters of unusual sex and gender perceptions and expressions

Other

Recommendation n°46: Improve the collection of hate-crime data by law enforcement authorities and encourage victims to report hate crimes and incidents (Recommended by Egypt)

IRI: -

Grimstad MPAT-Institute (GMPATI) response:

There is no significant increase in reported hate crimes on the basis of sex and/or gender. Norway is still peculiarly low on those numbers.

State of Norway response:

[...]

As regards the scale of hate crime, the National Police Directorate and Oslo Police District have compiled a report on hate crime based on a review of all cases marked as hate crime from 2007 to 2009. According to the report, 242 cases of hate crime were reported in 2009, of which 183 were based on race or ethnicity, 23 on religious affiliation and 36 on sexual orientation. Most of the reported cases involved violence,



discrimination, frightening and annoying behaviour or disturbance of peace and order. Crimes of violence are by far the largest type of crime for the categories sexual orientation, religious affiliation and race/ethnicity.

[...]



Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted the Permanent Mission to the UN either in Geneva (when it does exist) or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.

We posted our requests to the States and NHRI, and sent emails to NGOs.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing the recommendations

The persons we contact are encouraged to use an Excel sheet we provide which includes all recommendations received by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split up among recommendations we think it belongs to. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention neither that the recommendation was “fully implemented” nor that it was “not implemented”, UPR Info usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered not to directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the



recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for the recommendations received at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views, and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

Uncommented recommendations

Hereby the recommendations which the MIA does not address:

rec. n°	Recommendation	SMR	Response	A	Issue
1	Consider acceding to ICRMW	Algeria	Rejected	3	Migrants, International instruments,
5	Strengthen the 2009-2012 action plan put in place by the Government to promote equality and prevent ethnic discrimination against immigrants, their children and national minorities, by supplementary measures to remedy the causes of social disparities of those affected	Algeria	Rejected	4	Migrants
6	Take necessary measures to separate incarcerated minors from adults	Algeria	Rejected	4	Detention conditions
8	Consider the possibility of signing and-or ratifying ICRMW	Argentina	Rejected	3	Migrants, International instruments,
15	Take necessary measures to curb the use of violence by the police force against ethnic groups	Argentina	Rejected	4	Human rights violations by state agents
16	Consider the ratification of ICRMW	Azerbaijan	Rejected	3	Migrants, International instruments,
27	Withdraw reservations to the International Covenant on Civil and Political Rights ICCPR, within the context of Human Rights Council resolution 9-12	Brazil	Rejected	5	International instruments, CP rights - general,
35	Ratify ICRMW	Chile	Rejected	5	Migrants, International instruments,
41	Respect freedom of expression and religion and non-stigmatization of some sectors of society in combating terrorism	Republic of Congo	Accepted	4	Counter-terrorism
44	Ensure that racial discrimination does not take place by including the criterion of race in the law against discrimination to ensure that victims of such discrimination, especially migrants, are covered	Cuba	Rejected	5	Racial discrimination, Migrants,
47	Launch, with the participation of all media, a process of reflection on the role and responsibility of the media to combat racism, xenophobia and related intolerance	Egypt	Rejected	5	Racial discrimination
54	Take effective measures to provide housing units in sufficient numbers for the disadvantaged and marginalized groups	Ghana	Accepted	4	Right to housing



62	Assess the additional measures required to eradicate domestic violence as a serious problem in Norway by developing and maintaining a comprehensive database containing information on the victims and perpetrators of domestic violence	Israel	Rejected	5	Women's rights, Rights of the Child,
71	Continue efforts to counter corruption and particularly to look into the opportunity to adopt legislation on corruption in line with the United Nations Convention against Corruption	Kyrgyzstan	Accepted	2	International instruments, Corruption,
75	Consider to continue addressing allegations of discriminatory treatment, including on the grounds of ethnicity, by law enforcement officials	Malaysia	Accepted	3	Human rights violations by state agents
77	Give due attention, in the welcome and trend-setting constitutional revision exercise, to the need to ensure maximum coherence, in conformity with international law, between the human rights obligations of Norway and its other international obligations, such as trade obligations undertaken at the level of the World Trade Organization	Mauritius	Rejected	4	General
79	Consider adhering to the principles of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families ICRMW	Mexico	Rejected	3	Migrants, International instruments,
80	Consider positively acceding to ICRMW, as recommended by the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women	Mexico	Rejected	3	Treaty bodies, Migrants, International instruments,
90	Ratify ICRMW, as recommended by the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women	Nigeria	Rejected	5	Women's rights, Treaty bodies, Racial discrimination, Migrants, International instruments,
92	Engage in national consultations with relevant stakeholders to consider the possible ratification of the ICRMW	Philippines	Rejected	4	Migrants, International instruments,
95	Withdraw the reservations to ICCPR	Portugal	Rejected	5	International instruments, CP rights - general,
96	Incorporate anti-discrimination provisions in its Constitution, especially relating to race, ethnicity or religion, to ensure the necessary protection for persons who would be mostly affected by those discriminatory practices	Qatar	Rejected	5	Racial discrimination, Freedom of religion and belief,
97	Redouble its efforts to combat discrimination against those of foreign origin in education and employment	Qatar	Rejected	4	Racial discrimination



98	In the future, ensure the timely provision of replies to thematic questionnaires received from special procedures	Russian Federation	Accepted	4	Special procedures
101	Consider lifting its reservations in respect of article 10 2 b and 3 of ICCPR	South Africa	Rejected	3	Detention conditions
103	Reconsider its reservations to ICCPR, especially with regard to article 102 b and its compatibility with article 37c of the Convention of Rights of the Child with regard to the separation of children from adults in detention centres	Spain	Rejected	3	Rights of the Child, International instruments, CP rights - general,
106	In the context of measures taken to counter terrorism, pay closer attention to the right to privacy in the legislative process	Switzerland	Accepted	4	Counter-terrorism
107	Increase its efforts to ensure respect for the fundamental human rights for people without legal status	Switzerland	Rejected	4	Other
109	Introduce more efficient legal regulations obliging employers to respect immigrants' right to decent working conditions or establish a special monitoring body to support the Decent Work Agenda	Ukraine	Accepted	4	Migrants, Labour,
112	Strengthen legislation and improve understanding within society of the issues relating to disability discrimination	United Kingdom	Accepted	4	Disabilities
113	Amend the Action Plan to Promote Equality and Prevent Ethnic Discrimination 2009-2012 and the Action Plan to Improve Standards for Roma People June 2009 to contain policies that specifically address labour market inequalities based on ethnic origin	United States	Rejected	5	Minorities

A= Action Category (see on [our website](#))

SMR = State making recommendation

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