

The Rights of the Child in Norway

Norway's fifth and sixth periodic reports to the
UN Committee on the Rights of the Child – 2016

Foreword

The report describes Norway's follow-up of the UN Convention on the Rights of the Child (the Convention) and the two Optional Protocols on sale of children and on children in armed conflicts.

The report follows the guidelines of 3 March 2015. The concluding observations of the Committee concerning Norway's fourth periodic report are referred to by number. The report covers the period from 2010 to September 2016, and generally describes how the Committee's observations have been followed up and new or changed measures of significance for children's rights in Norway. The guidelines' limit of 21,200 words provides little opportunity for supplementary descriptions.

The report was prepared by the Ministry of Children and Equality in collaboration with eleven other Ministries.

A children's report has been prepared, and describes what it is like to grow up in Norway in the words of children and young people.

Annexes:

Common Core Document 2013

Statistics Report

Children's Report

1 General measures of implementation

a) Implementation of the Convention into Norwegian law

Cf. observation 9 and 11.

Guardianship Act

A new Guardianship Act came into force in 2013. A key aim of the Act is to safeguard the interests of minors and ensure that this takes place with respect for the individual's dignity and integrity. Guardians are supervised by county governors.

Legislative amendments concerning child abduction

Amendments to the Child Abduction Act, Child Welfare Act, General Civil Penal Code, and Free Legal Aid Act came into force in 2016. The aim of these was to streamline the processing of international abduction cases and ensure such children are better protected.

Regulations for questioning children

Improving child protection and investigations of violence against children and sexual abuse of children are important political aims. Amendments to the Criminal Procedure Act etc. are intended to strengthen children's legal safeguards and provide better protection against violence and sexual abuse. The Convention, particularly the best interests of the child, was a key factor in shaping the legislation.

Skills development in local government

Since 2009, the County Governor of Troms has, via the Giant Leap programme, methodically worked to introduce a local practice of applying the Convention in municipalities. The programme consists of an analysis and follow-up tool that municipalities can use to ensure that the Convention is applied actively across their services. Every county has decided to adopt the method. 232 of 442 municipalities/city districts have introduced a variant of the method.

Supervision of children in foster homes

The supervision of children in foster homes has been improved through amendments to the Child Welfare Act in 2014. The amendments are intended to result in a clearer local government-anchored and holistic responsibility for such supervision.

International instruments

Cf. observation 62.

In 2013, Norway ratified the UN Convention on the Rights of Persons with Disabilities. Norway's first report to the CRPD was submitted in 2015.

Norway has ratified all of the key human rights conventions and the ILO's core conventions on workers' rights. The conventions also apply to foreign nationals in Norway. In 2002, the Norwegian authorities decided not to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Norway gives a high priority to improving general labour standards, which is also of great significance for migrant workers' rights.

In September 2016, the Government submitted a report to the Storting (Parliament) on the communications procedures under the ICESCR, the CRC and the CRPD. Based on a thorough assessment, the Government has concluded that it will not present a proposal to accept these procedures now.

b) National strategy

A number of initiatives, plans and strategies that affect children and young people have been drawn up to help achieve the Government's goal of a better life and good opportunities for children and young people. Prevention, early intervention, support for families, and good provision and services throughout the country are key. Children's voices have been important in this work. The Government's contributions and aims are set out in *"Safety, participation, and commitment - the Government's work for children and young people 2016"*.

c) Overall authority

The Ministry of Children and Equality has special responsibility for monitoring and coordination, and all ministries must follow up on the provisions of the Convention within their areas of responsibility.

d) Budget

Cf. observation 16.

As a rule, Norwegian municipalities are funded via general grants. The municipalities themselves, based on the principle of autonomous local government, prioritise between duties, including statutory duties. A statistics and reporting tool, KOSTRA, makes it possible to monitor local government priorities in terms of the budget funds allocated to local government services for children. Via the municipalities' grant reporting, the State Party can also monitor whether or not the funds are used for the intended purpose.

The publication *"Initiatives for children and young people"* provides an overview of government grants that are directly targeted at children. In addition to such grants, substantial resources are earmarked for creating a good society, which also benefits children. This includes free healthcare, safe environments, labour market measures, and a welfare safety net for those who need it. Even though these factors are not explicitly justified as or reported as child rights measures, they make a strong contribution to realising children's rights in Norway.

e) International assistance

Cf. observation 12.

Norway works closely with the UN Secretary General's Special Representative for Violence against Children and Special Representative for Children and Armed Conflict. The Ombudsman for Children's international efforts to provide information about possible monitoring mechanisms at a national level are supported. Several special organisations involved in implementing the Convention are also supported.

A broader approach to the work of implementing the Convention into Norwegian foreign- and development policy is actualize through the follow-up of the white paper on *Opportunities for All: Human Rights in Norway's Foreign Policy and Development Cooperation (2014-2015)*. Respect for human rights has also been adopted as a cross-cutting issue in Norwegian development policy as from 2016.

The Government expects Norwegian companies with international operations to comply with the ILO's core conventions as a minimum standard. The companies must follow up on this in relation to their subcontractors. The Government also wants Norwegian companies to play an active role in challenging markets because they can contribute to positive development in countries where standards and rights deviate from the desired level.

f) National human rights organisation and Ombudsman for Children

The Norwegian National Human Rights Institution (NIM)

NIM was established in 2015 and is tasked with monitoring and reporting on the status of human rights in Norway.

Ombudsman for Children

One of the most important duties of the Ombudsman is to monitor the authorities' compliance with the Convention. The Ombudsman receives enquiries from children and adults, but does not consider complaints.

Observation 14 has been considered. The Government has decided that the Ombudsman's mandate will not be expanded to cover the consideration of individual complaints. Such an expansion would give the Ombudsman the formal authority to make decisions concerning individual cases and would require administrative responsibilities in relation to one or more specific Acts. The Ombudsman is independent and currently enforces no laws. The current arrangement allows the Ombudsman to become involved in individual cases and to give opinions and address these to the relevant authority. Expanding the Ombudsman's mandate could diminish its important role as a driving force behind more fundamental questions concerning the protection of children's interests. On the other hand, the Ombudsman will be strengthened such that it can act as a 'watchdog' for children in cases of bullying and so it can help children and parents in complicated cases. The Ombudsman will remain an independent ombudsman for all children, but will be enhanced so that it is better able to provide assistance.

g) Awareness of the Convention

Cf. observation 18.

Three surveys show that children's rights are covered in current training and school curricula, but that there is room for improvement when it comes to familiarity with the Convention. Based on this, all educational institutions were encouraged to consider the need for follow-up in their training courses.

Social studies is a general subject in compulsory education and a common core subject in all educational programmes in upper secondary education. The value of equal opportunities, fellow citizenship, and the development of democratic skills are important topics.

Cf. observation 63.

Norway's fourth report and the concluding observations have been translated into Norwegian and published on the Government's website. The report was also sent to the country's municipalities and non-governmental organisations (NGOs).

h) Cooperation with civil society

Every year, the ministries conduct meetings with civil society and NGOs, such as the Forum for the Convention on the Rights of the Child, the Norwegian Children and Youth Council, Norwegian Young Disabled, the Norwegian association for child welfare children, and other

parties. The idea is to share experiences and views in relation to the rights of children and young people.

A draft of this report was submitted for consultation to civil society and other stakeholders.

2 Definition of the child

In Norwegian legal terms 'child' means every person under 18 years old. The term 'young people' is often used for people up to 25 years old.

On 1 January 2016, 1,127,402 people were under 18 in Norway, or 22 per cent of the population.

Marriage

Pursuant to Norwegian law the minimum legal age for marriage is 18. People under 18 require the consent of their parents and county governor to get married. County governors cannot give their consent if the person is under 16.

Sometimes young people who arrive in Norway are already married according to the law of another country. If at least one of the parties who entered into marriage abroad was a minor and a Norwegian national or permanently resident in Norway at the time, the marriage will not be recognised. Such marriages can, however, be recognised if there are strong grounds for doing so.

If a marriage is entered into abroad and neither of the parties has ties to Norway, the validity of the marriage is in principle determined by the law in the country where the marriage was entered into. A marriage will, however, not be recognised if it would obviously be objectionable under the Norwegian legal system (public order).

3 General principles

a) Preventing discrimination and ensuring children's rights

Cf. observation 20.

See the discussion under 7 (a) for information about children with disabilities.

Both kindergartens and schools must prevent and counteract bullying and discrimination. The 'Minstemme.no' web portal provides suggestions for how schools and kindergartens can work with the Convention. The 'Nullmobbing.no' web portal provides information to children, young people and parents.

Four new anti-discrimination Acts came into force in 2014 (the Gender Equality Act; the Ethnicity Anti-Discrimination Act; the Anti-discrimination and Accessibility Act; and the Sexual Orientation Anti-Discrimination Act). Protections against discrimination also apply to children.

Discrimination on the basis of age is only prohibited in relation to work. Two reports have considered the need for, and socio-economic costs of, expanding anti-discrimination protections to apply to age discrimination outside the workplace.

In 2016, the Government presented an action plan intended to help protect LGBTI people's rights and counteract discrimination based on sexual orientation, gender identity and gender expression. Measures aimed at children and young people constitute a key part of the plan.

Research into ethnic discrimination against children and young people shows what they experience as discriminatory and who exhibits/practises discriminatory attitudes/actions. One of the findings of the research is that staff in institutions such as schools and child welfare services require greater knowledge and awareness of the significance of ethnic differences. The Government has followed up this challenge.

Cf. observation 21.

The declaration and action plan from Durban in 2001 and the concluding document from the follow-up conference to the Durban conference in 2009 have been followed up with inter-ministerial action plans against ethnic discrimination. The "*Action plan to promote equality and prevent ethnic discrimination (2009-2012)*" contained a number of measures especially targeted at children and young people. An evaluation of the action plan shows that most of the measures have been implemented. The evaluation does not provide a basis for assessing the overall effects of the action plan.

The "*Summary of knowledge about gender equality and discrimination linked to ethnic origin and beliefs*" report shows that immigrants experience discrimination in most areas of society. It also shows that there is a need for more knowledge about discrimination against Sami and national minorities. The areas covered by the report include conditions for children and it points out the challenges children from national minorities encounter in the education system and child welfare services.

The Government published a political declaration against hate speech in 2015 and will present a strategy in autumn 2016.

The authorities have supported the Norwegian version of the Council of Europe's "Stop hate speech" campaign since 2014.

Democratic preparedness against racism and anti-Semitism (Dembra) is a course for lower secondary schools on preventing racism and anti-Semitism, radicalisation and anti-democratic attitudes. The course provides concrete methodological tools for use during the ordinary school day. Dembra provides democratic skills such as tolerance and openness, as well as knowledge, critical thinking, and the ability to stand up against injustice.

b) Best interests of the child

Cf. observation 23.

The Norwegian Constitution

According to Article 104 of the Norwegian Constitution, the best interests of the child shall be a fundamental consideration in actions and decisions that affect children. The provision is based on Article 3 of the Convention and was introduced into the Constitution in 2014 as part of a larger constitutional amendment process intended to strengthen human rights. The provision takes precedence in the event of conflicts with other legislation.

The principle of the best interests of the child is fixed by law in Acts such as the Children Act and Child Welfare Act, and is also indirectly integrated into a number of Acts and safeguarded via various arrangements, for example the appointment of experts in parental disputes and representatives for unaccompanied asylum-seeking minors.

Skills training measures for courts

Challenges in court cases affecting children are a priority area. The Norwegian Courts Administration provides training for judges in handling parental disputes and in particular cases relating to domestic violence and abuse in order to ensure children's best interests are safeguarded.

Immigration Act

The Immigration Act, which came into force in 2010, enacted into law the best interests of the child in a number of contexts. See the fourth periodic report, points 18, 202-205 and 208.

The legal position of children in immigration law has generally been strengthened since 2008. For example, provisions have been introduced concerning the right of children who have been in Norway for a long time to a residence permit as well as the right to reasoned decisions. Since 2011, the Immigration Regulation has clarified that the reasoning in cases concerning children must include the assessments that have been made of the child's situation and the best interests of the child. Following an amendment in 2014, the factors that must be taken into consideration in a decision that affects a child are specified more clearly and the decision-making process now involves three steps: an assessment of the child's situation; an assessment of immigration control considerations; and striking a balance between these.

Tribunals

A public committee is considering whether tribunals for children and family cases could help secure legal safeguards, greater expertise, and increased legitimacy.

c) The right to life, survival and development

Cf. previous periodic reports and discussion in 7 (d).

d) Respect for the views of the child

Cf. observation 25.

Children Act

Since 2014, the Children Act has clarified that children under 7, who are capable of forming their own opinions, must also have an opportunity to express themselves before decisions are made for the child about personal matters. The opinion of the child must be given weight commensurate with the child's age and maturity. Both parents and the court must safeguard this right. The judge is responsible for ensuring that a child who has expressed an opinion in a parental dispute receives information about the outcome of the case.

The aim is to ensure that more children are heard in mediation processes and mediators have a duty to inform parents about the child's right to be heard. In 2016, funds were granted to ensure that more children are offered a chance to talk to someone when their parents' relationship breaks up. The aim is to ensure that children's opinions are heard and that the child's needs are identified, understood and taken into consideration when agreements are drawn up concerning parental responsibility, custody (the child's place of residence) and access.

Immigration Act

A child's right to be heard is regulated in the Immigration Regulation. Children who are 7 and older, and younger children who are capable of forming their own views, must be informed and given an opportunity to be heard before decisions are made in cases that concern them. The views of the child must be given weight commensurate with the child's age and maturity.

Kindergarten and compulsory education

The Kindergarten Act deals with children's right to participate. The objects clause of the Education Act stresses that pupils and apprentices must learn to think critically and that they should have a shared responsibility and right to participate, for example through pupil councils in schools.

Participation in child welfare services

The Child Welfare Act was amended in 2014 to strengthen children's involvement in their child welfare cases. The amendment allows children in the care of the child welfare services to be accompanied by a person they trust when they are in contact with the child welfare services. Support has been provided for measures aimed at introducing methods of talking to children and for development work concerning children's participation.

Guardians

Pursuant to the Guardianship Act, a guardian acts on behalf of a minor in financial matters and in other areas prescribed by law, unless decided otherwise. An appointed guardian must, if possible, consult the person or people with parental responsibility before making important decisions. If the minor is over 12, the guardian must listen to their views before making decisions. As far as the minor's right to co-determination in personal matters is concerned, the rules in the Children Act apply. A minor who disagrees with a guardian's decision may bring the matter before the county governor.

Child abduction

Children have the right to be heard in abduction cases. The Child Abduction Act stipulates that a judge or an appointed expert may interview the child. Following an amendment in

January 2016, the Act specifies when children must be given an opportunity to make statement and that judges ought to inform children who have made a statement of the outcome of cases and how their views were taken into consideration.

Ungdata

Ungdata has since 2010 carried out local, research based, youth surveys in which young people throughout Norway answer questions about various aspects of their lives and circumstances, and thereby express their opinions. Ungdata has been funded via the national budget since 2015. The results are used by decision makers at various levels.

Decision-making processes

An annual forum for dialogue is arranged between youth representatives from the counties, affected ministries, and the Minister for Children in order to improve young people's opportunities to participate and exert influence at a national level. The agendas are to a large extent determined by the youth representatives. Contributions from the forum for dialogue have, for example, been used in the work on the "*Life mastery in school*" project and form part of the action plan for combating violence against children and young people.

Regular contact meetings are held with a number of youth organisations. Contributions from these have, for example, been used in the escalation plan for combating violence against children. Contributions from a special consultation process on children conducted by the Ombudsman were also used.

Children and young people are invited to join the ongoing work on relevant strategies and action plans. Children were also heard in the Government's work on its *Children Living in Poverty (2015-2017)* strategy, making their views known and suggesting measures. Save the Children Norway chaired the children's consultation.

The authorities maintain a regular dialogue with municipalities and county authorities, via circulars, guidance materials, conferences etc., about the participation and influence of children. Research and sharing lessons learned are important instruments.

Several ministries are involved in encouraging municipalities to ensure they have good participation arrangements for children. In 2012, around 90 per cent of municipalities were running schemes involving a youth council and/or children and youth municipal council.

Voting rights trials

The voting age was lowered to 16 in trials in the 2011 and 2015 local elections in 20 municipalities in each election.

The turnout figures for 16 and 17 year-olds were well above those for ordinary first-time voters in both 2011 and 2015. The evaluation of the trials is examining the turnout in 2015 among the 16 and 17 year-olds who voted in 2011 to see whether those who vote earlier in life are subsequently more likely to exercise their right to vote.

Co-determination in healthcare

A new Public Health Act came into force in 2012. Participation is one of the fundamental principles.

Young people can contribute important points of view and share their experiences through hospital youth councils and the Government wants all hospitals to establish youth councils. The Minister of Health and Care Services will invite a number of youth organisations to an annual meeting to get input on the Government's care policies.

The action plan for combating violence and the sexual abuse of children and youth states that feedback from children must be actively used to improve service provision in this area.

4 Civil rights and freedoms

a) Nationality

The Norwegian Nationality Act governs the acquisition and loss of Norwegian nationality. One of the principal conditions is that the applicant's identity must be confirmed. Previously, this meant that applications for Norwegian nationality from the children of parents with unconfirmed identities were rejected. This was changed in 2012, meaning that children can now be exempted from this requirement. In the case of children born in Norway, their identity will be regarded as confirmed.

The Act applies with the limitations that follow from agreements with other States Parties and international law in general. Changes have been proposed to the Act in order to ensure that cases involving stateless children are handled in accordance with international obligations. The UNHCR report *Mapping Statelessness in Norway* recommends that stateless children born in Norway should automatically become Norwegian nationals at birth. The report is currently being evaluated.

b) Identity

The Act is based on the principle of a single nationality. As a consequence, Norwegian nationality is lost when one voluntarily acquires another nationality. Many countries allow applications for nationality for a child to be signed by only one parent. In some cases this has resulted in abducted children losing their Norwegian nationality. The Parliament has asked the Government to report on the consequences of the principle of a single nationality in a more globalised world.

c) Freedom of expression

Cf. previous reports and discussions under 4 (g) and 8 (e).

d) Freedom of thought, conscience and religion

Cf. observation 27.

No studies of how schools have followed up on the subject of *Religion, Philosophies of Life and Ethics* are planned. The subject was replaced by the subject *Christianity, Religion, Philosophies of Life and Ethics* in 2015. The subject is compulsory and must present world religions and philosophies of life in an objective, critical and pluralistic manner.

Compulsory education is provided by state and independent schools, and the purpose and content of the tuition is governed by law. The operation of independent schools is governed by the Independent School Act and they are subject to government supervision. Supervision cases may be opened on the basis of systematic selection or specific information about unacceptable conditions.

e) Freedom of association

Norway facilitates freedom of association and peaceful assembly by supporting a diverse NGO sector.

Participation in voluntary organisations, for example within culture, sport, and the arts, provides experiences, mastery and a sense of community. The level of participation of children and young people in voluntary organisations is high. In 2014, 63 per cent of young people aged 13-15 were involved in an organisation. However, this participation is not evenly distributed and differences remain vis-à-vis gender, ethnicity, place of residence, and social and economic background. As a group, children and young people with immigrant

backgrounds are less involved in traditional recreational activities. This is especially true for girls.

Children from low-income families are less involved in recreational activities than other children. In 2015-2016, stimulus funds were allocated to test out initiatives aimed at increasing the involvement of children from low-income families.

f) Protection of privacy and image

Legislative amendments

Cf. observation 9.

A new provision, Article 102, was introduced into the Constitution in 2014 concerning privacy. The provision protects both children and adults and states that "Everyone has the right to the respect of their privacy and family life, their home and their communication."

The principle of legality in Article 113 of the Constitution means that the authorities require legal authority to encroach upon an individual's privacy, family, home or correspondence.

Defamation is no longer a criminal offence in Norwegian law since the new General Civil Penal Code came into force in 2015.

Personal data

Cf. observation 29.

Norway has implemented the EU's Data Protection Directive 95/46/EC in the Personal Data Act. Following an amendment in 2012, the Act provides greater protection of children's personal data and prevents it being processed contrary to the best interests of the child. The provision entails both a prohibition and an obligation for data processors to take extra care when handling personal data relating to children. The Act applies to both parents and commercial actors. The provision is enforced by the Data Protection Authority, on its own initiative or following contact from children or others. It can make decisions or provide advice when children's personal data has clearly been misused.

g) Access to information and protection from harmful material

The Act on Protection of Minors from Harmful Audiovisual Programmes came into force in 2015. The Act establishes three safeguards via a duty to: set age limits for audiovisual programmes; provide information about age limits; and implement safeguards to ensure compliance with the age limits, for example age checks at cinemas and the scheduling of broadcasting times on TV.

A variety of schemes are aimed at children and young people concerning activities online. 'Ung.no' is an advert-free website with official information aimed at young people. The website hosts a very popular anonymous question and answer service. 'Ung.no' had 3.3 million visitors in the first quarter of 2016.

Children can get advice on, and help with, removing information about them online from the 'Slettmeg.no' service. Information is provided on exercising judgement in a digital world by the service 'Dubestemmer.no'.

The police are responsible for preventing and following up on crime and illegal behaviour online. The Norwegian National Criminal Investigation Service (KRIPOS) is responsible for a web patrol (Facebook page), which forms part of the police presence online and also contributes preventive information aimed at young people.

5 Violence against children

a) Protecting children from abuse and neglect

Cf. observation 31.

Combating violence against children is a priority area for the Government. The Government published its strategy, *Childhood Comes but Once*, in 2013 and its action plan, *A Good Childhood Lasts a Lifetime*, in 2014. These are the first plans containing specific initiatives on the part of the authorities to deal with violence against children and young people. Their primary goal is to prevent children and young people from being subjected to violence and sexual abuse in or outside the home. Children must be ensured early, appropriate help, wherever they may live in Norway.

The Parliament has asked the Government to submit an escalation plan for combating violence against children. The plan will be submitted in autumn 2016. Particular challenges will be preventing and detecting violence, offering timely treatment, uncovering abuse online, and coordinating various public bodies.

In 2016, a nationwide survey of final-year, upper secondary school pupils on violence and abuse against children and young people was published. The survey is part of a large research initiative concerning violence in close relationships and was publicly funded. The survey shows that mild violence from parents has decreased (2007-2015), while serious violence is at about the same level as before. The results also show that a large proportion of sexual violence occurs between individuals of the same age.

The Children Act has, since 2010, prohibited all forms of violence against children. This includes violence in connection with the upbringing of a child, frightening or annoying behaviour, or other inconsiderate conduct towards a child.

Crisis centre

In 2010, municipalities were given a statutory duty to ensure crisis centre provision for women, men and children. The provision should be free and aimed at those exposed to violence or threats of violence in close relationships. Children accompanying parents are a key user group. Crisis centre staff have a duty to report to the child welfare services when, for example, there are grounds to believe that a child is being abused or that other forms of neglect are occurring. The duty of disclosure applies when, for example, children return to live with abusers after staying at the centre.

Most centres offer a service where children have someone to talk to and have dedicated staff with responsibility for children. A variant of the International Child Development Programme (ICDP) has been trialled with parents in some crisis centres with good results.

Children's participation

Children's right to participation and influence is anchored in a dedicated chapter in the action plan *A Good Childhood Lasts a Lifetime*.

Alternative to Violence (ATV), Ung.no and the Ombudsman are important sources and contributors when it comes to ensuring children's experiences and views are clearly heard in the work on combating violence against children.

Preventing violence and abuse

The work on protecting children from violence and abuse is extensive. These are the key initiatives:

In the period 2014-2016, county governors have organised courses on talking to children about violence and sexual abuse for kindergarten staff, child welfare staff, school staff, and healthcare staff.

The school's role in preventing violence and sexual abuse has been strengthened in recent years. The goals concerning pupils' knowledge about violence, violations, violence linked to sexuality, and violence in close relationships were clarified in the learning objectives for a number of school years in 2013. Staff skills in this area were also improved via changes to framework plans for relevant training. Challenges were discovered in continuing and further education provision relating to violence and sexual abuse that will be followed up.

Family counselling services' work on violence in close relationships has been strengthened since 2013 with provisions for abusers, and families and children that have suffered violence.

A public committee will review the system for handling serious cases where children and young people have been victims of serious violence, sexual abuse and serious neglect.

A project is analysing factors that affect the frequency and occurrence of violence in close relationships in Sami communities, and how preventive measures, uncovering violence, and organising help for the Sami can best be implemented.

International commitments

Norway is a driving force behind combating all forms of violence against children, including internationally. The Government has hosted and jointly arranged several expert conferences on violence against children and on good parenting.

Norway played an active part in drawing up the Council of Europe's *Strategy for the Rights of the Child (2016-2021)*. The strategy emphasises the implementation of existing standards for child rights in Europe, including for children in especially vulnerable situations.

Certificate of good conduct

Requirements for a certificate of good conduct have been introduced in a number of areas (staff in refugee reception centres, statutory bodies in the Church of Norway, etc.) to protect minors from people who are unsuited to having responsibilities for minors. This is regulated by the Police Register Act.

A statutory provision concerning early learning and child care certificates stipulates the offences that must be noted on certificates of good conduct for people who are going to work with or have responsibility for children.

Abuse in close relationships

The General Civil Penal Code states that anyone who through threats, force, the deprivation of liberty, violence or other violations, seriously or repeatedly abuses children or anyone in their household or care, can be punished for abuse in close relationships. The provision also protects children who witness violence and other abuse of those closest to them. Both the statutory sentencing ranges and sentencing levels have been raised in recent years for violence in close relationships.

Liability for aiding and abetting

People who fail to try and prevent the abuse of children in their care may be criminally liable as an accessory, for example if a father or mother knows that the other parent is violent towards their child and nonetheless remains passive. The Director of Public Prosecutions has for many years pointed out that a thorough assessment must be made of whether aiding and abetting should provide grounds for prosecution.

Access to children in cases involving violence and abuse

New amendments intended to promote the perspective of children in parental disputes before the courts were introduced in 2013. Supervised access can now be arranged as protected access and supported access. At the same time, amendments were approved to the Children Act's rules concerning procedures intended to safeguard the best interests of the child better in parental disputes where a child is at risk of abuse.

b) Measures aimed at prohibiting and abolishing all forms of harmful practices

Cf. observation 45.

All children and young people, regardless of their family background, in Norway have the right to grow up free from coercion and social pressure in relation to harmful practices.

Preventive, awareness raising and protective measures are described in the *Action Plan against Forced Marriage, Female Genital Mutilation and Severe Restrictions on Young People's Freedom (2013-2016)*. Preventive measures include maintaining a dialogue with parents and young people, as well as continuing to fund NGOs. The Government is committed to preventing and combating harmful practices and is developing a new action plan for 2017-2020.

The measures in the Action Plan to Combat FGM (2008-2011), have increased targeted health information, preventive health work and medical treatment provision. However, there remains a need for more knowledge and data, and better cooperation on FGM between all relevant stakeholders.

The Government continues to focus on preventing FGM. Child health centres and school health services in primary and lower secondary schools offer consultations and medical examinations to girls from countries of origin with a moderate or high prevalence of FGM. Many have taken advantage of the consultations; however few have taken advantage of the medical examinations.

The Government has strengthened the nationwide housing and support provision for young people over 18, who are victims of forced marriage or so-called honour based violence.

Norway signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in 2011. On 1 July 2016, the General Civil Penal Code was amended to fulfil the criminalisation obligations in this convention, including in relation to forced marriage.

The penalties for FGM have been raised and grievous FGM carries a sentence of up to 15 years imprisonment. The period of limitation does not start until the victim turns 18. There are no convictions concerning FGM. To gain more knowledge about the justice system and FGM, the Government is funding ongoing research about the police and FGM cases.

The provisions concerning forced marriage have resulted in a number of prosecutions and subsequent convictions, and Norway believes that the Committee's assertions concerning inadequate investigation and prosecution in cases of forced marriage are incorrect.

c) Sexual exploitation and abuse

Heavier penalties

The General Civil Penal Code of 2005, which came into force in 2015, contains a series of amendments relating to the sexual abuse of children, these include raising a number of

statutory sentencing ranges. The Act designates sexual intercourse and certain sexual acts with children under 14 as rape, irrespective of how the sexual intercourse or act came about. This signals the seriousness of this form of sexual abuse of minors.

There were clear statements in the preparatory work on the Act that the penalties for sexual offences should be heavier. Pending the entry into force of the new General Civil Penal Code, the General Civil Penal Code of 1902 was also amended in 2010 to implement the desired heavier sentences at an earlier time.

Agreeing to meet with the intention of committing sexual abuse

Someone who has agreed to meet a child under 16 with the intention of committing a specific sexual offence and who has arrived at the meeting place, or a place where the meeting place can be observed, can be punished. In order to fulfil the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, the intentional production of representations of the sexual abuse of children or that sexualise children are now covered.

Abusing positions of trust

Abusing a position, dependence, or a relationship of trust to procure sexual intercourse, for oneself or others, is a criminal offence. Exploiting a person under 18 in an especially vulnerable life situation to procure sexual intercourse, for oneself or others, is also now a criminal offence. The amendments are intended to fulfil the obligations in the aforementioned Council of Europe Convention.

Materials depicting the sexual abuse of children

Those who view materials depicting sexual abuse of children or materials that sexualise children can be punished pursuant to a new provision in the General Civil Penal Code. The provision is intended to fulfil the aforementioned Council of Europe Convention.

d) The right not to be subjected to torture

Cf. fourth period report, points 170-171 and 394.

e) Recovery and social reintegration of child victims of torture

Parts of the Committee's observation 56 concerning Children's Houses, training professionals, and investigations are answered under point 9.

Cf. observations 56 (a) and (c).

A new grant scheme for child victims of violence was established in 2015. Foundations, NGOs and other parties can apply for funds to pay for activities and running costs that can improve the quality of life of child victims of violence. In 2016, a grant to cover running costs was given to the newly established Stine Sofie Centre, a national resource centre for child victims of violence.

A survey of the treatment provision for children and young people who are victims of violence and abuse, and for young perpetrators of violence and abuse, shows that provision is available for all of the target groups surveyed. The content, expertise and scope of the provision varies.

A project aimed at developing provision for young perpetrators of violence was started by the family counselling services in 2014.

f) Helpline

Cf. observation 37.

The helpline for children and young people opened in 2009 and is additional to other emergency assistance. The service is part of the child welfare services and is open when other on-call child welfare services in Norway are closed. In recent years, the helpline has intensified its information work aimed at children and a steadily growing number of children and young people are calling it. The helpline is free.

A number of other helplines that deal with various issues are also available to children.

6 Family environment and alternative care

a) Family environment and parental guidance

Cf. observation 33.

The International Child Development Programme (ICDP) is used/offered in almost half of all Norwegian municipalities. This help, may give parents confidence in their role as caregivers, which can promote children's development and opportunities later in life. A grant scheme for parental support measures was introduced in municipalities in 2014. The intention is to provide children and parents with help at an early stage. Parental support measures are used in many services such as early childhood education and care, child welfare services, reception centres for asylum seekers, crisis centres, and child health centres.

Parental guidance and support measures are a priority area in the action plan for combating violence and sexual abuse of children and youth, and in the Government's strategy for combating child poverty.

'The Incredible Years' is a parental support programme involving measures aimed at preventing behavioural problems in children in the form of courses for parents, children and professionals (early childhood education and care, schools and health services). A study in Norway shows that about 70 per cent of children (aged 4-8) experienced improvements in behavioural problems when the programme was used. Parent Management Training-Oregon Model (PMTO) can also point to very good results for families with children aged 8-12 with behavioural problems.

Family counselling services have been significantly strengthened: financially; organisationally; and professionally.

One of the family counselling services' core tasks is to facilitate good formative conditions for children. Family counselling services offer advice and parental support, treatment measures for families aimed at maintaining a stable family life, mediation, and help with parental cooperation when families break down. The provision for families living with high levels of conflict or violence and for children in mediation have been strengthened to ensure that the child's perspective is heard and to protect children in parental disputes.

The Nurse Family Partnership parental guidance programme was established as a pilot project in 2016. The programme involves close follow-up through home visits to first-time families in need of extra support. The follow-up is provided from pregnancy until the child is 2. The aim is to prevent neglect and mental illness, and generally improve the child's formative conditions via early intervention.

The model municipality experiment ran from 2007 to 2014. The target groups were the children (0-6 years old) of mentally ill parents and/or children with substance abusing parents. The trial municipalities developed models for early intervention and the comprehensive, systematic follow-up of children, from the mother's pregnancy to school age. The evaluation shows that good models contribute to more systematic and knowledge-based identification and follow-up of these children.

The model municipality experiment has been followed up with an expanded target group via a new grant scheme for municipalities.

b) Parental responsibility

Cf. observation 33.

Parents are free to reach their own agreements with respect to parental responsibilities, custody and access. The law does not lay down any recommendations concerning custody or access arrangements.

The Children Act's definition of "ordinary right of access" was expanded in 2010 so that the child and parent get more time together if they follow the arrangement. When decisions are taken regarding custody or access, an individual assessment of the best interest of the child is required.

A duty to provide notice six weeks before moving was introduced in 2010 to give parents an opportunity to consider the best possible custody and access arrangements for the child. The duty to notify applies to both the parent the child lives with and the parent with the right of access.

Children over 12 must consent to moving or travelling abroad when this occurs without a parent with parental responsibility. The amendment applies from 1 July 2016.

As a rule, both parents with parental responsibility must consent to medical treatment for children under 16. In some cases the consent requirement has hindered necessary medical treatment. Following an amendment in 2010, it is sufficient for one of the parents to give consent when qualified health professionals consider that the medical treatment is necessary to prevent harm to the child.

c) Separation from parents

Cf. observation 33.

Necessary assistance measures

The Child Welfare Act was amended in 2016 to increase the child welfare services' right to provide necessary assistance measures to children and parents without the parents' consent. The aim is to improve the situation of children and prevent more invasive measures such as a care order.

Review of the Child Welfare Act

A review of the Child Welfare Act has been made by a legislative committee in order to better adapt the rules to the general social and knowledge developments that have taken place since the current Child Welfare Act came into force in 1992. The report of the legislative committee was published in September 2016.

Children's right to contact the child welfare services

Children can contact the child welfare services without parental consent. If the child welfare services receive information that provides grounds for measures pursuant to the Child Welfare Act, they must investigate the situation as soon as possible. Both the child welfare services and experts may demand to speak to children in private as part of investigations. Former child welfare children want the Act amended so that parents do not have a right of access to information children give to the child welfare services. This is to protect children from reprisals if they say unfavourable things about their parents. The legislative committee has considered this proposal.

Training measures in child welfare services

From 2016, a grant scheme is intended to encourage more employees in municipalities and child welfare institutions to take further professional child welfare education. The aim is to improve the expertise of child welfare staff.

Child welfare services for babies, infants and their parents

The state provision for vulnerable babies, infants and their parents is provided by centres for parents and children. The centres offer to review the care situation of the child and/or change measures focused on attachment, interaction and parenting skills. The centres' measures enable care orders to be avoided.

Expulsion cases

The best interests of the child must be a fundamental consideration in expulsion cases. As a rule, a foreign national with children in Norway should not be deported for illegally living or working in Norway for less than 2 years. Nor should this group be given a permanent entry ban except in the case of particularly serious offences, for example violence against close family members, or repeated convictions. Following an overall assessment that includes giving weight to the interests of the child, an entry ban is given for 2, 5 or 10 years if expulsion is deemed to be proportionate. The introduction of the 10-year entry ban option provides the authorities with greater leeway when balancing family life against the need to react to serious offences.

d) Family reunification

The right to family reunification for parents with right of access has been strengthened. They can now, on certain conditions, gain an initial residence permit in Norway based on access arrangements between parents of a Norwegian child. A foreign national parent with whom the child permanently resides also has a statutory right to continued residence if the other parent has right of access of a certain scope with the child in Norway. A statutory right to family reunification has also been introduced for cohabitants with shared children.

In 2016, the income threshold in the subsistence requirement was raised and a new exemption provision was introduced for cases where the family is obviously self-supporting, as long as the cohabitation is obviously voluntary. The Parliament has asked the Government to propose an amendment to the rules continuing the current exemption from the subsistence requirement and reversing the income threshold requirement .

A number of orders have been issued concerning exemptions from the subsistence requirement in family immigration cases on "very strong humanitarian grounds", including that on certain conditions exemptions may be made where the applicant and reference person (resident in Norway) have children who are Norwegian or Nordic nationals.

The Parliament approved (June 2016) amendments to the family immigration rules. An attachment requirement has been adopted, which means that the family members of a reference person with a temporary residence permit based on a need for protection can be refused residence permits if the family can migrate to a safe country to which they have an overall stronger attachment. The need for regulatory provisions is under consideration. It is evident from the preliminary work that the attachment requirement should not apply if the applicant is a child under 15 without caregivers in their home country (or another country where the child is staying). A requirement has also been introduced that means both parties must have turned 24 in the case of family establishment between spouses or cohabitants. No general exemption has been given for parties with shared children because this would undermine the entire purpose of the 24-years-old requirement, which is to counteract forced marriage. Norway believes that a general exemption could result in women being coerced into involuntary pregnancies to circumvent the rules and thereby be subjected to further violations.

e) Child maintenance

Changes following the evaluation of the fee arrangement for child support came into force in 2011.

In 2011, Norway became the first State Party to ratify the 2007 Convention on the International Recovery of Child Support and Other Forms of Family Maintenance. This Convention is intended to facilitate the efficient international recovery of child support and other forms of family support. Norwegian support decisions concerning maintenance support and private support agreements can be recognised and enforced in other Convention States, and vice versa.

f) Children deprived of their family environment

Cf. observation 35.

Number of children in child welfare services

53,400 children and young people were the subject of child welfare services measures in 2015, about the same number as in the three preceding years. Six out of ten children subject to measures were receiving assistance in the home at the end of 2015 while four out of ten were placed outside the home. The child welfare services have seen significant growth in caseloads in the last decade. In recent years, there has been a substantial increase in the number of children who are the subject of open investigations, while the number of children subject to measures has decreased. The number of children and young people receiving assistance in the home has also decreased, while the number placed outside the home has increased.

Strengthened capacity in municipal child welfare services

The focus on municipal child welfare services via earmarked funds has resulted in a significant increase in positions and greater capacity. Funds were earmarked for 960 new positions from 2011-2016. Some very large differences exist between municipalities vis-à-vis staffing and coverage.

Respect for other cultures

Cf. observation 37.

In the case of placements of children outside the home, the Child Welfare Act stipulates that the location of the placement must be chosen on the basis of what is best given the child's character and need for care and education in a stable environment. Proper account must also be taken of the child's religious, cultural and linguistic background. The legislative committee have considered adjustments due to increased migration and globalisation.

Foster home care

The Government has submitted a report to the Parliament concerning foster home care and covering topics such as the recruitment and follow-up of foster homes, assessing children, framework conditions for foster parents, and transitioning to adulthood.

Finding enough suitable foster homes is challenging and is resulting in long waiting times. The work on recruiting enough foster homes is a high priority, including with an emphasis on increased efforts for minor refugees.

Aftercare

Measures pursuant to the Child Welfare Act that are initiated before a child turns 18 can be maintained or replaced by other measures until the child is 23. In 2011, it was recommended that young people who decline aftercare be contacted again when they turn 19.

Guardians for minors

Cf. observation 9.

A minor's guardian is the person who has parental responsibility pursuant to the Children Act and who is of age. If minors lack a functioning guardian, the county governor must appoint a new or temporary guardian. If no one has parental responsibility for a child, the guardian will make the decisions that come with parental responsibility. The same applies when those with parental responsibility are unable to safeguard the child's interests. If the best interests of the child so indicate, the courts may, following a petition from a county governor or from the other guardian, relieve someone with parental responsibility of their guardianship. The views of children over 12 must be heard before the decision is taken. The same applies to younger children when their age and maturity so indicates.

g) Periodic reviews of placements

Cf. observation 35.

Decisions concerning care orders must be taken by the County Board for Child Welfare. The decision should be annulled when it is highly probable that the parents can properly care for the child. If children have developed such an attachment to the people and the environment they have been placed in that an overall assessment indicates that moving them could result in serious problems for the child, the child should not be moved. The parties may not demand that such a case be considered by the County Board for Child Welfare if the case has been dealt with by the courts in the last 12 months.

Pursuant to the Child Welfare Act, the parents' development must also be closely monitored in the event of a care order and the parents should be offered follow-up and referrals to other parts of the assistance network. Good follow-up of the parents can contribute to greater stability and less conflict for the child. Family counselling services offer guidance and support groups.

The Child Welfare Expert Commission was established in 2010 and is responsible for approving all reports submitted by experts in child welfare cases. A report can only be used as a basis for special measures pursuant to the Child Welfare Act after it has been reviewed by this commission. This has helped strengthen legal protection in child welfare cases.

h) Adoption

In 2015, 134 international adoptions were completed in Norway. There has been a decline in recent years. In 2015, four children born in Norway were put up for adoption with the consent of their parents.

A number of amendments have been made since 2008. In 2013, it was stipulated in law that prospective adopters must produce a certificate of good conduct. In 2014, new rules were adopted concerning step-children adoption and adoption for cohabitants. From 2015, adoption preparation courses became mandatory prior to the advance approval of people applying for international adoptions.

i) Child abduction

Norway is a signatory to the Hague Convention of 1980 on International Child Abduction and the European Convention of 1980 on Recognition and Enforcement of Decisions concerning Custody of Children.

The numbers of children abducted from and to Norway in 2015 were 48 and 27, respectively.

A number of measures for streamlining case processing have been implemented, e.g. a dedicated contact person at the prosecuting authorities and a list of lawyers. Amendments have been implemented in 2016, including centralised jurisdiction, shorter appeal deadlines, and judicial examinations of children. It also has become compulsory for central authorities to inform the child welfare services when a child is abducted or returned to Norway. It is now a criminal offence to abduct a child from the child welfare services following, for example, an emergency decision. The best interests of the child have been a key factor in this work.

The "Act on halting payments of public benefits and child support when one of the parents abducts a child to another country" came into force in 2015. The purpose of the Act is to prevent and encourage the rapid return of abducted children so that parental disputes about children can be handled by the Norwegian courts.

A steadily increasing number of children have ties to multiple countries. The Norwegian authorities are frequently asked to intervene, including in child welfare cases across national borders. Norway became a signatory to the Hague Convention of 1996 on Protection of Children to increase the protection of such children. This will improve cooperation with other countries in parental disputes, child welfare cases, and abduction cases.

[j\) Children with parents in prison](#)

Cf. observation 33.

The Norwegian Correctional Service must ensure that a child's right to spend time with their parents is given weight during the implementation of criminal sanctions. Decisions concerning prisoners who are custodial parents or who regularly spend time with their child must take particular account of the child's best interests. All prisons and probations offices are now required to have staff with special responsibility for dealing with children as next of kin.

In the follow-up of the report to the Parliament in 2008 on the Correctional Services, a number of measures that affect children with imprisoned parents have been implemented: including visitor centres, parental guidance for prisoners, and financial support to NGOs committed to improving the situation for these children.

7 Disability, basic health and welfare

a) Children with disabilities

Anti-discrimination legislation

The Anti-Discrimination and Accessibility Act prohibits discrimination on the grounds of disability. It applies to all areas of society with the exception of family life and other purely personal situations. The Act contains provisions concerning universal design and individual accommodation. Children with disabilities have a right to suitable individual accommodation in kindergartens, schools, and municipal health services.

Action Plan for Universal Design

The *Action Plan for Universal Design (2015-2019)* is intended to contribute to equality and equal opportunities for children and young people. The plan includes measures concerning ICT, welfare technology, transport, building and construction, outdoor areas, culture, and education.

Cultural and recreational activities

Children with disabilities participate less than other children in various social arenas. Obstacles to participation can include a lack of physical accessibility, resources, transport, and information. The obstacles may also be social, for example underestimating someone's ability to cope or competence, and a prejudicial environment.

Municipalities have a special responsibility to facilitate and coordinate habilitation services for those who need them, including facilitating cultural and recreational provision for children and young people with disabilities.

The aim of welfare technology solutions for children and young people is to make it easier for people with disabilities to participate in and master recreational activities. The initiative commenced in 2015.

Government funded institutions must facilitate access to art and culture for people with disabilities on the same terms as for people without disabilities. This must include providing discounted tickets for helpers.

User-controlled personal assistance

Municipalities must offer practical assistance and training organised as user-controlled personal assistance. This enables people with disabilities to live as active and independent life as possible. The scheme was fixed by law in the Patient and Users Rights Act in 2015. Parents with children with disabilities living at home also have a right to respite measures.

See the fourth periodic report, points 271-278, for information about children with disabilities in schools and early childhood education and care.

Aktiv Ung

The national resource service for children and young people with disabilities, Aktiv Ung, was established in 2012. The aim of the service is to strengthen and boost the level of knowledge and expertise nationally and locally so that all users, service providers, politicians, and researchers can gain the knowledge they need to realise greater equal opportunities and genuine social participation for children with disabilities.

Disability organisations

Youth disability organisations with members can receive support from the cooperative body the Norwegian Children and Youth Council for projects and other initiatives. For example, support can be given to anti-discrimination work and to promote equal opportunities in society for people with disabilities.

Disability organisations receive grants for peer-to-peer work and to provide services to their members. Organisations can also get grants for summer camps for children and young people with disabilities who need an especially large amount of help.

LGBTI children with disabilities

The Government's action plan for combating discrimination based on sexual orientation, gender identity, and gender expression stresses that expertise within disabilities and the LGBTI topics must be disseminated to family counselling services offices and crisis centres. This issue should also be incorporated into the topic areas and question and answer service on 'Ung.no'.

b) Survival and development

Around 50 persons under 20 die every year from injuries sustained in accidents. This accounts for around 25 per cent of all deaths in this age group.

Norwegian young people generally have good physical and mental health, but some face health challenges. Several studies indicate that the occurrence of mental health problems among young people has increased in recent years. At the same time, some are more vulnerable than others. Particularly vulnerable groups include people with disabilities, LGBTI people, and minority groups. Research into young Sami shows that living in a majority Sami area or in multicultural communities has a positive effect on their mental health.

c) Health and health services

Cf. observation 39.

Child health centres and school health services

The county governors conducted nationwide inspections of child health centres' services for children aged 0-6 years old in 2013. The municipalities/city districts were chosen on the basis of a risk and vulnerability analysis. The inspections uncovered violations of the law, primarily due to a lack of resources. In 2014-2016, a significant financial commitment was made to these services via the local government framework. The municipalities are free to spend these funds on what they believe should be prioritised. Earmarked grants were also allocated to these services in 2016 to improve staffing levels and interdisciplinary cooperation.

Youth health strategy

The Government launched a youth health strategy in spring 2016. The aim is to ensure young people and young adults have the best conditions for living good lives and learning physical, mental and social skills. It also aims to provide access to good, tailored health and care services. The views and experiences of young people were key factors in the work on the strategy.

Participation, information and consent

Children have the right to participate in the implementation of health services. The form of participation must be adapted to the individual's ability to provide and receive information.

When the child is under 16, both the child and parents must be informed about medical treatment. The information must be adapted to the individual child's abilities. For those aged 12-16, the information must not be given to parents when the patient, for reasons that should be respected, does not want this. Information required to fulfil parental responsibilities must nonetheless be provided when the patient is under 18.

As a rule, children can consent to medical treatment from the age of 16. For younger children, it is the parents who have the authority to give consent. As the child develops and matures, the parents should listen to what the child has to say before giving consent.

Since 2012, children have been able to act as a party in cases if they are at least 12 and understand what the case is about.

Once a child is 12, they can express their views in all matters regarding their own health. Increasing weight should be attached to the child's opinion, based on age and maturity.

Sexual health

The aim is to launch a new cross-sectoral strategy for sexual health in autumn 2016. The strategy is intended to strengthen children and young people's sexual self-determination, coping and action skills, including by aiming to prevent sexual abuse. One result of targeted work over many years is that the numbers of both teenage pregnancies and abortions were significantly reduced in the period 2009-2015.

Intoxicants

Cf. observation 41.

A new Government escalation plan for the area of intoxicants was published in 2015.

The Ungdata survey from 2015 (age group 13-16) shows a young generation in which few have experience of substance abuse and crime, and a levelling off of alcohol consumption.

d) Measures for improving the most widespread health challenges

Medication

Cf. observation 43.

The health authorities are monitoring developments in the use of medicines. No norm has been defined for the correct scope of medication in the population. Guidelines and guidance on the treatment of mental disorders and ADHD stress that medicines must not be the first choice. However, when medicines are used, they should as a rule be given in combination with other therapeutic treatment and under medical supervision.

Mental health

Cf. observation 43.

The specialist health services have a total of 87 treatment units nationwide for children and young people receiving mental health care. Around 5 per cent of the child population receives help from these units. The services are generally good quality, although some aspects could be improved. Some young people have called for health services near their home. Mental

health care for children is changing and the extent of outpatient activities has increased in recent years meaning that more children and young people are receiving help locally.

Referrals to mental health care for children and young people must be assessed within 10 days and the latest figures show that, nationwide, 97 per cent of referrals are assessed within the deadline.

Suicide among young people is rarer than in older age groups. Suicide among children under 15 is very rare. Self-harming and attempted suicide are more widespread among those who have been subjected to abuse or have mental disorders, especially depression, behavioural disorders, and substance abuse problems. The *Action Plan for Preventing Suicide and Self-Harm 2014–2017* includes several measures aimed at children and young people, including a number of counselling initiatives.

The Norwegian authorities are aware of the concern that has been expressed from several quarters about the mental health of children and young people in the Sami population. No official statistics are available about self-harm and suicide in this group.

Physical activity

The trend in physical activity among children is negative. Only half of 15 year-olds are physically active for 60 minutes a day. Boys are generally more active than girls. Sitting still is increasing in all age groups. A number of white papers contain measures aimed at increasing physical activities.

LGBTI children

LGBTI children and young people should have the same access to medical treatment within the ordinary health and care services as others, based on individual needs. Some municipalities offer special health services in addition to this. A research report from 2013 on the living conditions of young LGBTI people in segments of the immigrant population underscores the need for free, low-threshold services.

Pursuant to the Act on amending legal gender from 2016, people over 16 have the right to amend their gender recorded in the National Population Register without having to undergo invasive treatment or a medical diagnosis. Children aged 6-16 can apply to amend their legal gender together with their parents.

Children as next of kin

Children who are the next of kin of patients with mental illnesses, substances addictions, or serious somatic illnesses/injuries may need special follow-up. Amended rules ensure that health professionals must identify and follow-up the special needs of children.

In recent years a number of measures have been implemented to ensure better follow-up of children as next of kin and surviving relatives, such as staff with special responsibility for children in health enterprises and bereavement support groups for children. An extensive study of children as next of kin shows that illness greatly affects the living conditions and quality of life of children, parents and families.

Municipal provisions for children with mental health problems and disorders

The number of FTEs dedicated to children and young people in municipalities decreased by 13 per cent in the period 2007-2013. This is not an intentional development and stands in

contrast to the national authorities' goal of strengthening municipal provision for children. By increasing the municipalities' free income, the Government has given municipalities more leeway to also prioritise mental health services for children and young people. However, municipalities are free to organise their own services, within the framework of the law and regulations. It will not be possible to measure the effect of increasing the municipalities' free income for 2015 until autumn 2016.

84 per cent of the staff in services aimed at children and young people had relevant college/university qualifications in 2012, compared with 80 per cent in 2007. Interdisciplinary further education has been established in psychosocial work for children. There has been a steady increase in the proportion of mental health professionals taking further education.

The "*Psychologists in municipal health and care services*" grant scheme has helped increase the number of psychologist positions in municipalities. More than half of municipalities and city districts employed a psychologist in 2015. The quality of the services has improved and the threshold for seeking psychological help is lower. Evaluations show that the majority of psychologists in municipal health and care services work with children and young people.

e) Social security and care services

Social services

The Social Services Act of 2010 shall contribute to vulnerable children and young people and their families receiving comprehensive and coordinated support. Special consideration must be taken of children's needs. Children should be ensured a safe childhood and be able to participate in ordinary school and recreational activities, even if their parents face financial constraints.

In 2010, county governors' supervisory responsibilities were expanded to include the supervision of financial support according to the Social Services Act. Supervision can help to promote equality of service provision in and between municipalities and the more equal treatment of the needs of children and families with children.

A nationwide review of the allocation of financial benefits to families with children in 2012 revealed inadequate monitoring and individual assessments of the needs of children at many local Norwegian Labour and Welfare Administration (NAV) offices in 2012. The nonconformities have been followed up. Training in the law and regulations is being provided.

The Social Services Act was amended in 2016 such that municipalities shall not include children's income earned in their leisure time and school holidays when assessing a family's need for financial support. The aim is to ensure more equal opportunities and to help children in families receiving financial support to improve their situation through income from work and gaining useful work experience, like other children.

Basic benefit and attendance benefit

Basic benefit and attendance benefit in the National Insurance Scheme provide financial compensation for extra expenses and for special supervision or care due to disabilities.

Assistive aids

Children with permanent disabilities may be entitled to support for assistive aids. They may receive support for assistive aids for training, stimulation, play, and sports to improve their functional ability.

Child benefit

Child benefit is paid for all children resident in Norway. Child benefit rates have not increased since the previous report.

Parental leave

In 2016, parental benefit is paid for 49/59 weeks at 100/80 per cent pay.

Women not entitled to parental benefit receive a lump-sum grant upon giving birth. The benefit is in 2016 NOK 46,000, and it has increased by more than 30 per cent since 2009.

Allowance for single parents

The allowance is intended to secure an income for a transitional period for people who have sole care of a child so that they may become able to support themselves by working. Transitional benefit, supplementary allowance and grant to cover tuition fees, and child care benefit can be paid to single parents in work. As a rule, transitional benefit can be paid from up to 2 months prior to giving birth and until the child turns 8 years old. The duration of new transitional benefit periods have, since 2013, been limited to when the child becomes eligible for a kindergarten place. The level of annual transitional benefit has increased in relevant years and is from April 2014 2.25 times the Basic Amount of the National Insurance Scheme (NOK 208,296 as per 2016). Since 2012, occupational activity has been required when the child 1 year.

Cash-for-care benefit

Cash-for-care benefit is paid for children aged 13-23 months. The cash-for-care benefit rate has increased in recent years and is now NOK 6,000 per month.

Care benefit

Employees who have to stay home from work to care for a sick child are entitled to care benefit (income replacement). The right applies up to the year the child turns 12. The benefit is paid for up to a specific number of days a year, depending on the number of children and caregiver situation. Since 2015, self-employed people and freelancers have been entitled to care benefit when caring for a sick child.

f) Adequate standard of living

Cf. observation 47.

Efforts against child poverty

More than 90,000 children are growing up in low-income families, which accounts for around 9.4 per cent of all children in Norway. The proportion of children growing up in poor families has risen in recent years. Children with immigrant backgrounds now make up 51 per cent of all children in financially vulnerable families. By comparison, children with immigrant backgrounds represent around 12 per cent of all children.

The Government's strategy, *Children Living in Poverty (2015-2017)*, the first in Norway, is intended to prevent the intergenerational transmission of poverty and to improve children's quality of life.

The measures include the family counselling services' prevention work with vulnerable families with children, the housing benefit scheme, the framework for grants for rented housing, child health centres and school health services, and grant schemes for participation and inclusion. The strategy also includes measures aimed at giving young people ties to the labour market and initiatives aimed at helping particularly vulnerable parents into work. As part of the strategy, indicators have been developed showing the extent of child poverty, who is vulnerable, and who is affected, nationally, county-by-county and locally, respectively. The indicators will help municipalities target their efforts.

In 2014, a national grant scheme was established to combat child poverty. The intention is to counteract and/or reduce the consequences of poverty among children and young people by improving opportunities for more of them to take part in important social arenas such as the area of culture and recreation, irrespective of the parents' income and social situation. The *Measures for Children and Young People in Large Cities* grant scheme has also been strengthened. Grants for measures against poverty among children and families with children who are in contact with the social services in NAV-offices have been increased.

Declaration on recreation

The authorities have, together with NGOs and the Association of Local and Regional Authorities, signed a joint declaration on recreation.

In 2016, funds were announced for projects aimed at helping ensure children and young people have opportunities to participate in organised recreational activities together with their peers, irrespective of the parents' financial situation. The funds are intended for systematic and innovative joint projects between municipalities, NGOs, and other parties. The pilot projects must have transfer value and inspire other municipalities to carry out similar work.

Housing-related social work

Around 2.5 per cent of the population is regarded as disadvantaged in the housing market and half of these are families with children. A survey from 2013 shows that families with immigrant backgrounds and single parents are the most vulnerable.

In 2014, the Government presented a national strategy for housing and support services, "Housing for welfare" (2014-2020). Disadvantaged families with children and young people are priority target groups.

Three strategy targets relate to children and young people during the strategy period: 1) rental housing for families with children must be of good quality and in a safe living; 2) temporary housing must only be used in exceptional circumstances for families with children and young people, and such arrangements must not exceed three months; and 3) homelessness among families with children and young people must be prevented and reduced.

8 Education, leisure and cultural activities

a) Right to education

Cf. observation 49.

Kindergarten/early childhood education and care (ECEC)

As the first, voluntary step in a child's educational career, kindergarten should provide the foundation for further education and work, and thus the individual's chances of achieving their goals and developing their potential.

90 per cent of children aged 1-5 attend ECEC. The Government has implemented a number of measures aimed at increasing flexibility in ECEC admissions and making ECEC more accessible to families that want places, regardless of their financial circumstances. Examples include discount schemes for all low-income families and free core hours in ECEC for all 3-5 year-olds from low-income families. Free core hours have helped to recruit more children to early childhood education and care. Surveys show that open kindergartens can be good recruitment arenas for ordinary ECEC, especially for children with immigrant backgrounds.

From 2016, funds are being allocated so municipalities can intensify their efforts to inform and advise parents on ECEC provision in order to increase its use by children in low-income families and minority language children.

Children below compulsory school age are entitled to special needs education help if they have a particular need for it. This is not dependent on them attending kindergarten. In 2015, around 2.8 per cent of all children in kindergartens received such help. Amendments have been adopted in the Kindergarten Act concerning special needs education help that aim to improve knowledge and awareness of children's rights.

National strategy for language, reading and writing

The Government has launched a new language, reading and writing strategy, "*Language tracks*", for the period 2016-2019 with the aim of enabling children to follow the tuition better. Literacy is fundamental when it comes to mastering any subject. In the new strategy, children with language difficulties, pupils with learning disabilities, boys, minority language speakers, and high performing pupils are special target groups.

Completing education

73 per cent of pupils who start upper secondary education complete their education within 5 years (2015). 10 years after starting, the completion rate is around 80 per cent. More girls finish than boys.

One important condition for stable participation in the labour market is completing upper secondary education. Raising completion rates in upper secondary education is therefore important.

The target groups for the programme for improving completion rates in upper secondary education (2014-2017) are pupils who are at risk of not completing upper secondary education and young people aged 15-21 who are not in school or work. The programme contains national, regional, and local measures. Key elements of the programme are skills development for teachers, qualification measures for pupils and apprentices, and NAV-

advisers and psychologists in schools. The programme also includes grants for apprentices with special needs.

The "*Support for follow-up and pilot functions*" grant scheme for young people aims to facilitate more coordinated provision and closer follow-up for young people aged 14-23 who are, or who are at risk of ending up, neither in school nor work. The aims are to improve these young people's ties to school, well-being and skills, and to help improve their school performance and raise completion rates for upper secondary education. The scheme has been evaluated and this shows that 70 per cent of these young people have improved their ties to school and the labour market in the short term. The grant scheme has been expanded in 2016.

School support measures for children in care

Children with experience of the child welfare services often find school more difficult than other children. The efforts to create a more suitable schooling and education situation for children in care were strengthened in 2014, and these efforts are continuing. For example, dialogue conferences between staff in the education and child welfare sectors have been held in every county in Norway and a digital guide on cooperation between the child welfare services and schools has been launched. A requirement has been introduced that all child welfare institutions must have someone with responsibility for schooling.

The 0-24 partnership - coordinated and comprehensive services

Early intervention for vulnerable children and young people requires well-coordinated services across sectors and administrative levels. Vulnerable children and young people are here defined as anyone up to the age of 24 at a high risk of developing health and social problems, not acquiring adequate skills in the educational system, marginalisation, and permanent exclusion. The overall aims are to improve the interaction between central and local government in order to reduce the dropout rate in upper secondary education and for more young people to be included in the labour market. The intention is to facilitate the greater development and provision of interdisciplinary and more effective follow-up by municipalities and county authorities in early childhood education and care, compulsory education, healthcare, the child welfare services, and NAV.

School guides for Roma pupils

In 2011, the City of Oslo established the "Roma guides" scheme with the aim of improving communication and understanding between schools and Roma families, and the chances of Roma children completing their schooling.

Expertise for Diversity

The *Expertise for Diversity (2013-2017)* initiative aims to ensure that multilingualism is valued and taken account of in children's educational careers. The aim is, as far as possible, to get minority language speaking children and young people to complete their schooling.

Efforts to combat bullying

The report *Belonging: Instruments for a Safe Psychosocial Environment* reviewed the measures aimed at combating bullying and proposed a series of measures. The authorities will follow up the recommendations with clearer rules, greater expertise in prevention and management, and make it easier for bullying victims and their families to get information about how they pursue their cases. A duty to act will be introduced with the aim of achieving more effective procedures for complaints. The Government will continue to support local bullying response teams and support anti-bullying programmes.

A skills pack has been created to improve the ability of schools and kindergartens to prevent and deal with bullying, for example through training measures in Sami environments.

The Government has, from 2016, established a more binding anti-bullying partnership. The partnership involves organisations that organise both school and kindergarten owners, staff in schools and kindergartens, parents, and pupils.

Primary and lower secondary school teachers' qualifications

In its strategy for the *Promotion of the Status and Quality of Teachers* the Government launched several reforms aimed at creating schools in which pupils learn more. New qualification requirements have been introduced for teachers and stricter requirements apply to those who want to teach Norwegian, English, and Mathematics. The *Promotion of the Status and Quality of Teachers* strategy also encompasses Sami language.

To help ensure that more teachers meet the requirements, the Government has started a major further education project for teachers. In 2015, more than 5,000 teachers took further education with government funding. The scheme has been continued in 2016.

National minorities

The National Centre for Multicultural Education has produced information and teaching materials about national minorities for use in kindergartens and schools. A project aimed at facilitating teaching and the use of ICT during periods when Romani people/Tater families are travelling has been completed. The dissemination of experiences from this to staff in kindergartens and schools was a key part of the project.

Children seeking protection

Cf. observation 52.

Children of asylum seekers are not entitled to a place in ECEC before applications for residency have been granted and the family settled in a municipality. A government funding scheme pays for full-time ECEC from the age of 4 years if places are available. From autumn 2016, funds are available to cover free core hours in ECEC for 2-3 year-olds in families who have been granted residence but are still living in a reception centre.

Education is both a right and an obligation for all children of compulsory school age (6-16 years old). The right applies from the moment it is likely that the child will remain in Norway for 3 months. In practice this means that children seeking protection must be offered education as soon as they arrive in Norway. The legality of their residence is of no consequence vis-à-vis the right to compulsory education. The duty of the child to participate in the education applies once they have been in Norway for 3 months. From 2014, people aged 16-18 who are applying for a residence permit are also entitled to upper secondary education or primary and lower secondary education for adults if it is likely that they will be in Norway for more than 3 months. From June 2016, young people who are entitled to an upper secondary education can receive more primary and lower secondary education before, or in combination with, this. The right to education for people aged 16-18 lapses in the event of a final rejection of their application for a residence permit. Unaccompanied asylum-seeking minors with time-limited residence permits or rejections are entitled to apply for funds for skills development so that they are better equipped for employment in their homeland.

b) Aims of education

See Norway's updated information sent to the Committee on 27 November 2009. The objects clause of the Education Act applies from 1 January 2009.

A new Independent Schools Act came into force in 2015. New schools and operational changes at existing schools can be approved subject to certain criteria, for example philosophy, educational direction, and specially adapted education.

c) Cultural rights of indigenous children and children in minority groups

Cf. observation 61.

Funds are allocated every year for Sami cultural purposes. These are administered by Sámediggi (the Sami Parliament). Children and young people are an important target group in Sámediggi's culture policy.

A grant scheme aimed at revitalising the Kven language and promoting Kven/Norwegian Finnish culture was established in 2015. The scheme contributes to the operation of two centres that arrange courses and activities.

The Sami Language Committee was established by the Government and Sámediggi in 2014 and will submit an official report in autumn 2016.

d) Education on human rights

The school's role in preventing violence and sexual abuse has been strengthened. A number of competence aims have also been drawn up concerning gender equality.

e) Leisure

Framework conditions for the voluntary sector

In 2015, the Government published the *Declaration on Voluntary Work – Declaration on the Government's Interaction with the Voluntary Sector*. A number of government instruments are used to encourage voluntary activities and these benefit NGOs.

NGOs can be compensated for the VAT they pay when purchasing goods and services.

The Government's Free Fund Scheme aims to encourage the active local participation of children and young people and to improve the framework conditions for NGOs and groups' member-based activities at a local level. The scheme is funded by lottery funds, and is intended to reach a broad range of organisations and groups with various purposes and activities.

The Inheritance Act was amended in 2015. Legacies from people without heirs will now fall to NGOs that work with children and young people, including children with disabilities.

Lottery funds allocated to sports are a valuable source of income for sports in the voluntary sector.

Collaboration with NGOs

The importance of NGOs is reflected by the Government's support and grant policy, cf. the description of sports below.

Support is given to the national and international work of NGOs for children and young people through a grant scheme that provides core funding. The scheme facilitates participation in organisations.

Organisations for children and young people provide important arenas for self-development, self-expression, and learning about democracy, as well as for promoting the views of children and young people. The ministries confer with such organisations when formulating and implementing government policy.

Norway participates in the EU's Erasmus+ (2014-2020) programme, which is about education, training, sports, and youth work. The programme gives young people an opportunity to take part in voluntary work, courses and international exchanges.

Social media

Social media provides new opportunities to get involved and participate, but also presents risks like involuntary exposure, threats and bullying.

The Norwegian Media Authority's Safer Internet Centre is the national coordinator for the work on ensuring that children and young people have a safe digital experience. The Safer Internet Centre works with and advises organisations, ministries, and companies.

The Media Authority conducts children and media surveys to analyse media usage. Findings from the surveys provide part of the background for measures and information from both the Media Authority and a number of other organisations.

The Media Authority has in recent years arranged the YOUNG & DIGITAL conference, which has covered subjects such as online hate speech.

Norwegian Youth Festivals of Arts

The Norwegian Youth Festivals of Arts is a nationwide cultural initiative for children and young people aged 10 and upwards. Participants have a chance to perform in various ways and meet others their age who are interested in culture at local and regional festivals of arts. The initiative receives regular support via the national budget.

Talent Norway has focused on talent development within the arts and culture since 2015. The initiative's target group is young, gifted people with an aptitude for a long-term career within the arts of culture at a high international level.

Cultural provision for children with disabilities

Dissimilis works actively to ensure there is space for children and young people with disabilities in the cultural landscape. Dissimilis receives core funding from the Government.

Teater Manu is the only sign language theatre in Norway and performances include both sign language and speech. The theatre receives core funding from the Government.

The Norwegian Library of Talking Books and Braille is a public initiative that produces and lends out general literature, including literature for children and young people, in audio and Braille format.

Arts Council Norway

The Arts Council Norway gives out grants for cultural activities aimed at children and young people. *Enhancing the Arts for Children and Young People* was a development programme that ran from 2008 to 2015 and aimed to develop interesting and relevant art projects for children and young people within all forms of art. The aim was to increase the recognition of, quality of, and interest in art for children and young people. The programme contributed to positive developments in the field.

Grants

From 2012, both school bands and children's and youth orchestras have been covered by a grant scheme for purchasing musical instruments.

Children and young people are priority target groups in sports policy. The Government wants to lower the threshold for participation in sports and physical activity. Annual grants to local sports clubs/associations contribute to this. The available funds doubled between 2012 and 2016.

Participation in sport

Around 85 per cent of all Norwegian children will be members of a sports club at some point during their primary school years. Organised sports are the most important organised recreational activity for young people. However, there has been a slight drop in the number of young people who are active members. The Norwegian Olympic and Paralympic Committee and Confederation of Sports (NIF) has clear goals concerning limiting dropout rates and improving opportunities for participation in a sport.

The Government's grants to NIF are intended to maintain and develop good provision and help ensure that organised sports are inclusive and open to all. Studies show that children and young people with minority backgrounds participate less in organised activities and that girls with minority backgrounds participate less often in sports clubs than boys with minority backgrounds. Their participation is generally hindered by cultural and financial obstacles.

The *Inclusion in Sports Teams* grant scheme is intended to be used for initiatives aimed at persons aged 6-19 with immigrant backgrounds, with a special emphasis on girls, and children and young people from families facing financial challenges. The aim of the scheme is to include new groups in the ordinary activities of sports clubs.

Sports for children with disabilities

Sports for children with physical or developmental disabilities are a priority. In 2015-2016, earmarked funds were distributed to NIF for its work for athletes with disabilities. The funds are also meant to be invested in sports for the intellectually disabled. Funds were earmarked for equipment in 2014-2016.

Sports facilities

One of the most important instruments in the Government's sports policy is grants for constructing facilities. Facilities provide arenas for local sports activities for children and young people throughout Norway. Grants for the development and rehabilitation of sports facilities in municipalities increased by 72 per cent from 2012 to 2016. The facilities must incorporate universal design principles.

9 Special protection measures

a) Child refugees and unaccompanied asylum-seeking minors

Parts of observation 52 are responded to in the reporting on the Optional Protocols.

Living conditions for children during the asylum seeking process

The *Living Conditions for Children during the Asylum Seeking Process (2015)* survey has surveyed and identified the scope and quality of services and initiatives for children during the asylum seeking process. The survey's primary focus was on the children's experiences of living in reception centres. It shows that during the asylum seeking process children have higher rates of social and mental problems than their peers. It also shows that as normal as life as possible is important in counteracting these problems. Kindergarten, school and recreational activities are highlighted as the most important factors.

Representation arrangement

Cf. observation 52 (b).

In July 2013, Norway introduced a statutory representation arrangement for unaccompanied asylum-seeking minors. The representative must perform all of the duties of an ordinary guardian, as well as some special duties. The representative must safeguard the minor's interests in the asylum case, including attending interviews with the authorities, assisting investigations into identity, age, etc., helping to trace parents, and liaising with the minor's lawyer.

Age determination procedures

Cf. observation 52 (d).

Most unaccompanied asylum-seeking minors lack documentation confirming their identity and age. Medical examinations to determine age are an important tool for the immigration authorities when doubts about someone's age exist. These examinations are not regarded as violations of the child's integrity. The results of a medical examination are one of several factors included in an overall assessment. Other factors could be the information provided by the applicant, their credibility, any identification documents, and the interviewer's, reception centre staff's, and guardian's impression of the applicant's age. The Norwegian Organisation for Asylum Seekers (NOAS) and Save the Children Norway have claimed that the Norwegian Directorate of Immigration (UDI) uses medical examinations to determine age too frequently.

The Ministry of Justice and Public Security has been in dialogue with the UDI concerning their age determination procedures, and believes that the assessments the UDI makes about whether there are doubts about someone's stated age appear well founded.

Processing applications for asylum

Efforts are constantly being made to improve case flow and efficiency in immigration administration. Cooperation between the various agencies in immigration administration has been prioritised.

Given the significant increase in the arrival of asylum seekers in autumn 2015, funds for processing asylum cases were increased. At the same time, new efficiency measures have been implemented or are being considered with the aim of, among other things, ensuring that

asylum interviews are conducted more quickly and efficiently. The number of pending asylum cases in the UDI was halved in the first 6 months of 2016.

Cf. observation 52.

The Immigration Act stipulates that weight must be given to the best interests of the child when assessing the need for protection from persecution. The UDI has guidelines for processing applications for protection from unaccompanied asylum-seeking minors. The perspective of the child is particularly relevant when considering evidence and assessing which risks might provide a basis for protection. In assessing the evidence the immigration authorities must take into account the fact that the child's age, maturity, and mental health may affect their ability to substantiate statements and submissions. What might be regarded as persecution or inhumane or degrading treatment, etc. can also differ when the assessment concerns a child rather than an adult.

The Immigration Act also explicitly stipulates that the best interests of the child must be a primary consideration when considering a residence permit because of strong humanitarian considerations or a special connection with Norway when this involves children. It also stipulates that a child may be granted such a residence permit even if the situation would not be serious enough to warrant an adult being granted one.

In December 2014, amendments were made to the Immigration Regulation's provisions concerning residence permits granted due to a child's connection to Norway. No specific figure concerning the number of years a child must have been resident to get a residence permit based on connection has been set. A specific discretionary assessment must be made. One fundamental consideration must be the length of time the child has lived in Norway compared to their age. Any rejection must be justifiable based on the best interests of the child. The scheme was evaluated after a year and the proportion of families with children who have lived in Norway for a long time (more than 4 years and 4 months, including 1 year of school) who have had decisions reversed and thereby obtained a residence permit has increased from 45 to 82 per cent.

In June 2015, Norway introduced a scheme in which a limited group of deported children had a chance to have their cases reassessed based on the new provision concerning residence permits due to the child's connection. The scheme applies to children deported between 1 July 2014 and 18 March 2015 and who at the time of deportation had lived in Norway for 4 years or more. 30 families were eligible for the scheme, 28 of which chose to request a reversal. Four families were granted residence following a reassessment.

A grant scheme for NGOs' work with children who have lived in Norway for a long time was established in 2015. The grant scheme applies for 2016 as well.

Unaccompanied asylum-seeking minors

Cf. observations 52 (e) and (f). The number of unaccompanied asylum-seeking minors that arrived in 2015 was much higher than in previous years. This was challenging for all parts of the system tasked with caring for this group. As of September 2016, significantly fewer children have arrived. Efforts are being made to ensure proper systems are in place for those who are here and those who may arrive in the future.

When unaccompanied asylum-seeking minors under 15 apply for asylum, they are offered accommodation in a care centre. The provision is governed by chapter 5A of the Child Welfare Act. The Norwegian Office for Children, Youth and Family Affairs (Bufetat) is responsible for the care of the child, but the care centre is responsible for providing the care

on behalf of Bufetat. Bufetat's responsibilities apply from the moment a child is transferred from the immigration authorities until the child is settled in a municipality or leaves Norway. Care centres must be properly run and the children who live there have the right to participate. County governors are responsible for supervising care centres and other child welfare institutions.

The number of care centres has increased from seven at the beginning of 2015 to 83 at the beginning of 2016.

In autumn 2015, establishing enough places in care centres to meet the high numbers of unaccompanied asylum-seeking minors that were arriving was a challenge. The rules for approval, quality, residents' rights, and supervision that apply to child welfare institutions also apply to care centres. Complying with the Regulation governing quality requirements and internal control in child welfare institutions can be challenging in such extraordinary situations. A new provision stipulating that dispensations from the quality requirements can be granted in extraordinary situations came into force in 2015. However, the services children receive must always be justifiable given the circumstances. The provision applies both to child welfare institutions and care centres.

The UDI is responsible for the care of unaccompanied asylum-seeking minors aged 15-18 living in reception centres and must ensure that they receive the necessary care and security as long as they are living in a centre. The day-to-day responsibility is delegated to the centre where the child lives. Unaccompanied minors are offered places in special centres or sections designed for this group. This provision is currently not regulated by law, but is regulated by a series of instructions issued by the UDI to the centres. These instructions impose upon the centres a duty to ensure that the minors receive the necessary follow-up and that they are provided with good care and a good developmental environment.

The King in Council can decide to extend chapter 5A of the Child Welfare Act concerning care centres for minors to cover children over 15 as well. This option has not yet been used.

The Child Welfare Act applies to all children in Norway, including asylum seekers. Responsibility for notifying municipal child welfare services in the event of concern for a child was clarified in a circular to Norway's municipalities, reception centres, and care centres in 2010.

In 2016, joint training seminars were held for staff in reception centres and child welfare services to help ensure that vulnerable children and young people in centres were ensured good, correct and timely follow-up.

Settling

Municipalities that settle unaccompanied refugee minors receive a special subsidy from the Government per settled unaccompanied minor. The aim is to ensure that unaccompanied minors can be settled as quickly as possible with good care provision tailored to the individual and local circumstances. Municipalities will also receive an extra lump-sum subsidy per unaccompanied minor settled in 2016 to increase settlement rates for unaccompanied refugee minors.

Health services

A guide on health services for refugees, asylum seekers, reunified family members is available. Specific measures are being considered to improve the psychosocial follow-up of unaccompanied asylum-seeking minors.

A guide on communication via interpreters in health and care services is helping improve arrangements for using interpreters. Children should not be used as interpreters. It puts children in a difficult role and can be detrimental.

The *National Strategy for Immigrant Health (2013-2017)* aims to help ensure that everyone with an immigrant background receives good quality, equal health and care services tailored to their linguistic and cultural circumstances. The strategy is of relevance for children with immigrant backgrounds.

A Regulation from 2012 concerning the right of people without permanent residence in Norway to health and care services stipulates that children have almost the same right to the health and care services they need from the municipality and specialist health services as children permanently resident in Norway. The right applies irrespective of whether they are in Norway legally or not.

b) Children belonging to ethnic minority groups or of indigenous origin

Cf. observation 61.

Integration policy

The aim is for all children to feel included and respected, irrespective of creed and cultural background. The white paper *From Reception Centre to the Labour Market – an Effective Integration Policy* presents efforts to ensure that immigrants have access to public services such as early childhood education and care, school, and health services. The Government will also implement further measures in the efforts against discrimination, radicalisation and hate speech.

Measures against anti-Semitism

Norwegian efforts against anti-Semitism need to be strengthened. Therefore, the Government will present an action plan against anti-Semitism in autumn 2016.

In 2015 and 2016, extra funds were granted to the Mosaic Religious Community to finance several information initiatives. The goal is to reduce the occurrence of anti-Semitism and increase knowledge about Jews and Judaism. A number of the initiatives are aimed at children and young people, including the Jewish pathfinders initiative, which was inspired by the Sami pathfinders.

c) Homelessness

Homelessness impacts children in various ways. The last survey (2012) found 679 children who, together with their family, were homeless. This is a marked increase since the 2008 survey when the figure was 400. Other children are affected by homelessness more indirectly via a visiting parent being homeless. Most homeless families with children are living temporarily with friends and family, in temporary housing provision, or in various institutions. Only two families were found to be living on the streets. A new survey will be conducted in 2016.

d) Child exploitation

Economic exploitation of children

Cf. previous reports.

Use of children in illicit drug production and trafficking

No special initiatives concerning this exist.

Abduction, sale and trafficking

Cf. observation 54.

The extent of human trafficking involving children in Norway is believed to be low. To date there have been around 10 convictions in the area of human trafficking that includes minors. According to the Coordinating Unit for Victims of Trafficking (KOM), 36 minors were followed up as potential victims in 2014. KOM has been made a permanent scheme and several police districts have established their own groups/projects to combat human trafficking.

A new action plan to combat human trafficking (2011-2014) was drawn up based on experiences from the previous plan, and another new plan is now being prepared. The Council of Europe's monitoring body, GRETA, evaluated Norway's efforts to combat human trafficking in a report from 2013. The recommendations will be followed up.

The report *"Not our children. The identification and follow-up of minor victims of human trafficking in Norway"* was launched in 2015. It was followed up in 2016 by the survey *"Follow-up of minor victims of human trafficking in Norway"*, which provides insights into the experiences of the police, child welfare services, and UDI in connection with cases involving 139 minors in which human trafficking was suspected. A report was also prepared in 2016, *"They said I had to"*, which describes children's own experiences. Information from children who have arrived in Norway indicates the coercion they have experienced and how children have to take responsibility for themselves and experience insecurity and threats both under way and when in Norway.

If the child welfare services suspect that a child might be a victim of human trafficking or receives a report of this, they must investigate the matter as soon as possible and, together with the police, assess the child's risk situation and needs. The necessary measures must then be implemented to protect and safeguard the child in the best possible manner. The immigration authorities must also be notified.

Child victims of human trafficking can be placed in a child welfare institution without consent. In 2012, new provisions were added to the Child Welfare Act concerning human trafficking with the aim of providing children with protection and care. It is important to safeguard the legal rights of the child, and the conditions that must be met before a placement is made are clear and strict. The restrictions must not be more intrusive than necessary. Cases must also be reviewed by the County Board for Child Welfare every 6 weeks.

Other forms of exploitation

A ban on using children as interpreters came into force in 2016. The ban applies to contact between the authorities, i.e. any government or municipal body, and private individuals. An exemption applies when this is necessary to avoid loss of life or serious injury, and in other emergency situations. An exception can also be made when, out of consideration for the child and other circumstances, this is deemed warranted. The ban was in part introduced because of articles 3 and 36 of the Convention.

e) Children who have been victims of, or witnesses, to crime

Cf. observation 59.

Children's Houses

Cf. also observation 56 (b).

The Children's House in Tromsø has, since 2012, had national responsibility for following up Sami speaking children and providing them with the same quality of assessments, follow-up and treatment as Norwegian speaking children.

There are eleven Children's Houses, five of which have been established since 2010.

Questioning children

When the new rules on questioning children entered into force in 2015, the scope of the rules was extended. Now all questioning of children under 16 who are victims or witnesses in cases concerning sexual offences, FGM, violence in close relationships, murder, or bodily harm, must take place as facilitated interviews. As a rule, such interviews must take place in a Children's House. Legal medical examinations, counselling and treatment are also carried out in Children's Houses. In principle, children who have been questioned in facilitated interviews will not need to give testimony in court, since video recordings of interviews can be used.

The first interview is normally conducted without the suspect being charged and notified of the interview. This is intended to lower the threshold for reporting to the police and to minimise the risk of the child being subject to new abuse and threats in the intervening period between the report and the interview. The child welfare services have, as a main rule, the right to monitor interviews.

Access to supplementary interviews has been expanded. This means that, if necessary, children will have more time to adjust to, and feel secure in, the interview situation. Such expanded access is also a prerequisite for ensuring the first interview can be held without the suspect being alerted.

The time-limit for conducting interviews has been changed with the introduction of differentiated time-limits of 1-3 weeks. Efforts are always made to conduct the interviews within the statutory time-limits, and initial reports show that the waiting period has decreased considerably since the amendments entered into force.

Interviews of children below school-age are now divided into a number of interview sequences, which gives the child more time to establish a rapport with the interviewer and broach the subject. Such interviews provide better evidence and facilitate the conviction of more people who assault children.

Questioning children and young people requires expertise in child-related areas, investigations, the law, and interrogation methods, and is conducted by a police detective with special training in questioning children.

Duty to investigate child deaths

Such investigations are generally conducted when there are reasonable grounds for investigating whether anything criminal has taken place. Following an amendment in 2011, an investigation can now take place when a child dies suddenly and unexpectedly, even if there are no grounds for suspecting anything criminal has taken place. According to the Regulation, in such cases the police must commence an investigation except when it is obvious that the death was not due to a criminal act.

f) Sentencing

Cf. observation 58 (a) and (f).

At 15, the minimum age of criminal responsibility remains unchanged in the new General Civil Penal Code.

One of the goals is to avoid imprisoning children. Other forms of sanction should be used to the extent possible. Two new non-custodial sanctions for offenders who were under 18 at the time of the offence were implemented from July 2014. These sanctions are based on the principles of restorative justice. Both sanctions require the consent of the offender and their guardian(s). In less serious cases the sanction may be imposed by the courts as a condition for a suspended prison sentence or by the prosecuting authorities. When it comes to more serious crimes the sanction is imposed by the courts and is an alternative to a prison sentence or stricter community service.

In principle, the new sanctions can be imposed for all types of offences, but some offences, such as murder or grave sexual offences, are so serious that it is hard to substitute an unconditional prison sentence with alternative sanctions.

The aim of the new criminal sanctions is to prevent children and young people from continuing to commit crimes. To this end, two prerequisites are necessary: multi-agency cooperation and the involvement of the young peoples' networks. A time-limited, personal, interdisciplinary plan is drawn up together with the young person that they are obliged to follow. The young person must take responsibility and work on developing in a positive direction. This criminal sanction is thus in many ways more demanding than serving a prison sentence.

The Mediation Service is responsible for implementing the new sanctions.

Prison sentences

The number of imprisoned children has decreased dramatically in recent years. In 2010, the figure was 84 and in the five subsequent years the figures were 75, 71, 29, 28 and 25. Following an amendment in 2012, people who were under 18 at the time of an offence may only be given an unconditional prison sentence when this is "particularly necessary". The Supreme Court afforded the amendment relevance also before it came into force. A person who is under 18 cannot be sentenced to preventive detention, except in "wholly exceptional circumstances". The more widespread use of community service orders for young offenders instead of unconditional prison sentences is also permitted. Being young has traditionally been a mitigating factor in Norwegian criminal justice and this is also prescribed by law in the General Civil Penal Code.

Alternative measures

The Child Welfare Act authorises the imposition of measures for children who have exhibited serious behavioural problems, such as serious or repeated offending. It is important to use family and community-based measures. A number of measures and methods have been developed for children and young people with serious behavioural problems.

g) Children in prison

Cf. observation 58 (b).

When the imprisonment of a child is necessary, it is done in accordance with law. The Constitution stipulates that any deprivation of liberty must be authorised by law and that no one may be sentenced except according to law, or be punished except after a court judgement.

Amendments concerning pretrial detention for children came into force in 2012. These included the introduction of a shorter time-limit for bringing charged minors before the courts

to request detention. They must be brought before the courts as quickly as possible and no later than the day after arrest, unless this is a weekend day or similar. The time-limit is then extended by one day. Minors in pretrial detention may not be put in solitary confinement. To make it clear that the threshold for placing a child in pretrial detention is meant to be high, the wording of the Act has been changed to read that children "shall not be imprisoned unless it is compellingly necessary".

Following a legislative amendment in 2012, the child welfare services have a duty to attend pretrial detention hearings. They must express an opinion on the need for measures and describe any measures that have been implemented.

The criminal justice sector, health sector, education department, and child welfare services work together to find the best possible measures for children during and after detention.

Special regulations for juvenile prisoners came into force in 2015. These are intended to help address minors' needs during pretrial detention and sentences. As a rule, minors must be placed in a juvenile unit with a multi-disciplinary team addressing their needs and preparing for their release.

Prisoners under 18 can receive visits from family members and apply for financial support to facilitate this. Children can receive weekly, or more frequent, visits and are always entitled to receive at least one visit a month. Children must be able to make telephone calls as needed and are entitled to at least three 20-minute telephone calls a week.

Stricter conditions, shorter time-limits, special routines for reporting to superiors, and a requirement for "continuous supervision" apply to juvenile prisoners in relation to exclusion from company with other prisoners and the use of coercive means. Minors may no longer be put in immediate exclusion.

Separation from adults

Cf. observations 6, 7 and 58 (c).

The reservation concerning the duty to keep children separate from adults cannot be lifted at this time. Prior to 2009 there were no prison units for minors. Were Norway to comply with both the principle of the separation of adult and juvenile prisoners and the principle of proximity, one would risk that the few juvenile prisoners would be completely isolated. However, separate juvenile units for juvenile prisoners have been established in a trial project. The aim is to avoid minors either having to serve sentences or endure pretrial detention together with adults or in isolation. An evaluation report recommends that juvenile units be made permanent on the condition that the resources continue to be made available.

Deprivation of liberty pursuant to the Immigration Act

Work is ongoing on improving and clarifying the regulations for the arrest and detention of children and families with children in immigration cases.

h) Reintegration

Cf. observation 58 (e).

Young people who have served a prison sentence are entitled to the same welfare benefits as others, including housing, work, schooling, health services, and financial advice. Multidisciplinary teams in juvenile units are tasked with ensuring that young people receive the help to which they are entitled.

The Education Act also applies to children in prison and juvenile prisoners who have not completed their education are particularly encouraged to participate in the education provision in the prison. Prisons must cooperate with schools on this. It is also possible to participate in education outside prison when this is considered safe from a security perspective.

i) [Training personnel](#)

Cf. observation 58 (d).

Police students receive tuition in the Convention. Law courses include the subject as part of their tuition on human rights. The Convention is also covered in the induction programme for new judges and is the topic of specific seminars for judges, lawyers, and psychologists.

j) [Children in armed conflicts](#)

In the event minors have participated in combat abroad on behalf of non-regular armed forces, this will present challenges in following up the Convention.

In 2014, the Government launched its *Action Plan against Radicalisation and Violent Extremism*. The plan contains several measures aimed at preventing adults and minors becoming radicalised, as well as measures aimed at giving returning foreign fighters and their families necessary and special follow-up. The measures include guidance for parents and routines for the Norwegian Police Security Service's notification to municipalities.

10 Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography

a) Follow-up of the Committee's recommendations

See special protection measures, abduction, sale and trafficking of children, and the response to observation 54. Also see the section on sexual exploitation and abuse, and the response to observation 56.

b) Measures for implementing the Optional Protocol

Criminal liability and sentencing

Pursuant to the General Civil Penal Code, purchasing sexual services from minors can be punished by up to 2 years in prison. People who cause a person under 18 to perform acts equivalent to sexual intercourse with themselves in return for payment are also covered by an amendment in 2009. The penalty has also been raised to 3 years imprisonment if the incident occurred in a particularly offensive manner.

Sentences for child pornography have been raised in recent years. Recent Supreme Court practice has also been to impose heavier penalties for human trafficking for prostitution, not least if the victim is under 18.

Investigation

Amendments were approved in 2016 that expand the police's ability to use coercive means, including monitoring communications and reading data, when investigating cases of serious human smuggling, human trafficking, deprivation of liberty, and images of child abuse.

Penal legislation's scope

To some extent, the General Civil Penal Code of 2005, which came into force in 2015, changed Norwegian penal legislation's scope with respect to acts committed abroad.

In the case of acts committed abroad by a person who is in Norway but is neither resident in Norway nor a Norwegian national, the act, with some special exceptions such as war crimes, must be a crime in both Norway and the other country and carry a penalty of more than 1 year imprisonment. Even if the perpetrator is not resident in Norway or the act is not punishable in the country in which it occurred, the penal legislation applies to acts that were committed abroad if the act carries a penalty of at least 6 years imprisonment and was aimed at someone who is a Norwegian national or is resident in Norway. The penal legislation also applies to acts that Norway, according to agreements with foreign states or international law, has a right or an obligation to prosecute.

Extraterritorial jurisdiction

The Norwegian police have investigated many cases where Norwegian nationals have been charged with/suspected of sexually assaulting children abroad and/or have taken photos or produced other presentations depicting the sexual abuse of children or that sexualise children.

c) Responsibilities of legal persons

Cf. first reporting on the Optional Protocol, Article 12.

d) Preventing and raising awareness about child exploitation

Blocking abuse material on the internet

To block access to abuse material and prevent the criminal distribution and display of such material, internet providers display a 'stop page' with information from the police instead of

the abuse material. The number of hits per day has decreased significantly since 2009, indicating that services other than websites are being used to access child abuse material. The Norwegian police work closely with others such as INTERPOL in the fight against the distribution of abuse material. An increased police presence online increases the perceived risk of discovery on the part of those searching for abuse material.

Identification of human trafficking victims

The immigration authorities bear special responsibility for the identification and follow-up of children who are potentially victims of human trafficking. In 2015, the UDI issued a new circular that provides guidelines and tools for identifying and following up residents in reception centres who may be victims of human trafficking. Reception centre staff bear a special responsibility if the resident is a minor.

Unaccompanied asylum-seeking minors who disappear from reception centres or care centres Cf. observations 52 (g) and (h).

Accommodation in reception centres is voluntary, also for unaccompanied asylum-seeking minors. Therefore, staff cannot hold back people who want to leave reception centres or care centres. However, it is a serious matter when children, especially those who arrive unaccompanied in Norway, disappear without a new address being provided. The staff at care centres must immediately investigate the situation and if a child disappears they must immediately contact Bufetat and report the child missing to the police. Similarly, the UDI have routines for following up cases where unaccompanied asylum-seeking minors disappear from reception centres, which include notifying the child welfare services, representative (guardian), lawyer, and police.

In 2014, the UDI established a new fast track process for cases involving select groups of unaccompanied asylum-seeking minors. The aims are to prevent disappearances before age determination examinations and adequate light has been shed on a case, avoid adults being placed in reception centres for unaccompanied minors, and identify people with a need for follow-up due to vulnerability.

e) Rehabilitation

The Immigration Regulation gave victims of human trafficking a statutory right to a residence permit in 2010. According to the Regulation, assumed victims of human trafficking will receive a limited residence permit for up to 6 months (period of reflection). The period of reflection is intended to ensure that victims of human trafficking have an opportunity to receive information and help in connection with their situation and to consider reporting the traffickers. At the end of the period of reflection a new residence permit may be granted on certain conditions. The current rules state that victims of human trafficking who have given evidence as such in a court case about human trafficking are entitled to residence permits that provide a basis for a permanent residence permit. Such permits can also be granted to foreign nationals who have given evidence in court or to the police in a case of human trafficking or pimping.

f) Protection of child victims of human trafficking

Victims of human trafficking are victims of criminal acts. The prosecuting authorities can close any cases against victims in cases of human trafficking with a conditional waiver of prosecution. This assumes that one is investigating cases in which the suspect proves to be a potential victim of human trafficking. In the experience of police prosecutors, such cases can be difficult to detect.

g) International cooperation

Extradition and mutual legal assistance in criminal matters

Norway participates in extensive cooperation on extradition, including in cases involving the sale of children, child prostitution and child pornography. Norway also actively contributes to fighting crime through other types of mutual legal assistance in criminal matters.

Abuse material on the internet

Norway is participating in the new initiative, WePROTECT Global Alliance against Child Sexual Abuse Online. Norway's participation affirms its recognition of the importance of cooperation between all relevant parties, the development of international measures, etc., and its desire to contribute to the development of measures.

11 Optional Protocol on the Involvement of Children in Armed Conflict

a) Follow-up of the Committee's recommendations

No special observations were made concerning the implementation of the Optional Protocol after Norway's fourth periodic report.

b) Minimum age for compulsory military service

Cf. first report concerning the Optional Protocol, points 3-9.

c) Minimum age for voluntary enlistment

Cf. first report concerning the Optional Protocol, points 3-9, and fourth periodic report, points 647-648.

d) Measures for implementing the Optional Protocol

Legislation

The Committee has previously recommended that the lower age limit for voluntary enlistment in the Home Guard be raised from 16 to 18, and that it be fixed by law that volunteers under 18 in the Home Guard are not subject to any form of military discipline. The recommendation concerning raising the age limit was responded to in the fourth periodic report, points 647-648.

A new Act on compulsory military service and active duty in the Armed Forces, etc. (Armed Forces Act) has been passed. In the preparatory work on the Act, it is emphasized that people under 18 are not subject to compulsory military service and that they cannot be given official duties in the Norwegian Armed Forces. It is also stressed that people under 18 who serve in the Armed Forces will not be provided with training in, or participate in, combat related activities and that they will immediately be excused from service in situations where Norway is at war or when war threatens, or when the Armed Forces have commenced force generation. Furthermore, it has been clarified that people under 18 are not subject to the military punishment and disciplinary system because they cannot be called up as conscripts.

It is the view of the authorities that this addresses the Committee's concerns and previous concluding observations concerning volunteers under 18 who join the Home Guard.

Dissemination and training

Norwegian soldiers receive tuition in relevant international law, including on the prohibition against using child soldiers. The prohibition is discussed in the manual on international law in war and other places. The manual is intended to make the regulations readily accessible. It was issued in 2013 and is regarded as a standing order from the Chief of Defence.

In advance of deployment on international operations, issues linked to the use of child soldiers will be included in the mission-specific education and training if relevant. For example, during preparations for the deployment of Norwegian forces to Iraq, special attention was paid to Convention provisions and the fact that vigilance should be exercised if it was suspected that Peshmerga forces were including minors in their forces. This raised the awareness of Norwegian personnel so that the subject could be brought up during the training of Peshmerga forces.

International assistance

Norway supports organisations that attempt to combat the recruitment of child soldiers (Child Soldier International).

f) Children's participation in armed conflict

See the discussion of foreign fighters under 9 (f).

g) Rehabilitation

The Government's *Action Plan against Radicalisation and Violent Extremism* increased the specialist health services' budget for trauma treatment for children and young people in 2015.

h) Identification of asylum-seeking children who need rehabilitation

Cf. observation 52 (a).

There is no special procedure for identifying vulnerable asylum seekers in general or children who have experienced armed conflicts in particular.

The Norwegian Directorate of Health recommends that municipalities offer asylum seekers a check-up within 3 months of arrival, but it is up to each municipality to do this.

i) Children charged with war crimes

No children have been charged with war crimes.