



Amnesty International Norges innspill til Norges 7. periodiske rapport til FNs komité for økonomiske, sosiale og kulturelle rettigheter

Part 1

B. General recommendations by the Committee

Domestic application of the Covenant

Concluding observations, paras 4-5

To comply with its international human rights obligations Norway should ratify the Optional Protocol to the Covenant, as recommended by the UN Committee on Economic, Social and Cultural Rights (CECSR) and the UN Committee on Human Rights (CCPR).

Extraterritorial obligations under the Covenant

Concluding observations, paras 6-7

In the Committee on Economic, Social and Cultural Rights' [Concluding observations](#) on the sixth periodic report of Norway, with regards to the Extraterritorial obligations under the Covenant, the Committee raised concerns regarding the Fund's investments in "*companies found to be engaged in home demolition, Israeli settlements or other activities in the Occupied Palestinian Territory*". The Committee recommended Norway "review the investment of the Government Pension Fund Global in business entities involved in operations in the Occupied Palestinian Territory" and "ensure that the ethically motivated guidelines for observation and exclusion from the Fund are in line with its territorial and extraterritorial obligations under the Covenant".

Despite amendments to the Ethical Guidelines, and an extensive review by the Ethical Council into investments in companies that conduct business activities on Occupied Palestinian Territories and arms producers, these companies continue to abuse rights recognized in this Covenant, such as the right to an adequate standard of living (Art.11), the right to health (Art.12) and several others. The Guidelines appear not to be sufficiently clear or stringent to effectively guide the Council on Ethics when it comes to potential exclusion or observation of these companies.

Companies such as [Amazon](#) and [Carrefour](#), both in the Fund's investment portfolio, through their supply chains and/or franchise partners have contributed to the abuse of migrant workers in Saudi Arabia, whose right to just and favourable conditions of work (Art.7) and the right to form and join trade unions (Art.8) were violated. Although the Ethical Guidelines

updated its human rights criterion, to make sure the wording encompassed all types of human rights, it has failed to hinder such abuses. Thus, there is an express need to align the Ethical Guidelines with international human rights standards and strengthen its enforcement.

Concluding observations, paras 8-9

The implementation of the Transparency Act has led to an increased demand from the business community for information and training on how to conduct human rights due diligence assessments. To be able to provide more training and workshops for the stakeholders the Norwegian Consumer Authority and the National Contact Point for Responsible Business Conduct Norway (NCP), need to be given more resources.

According to the Government, cf. white paper Meld. St. 10 (2008–2009) to the Storting (Corporate social responsibility in a global economy) “the Government will strengthen the provision of advice and guidance on corporate social responsibility to Norwegian companies by strengthening the work of the policy apparatus with information, guidance and dilemma training, create an online information and competence map on corporate social responsibility, and establish a focal point in the Ministry of Foreign Affairs for inquiries from companies on corporate social responsibility.” ([St. meld. nr. 10 \(2008-2009\) - regjeringen.no](#)) Its important that these obligations are implemented, in particular the establishment of a focal point.

Part II

A. General provisions of the Covenant

Article 1 Right of peoples to self-determination

Para 35. It is 18 years since the Sami Rights Committee presented its reports, NOU 2007:13 and NOU 2007:14, the lack of progress in this matter is concerning and a more detailed explanation should be presented as to why no advancements have been made.

In this part of the report, maybe in a new para 36, further details should be provided on how Norway, both in legislation and in practice, ensures the free, prior, and informed consent (FPIC) of the Sámi in all decisions affecting them. The increasing expansion of renewable energy projects and growing interest in mineral extraction in Sami territories, underlines the importance of clarifying the impact of such developments on the Sámi’s traditional livelihoods. Such projects must not further exacerbate the situation for already vulnerable groups, and the government should explain how, based on the lessons learned from the Fosen ruling, it is working to prevent and mitigate human rights violations.

Article 2 Realisation of rights, equality and non-discrimination

Non-discrimination

Para 44. Persons subjected to discrimination may bring their case before the ordinary courts or the Anti-Discrimination Tribunal. The Tribunal is a low threshold service, which reviews cases free of charge.

The Tribunal is an important measure for combating discrimination and protecting minority rights, but the Tribunal has been criticized for not having the necessary competence to handle cases on ethnic discrimination. The members of the Tribunal should to a greater extent consist of people with different ethnic and professional background.

B. Individual rights guaranteed by the Covenant

Article 6 Right to work

Employment, qualifications and housing, people with immigration background

Concluding observations, paras 20-21

The Action Plan Against Racism and Discrimination on the Grounds of Ethnicity and Religion (2020–2023) included a total of 50 measures in nine different areas. The same plan included surveys on the Norwegian populations attitude towards minorities.

This is important. The survey should lead to a binding policy where specific actions will have to be taken into consideration when it comes to developing for example community projects, financial support for civil society organizations etc.

The government should also conduct surveys where the minorities' experiences are analyzed in the context of the majority population's attitudes towards minorities, to see the possible consequences of this when it comes to the minorities' experiences, and to give a better understanding on what needs to be done to combat racism and discrimination.

Employment, qualifications and housing, people with immigration background

Concluding observations, paras 20-21

Building on this plan, the Government launched a renewed action plan in November 2023, Action Plan on Racism and Discrimination – New Initiatives 2024–2027, with 50 measures aimed at protecting all groups subjected to racism and discrimination. This plan is focusing on labour market inclusion especially for young people outside the labour market. In accordance with one of the measures in the action plan, the Directorate for Children, Youth and Family Affairs (Bufdir) has prepared an e-learning course for municipalities and municipal employees on equality, diversity, and non-discrimination.

The municipalities and the labour market inclusion plans need more resources. Many municipalities have budgetary challenges which makes it difficult to implement the Action Plan on Racism and Discrimination - New Initiatives 2024–2027.

Article 10 Right of families, mothers, children and young people to protection and assistance

Unaccompanied asylum-seeking children

Concluding observations, paras 28-29

The Norwegian Child Welfare Service is responsible for the care of unaccompanied asylum-seeking children under 15 years of age, while the immigration authorities are responsible for children over 15 years of age, and they live in their own reception centers or in ordinary reception centers for adults.

This differential treatment has been criticized for many years by various groups, including the UN Committee on the Rights of the Child, the UN Human Rights Committee, the UN Committee on the Elimination of Racial Discrimination and UNICEF. Norway's national human rights institution, Save the Children and the Ombudsperson believe that it is discriminatory because the Norwegian Child Welfare Service is responsible for all other children in Norway until they turn 18, and they believe that such differential treatment of children over 15 years of age is in violation of the Convention on the Rights of the Child.

This differential treatment has existed since the responsibility for the care of unaccompanied asylum-seeking children under 15 years of age was transferred from the Directorate of Immigration (UDI) to the Norwegian Child Welfare Service in 2008, and the plan at the time was that those over 15 years of age would also be transferred to the Norwegian Child Welfare Service over time. In 2021, it was enacted into law that the UDI will continue to have care responsibility for those between 15 and 18 years of age. The care provided to unaccompanied asylum-seeking children between 15 and 18 years of age is not an equal offer compared to the offer that other children who are subject to state care receive. [20 år med kritikk fra FN](#)

Article 12 Right to health

Mental health care in prisons

Concluding observations, paras 40-41

Persons with mental health problems who are in prison have the same right to health and care services as the general population, but in practice they don't have access to these fundamental rights.

For decades Norway has been criticized by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the UN Committee Against Torture (CAT) and the UN Committee on Human Rights, for the prison conditions for mentally ill prisoners and the extensive use of isolation in Norwegian prisons. [cpt-2024-49-norway-report-on-2024-periodic-visit.pdf](#)

More prisoners have mental illnesses and more extensive disorders than 10-15 years ago. According to the Norwegian Ombudsperson there's an increase in the number of suicides, suicide attempts and self-harm among prisoners.

The healthcare services in prison are not designed to meet women prisoner's mental health problems and specific needs

The use of coercive measures such as isolation, the use of a security cell, and a belt bed is used too often.

The Ombudsman warns against the extensive use of isolation of mentally ill prisoners in Norwegian prisons. [Rapport Selvmord i fengsel.pdf](#)

There's a lack of treatment for the mentally ill in prison. If they do receive treatment in the specialist health service system outside the prison, they are all too often sent back to prison after a few days of treatment, even though they're in need of longer treatment.

Beate Ekeløve-Slydal, politisk rådgiver, Oslo, 24. februar 2025