

# **COMMON CORE DOCUMENT - NORWAY**

## **Table of Contents**

<b><u>1. GENERAL INFORMATION ABOUT NORWAY .....</u></b>	<b><u>4</u></b>
<b><u>A. GEOGRAPHIC, ECONOMIC, DEMOGRAPHIC, SOCIAL AND CULTURAL INDICATORS OF NORWAY .....</u></b>	<b><u>4</u></b>
I) <u>GEOGRAPHICAL INDICATORS .....</u>	<u>4</u>
II) <u>ECONOMIC INDICATORS .....</u>	<u>5</u>
1) <u>General remarks</u>	
2) <u>Economic power</u>	
3) <u>Employment</u>	
III) <u>DEMOGRAPHIC FEATURES.....</u>	<u>12</u>
IV) <u>HISTORICAL BACKGROUND .....</u>	<u>15</u>
V) <u>SOCIAL AND CULTURAL FEATURES .....</u>	<u>15</u>
1) <u>Literacy rate and education</u>	
2) <u>Poverty</u>	
3) <u>Health</u>	
4) <u>National insurance scheme</u>	
5) <u>Crime and justice</u>	
<b><u>B. CONSTITUTIONAL, POLITICAL AND LEGAL STRUCTURE OF NORWAY .....</u></b>	<b><u>28</u></b>
I) <u>FORM OF GOVERNMENT .....</u>	<u>28</u>
II) <u>DEMOCRACY, POLITICAL PARTIES AND THE ELECTORAL SYSTEM.....</u>	<u>28</u>
III) <u>THE NORWEGIAN GOVERNMENT .....</u>	<u>30</u>
IV) <u>COUNTIES AND MUNICIPALITIES .....</u>	<u>31</u>
V) <u>LEGAL STRUCTURE.....</u>	<u>31</u>
VI) <u>MEMBERSHIP OF THE EEA .....</u>	<u>32</u>
VII) <u>RECOGNITION OF NON-GOVERNMENTAL ORGANIZATIONS.....</u>	<u>33</u>
<b><u>2. GENERAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF HUMAN RIGHTS .....</u></b>	<b><u>34</u></b>
<b><u>C. ACCEPTANCE OF INTERNATIONAL HUMAN RIGHTS NORMS.....</u></b>	<b><u>34</u></b>
I) <u>MAIN INTERNATIONAL HUMAN RIGHTS CONVENTIONS AND PROTOCOLS .....</u>	<u>34</u>
II) <u>OTHER UN HUMAN RIGHTS AND RELATED CONVENTIONS .....</u>	<u>37</u>
III) <u>CONVENTIONS OF THE ILO .....</u>	<u>37</u>
IV) <u>CONVENTIONS OF THE UN EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION .....</u>	<u>38</u>
V) <u>CONVENTIONS OF THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW .....</u>	<u>38</u>
VI) <u>GENEVA CONVENTION AND OTHER TREATIES ON INTERNATIONAL HUMANITARIAN LAW .....</u>	<u>39</u>
VII) <u>REGIONAL HUMAN RIGHTS CONVENTIONS.....</u>	<u>39</u>
<b><u>D. LEGAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS AT THE NATIONAL LEVEL.....</u></b>	<b><u>40</u></b>
I) <u>LEGISLATION .....</u>	<u>40</u>

II) <a href="#">COMPETENCES OF JUDICIAL, ADMINISTRATIVE AND OTHER PUBLIC AUTHORITIES CONCERNING HUMAN RIGHTS</a>	42
III) <a href="#">REMEDIES</a>	42
IV) <a href="#">THE EUROPEAN COURT OF HUMAN RIGHTS AND OTHER INTERNATIONAL INDIVIDUAL COMPLAINT PROCEDURE MECHANISMS</a>	43
<b>E. <a href="#">FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROMOTED AT THE NATIONAL LEVEL</a></b>	<b>43</b>
I) <a href="#">INTRODUCTION</a>	43
II) <a href="#">THE PARLIAMENT</a>	44
III) <a href="#">COUNTY ADMINISTRATIONS AND MUNICIPAL AUTHORITIES</a>	45
IV) <a href="#">NATIONAL HUMAN RIGHTS INSTITUTIONS</a>	47
V) <a href="#">DISSEMINATION OF HUMAN RIGHTS INSTRUMENTS</a>	52
VI) <a href="#">RAISING HUMAN RIGHTS AWARENESS AMONG PUBLIC OFFICIALS AND OTHER PROFESSIONALS</a>	53
VII) <a href="#">PROMOTION OF HUMAN RIGHTS AWARENESS THROUGH EDUCATIONAL PROGRAMS AND GOVERNMENTS-SPONSORED PUBLIC INFORMATION</a>	52
VIII) <a href="#">PROMOTION OF HUMAN RIGHTS AWARENESS THROUGH THE MASS MEDIA</a>	55
IX) <a href="#">ROLE OF CIVIL SOCIETY, INCLUDING NGOs</a>	55
X) <a href="#">BUDGET ALLOCATIONS AND TRENDS</a>	56
XI) <a href="#">DEVELOPMENT COOPERATION AND ASSISTANCE</a>	56
<b>F. <a href="#">REPORTING PROCESS AT THE NATIONAL LEVEL</a></b>	<b>57</b>
I) <a href="#">UN CONVENTION ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT</a>	57
II) <a href="#">UN CONVENTION ON CIVIL AND POLITICAL RIGHTS</a>	57
III) <a href="#">UN CONVENTION ON THE RIGHTS OF THE CHILD</a>	57
IV) <a href="#">UN CONVENTION ON THE ELIMINATION OF DISCRIMINATION OF WOMEN</a>	58
V) <a href="#">UN CONVENTION ON THE ELIMINATION OF RACIAL DISCRIMINATION</a>	58
VI) <a href="#">UN CONVENTION ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS</a>	59
VI) <a href="#">UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES</a>	59
<b>3. <a href="#">INFORMATION ON NON-DISCRIMINATION AND EQUALITY AND EFFECTIVE REMEDIES</a></b>	<b>60</b>
<b>G. <a href="#">PROTECTION AGAINST DISCRIMINATION – INTRODUCTION TO THE NORWEGIAN LEGAL FRAMEWORK</a></b>	<b>60</b>
I) <a href="#">THE GENDER EQUALITY ACT</a>	61
II) <a href="#">THE ANTI-DISCRIMINATION ACT</a>	62
III) <a href="#">THE ANTI-DISCRIMINATION AND ACCESSIBILITY ACT</a>	64
IV) <a href="#">THE WORKING ENVIRONMENT ACT (CHAPTER 13)</a>	65
V) <a href="#">THE EQUALITY AND ANTI-DISCRIMINATION OMBUD</a>	65
VI) <a href="#">THE EQUALITY AND ANTI-DISCRIMINATION TRIBUNAL</a>	67
VII) <a href="#">THE COMMISSION TO PROPOSE A COMPREHENSIVE ANTI-DISCRIMINATION LEGISLATION</a>	67
VIII) <a href="#">RATIFICATION OF SUPPLEMENTARY PROTOCOL NO.12 TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS</a>	68
<b>H. <a href="#">ORGANIZATION OF THE GOVERNMENT'S EFFORTS TO PROMOTE EQUAL RIGHTS AND PREVENT DISCRIMINATION</a></b>	<b>68</b>
I) <a href="#">GENDER EQUALITY</a>	69
II) <a href="#">EQUAL RIGHTS FOR GAY, LESBIAN, BISEXUAL AND TRANSGENDER PEOPLE</a>	69
III) <a href="#">EQUAL RIGHTS FOR PEOPLE WITH DISABILITIES</a>	71
IV) <a href="#">EQUAL RIGHTS FOR ETHNIC MINORITIES</a>	71
V) <a href="#">INDIGENOUS PEOPLES AND NATIONAL MINORITIES</a>	72

VI) <a href="#"><u>IMMIGRANTS</u></a> .....	74
VII) <a href="#"><u>ASYLUM SEEKERS</u></a> .....	76
VIII) <a href="#"><u>MIGRANT WORKERS</u></a> .....	76
IX) <a href="#"><u>FREEDOM OF CHOICE IN RESPECT OF WHERE TO LIVE</u></a> .....	78

## **1. GENERAL INFORMATION ABOUT NORWAY**

### **A. GEOGRAPHICAL, ECONOMIC, DEMOGRAPHIC, SOCIAL AND CULTURAL INDICATORS**

#### **I. Geographical indicators**

1. Norway is a monarchy situated in Northern Europe. It consists of the western and northern parts of the Scandinavian peninsula and the northern territories of Jan Mayen and the Svalbard archipelago, and Bouvet Island, Peter I Island and Queen Maud Land in the Antarctic. To the east, Norway shares borders with Sweden, Finland and Russia, and to the north, west and south the country is surrounded by ocean: the Barents Sea, the Norwegian Sea, the North Sea and the Skagerrak. Norway's mainland coast, including fjords and bays, is more than 20 000 km long. Although it is Europe's sixth largest country in terms of land area, Norway is sparsely populated and ranks only 28th in terms of population.

2. Norway is divided into 19 counties and 430 municipalities (2008).

3. Distances are long – the distance between the southernmost point and the North Cape is about 2 500 km. There are dramatic variations in the landscape, which encompasses fjords, glaciers, waterfalls, mountains, lowland, agricultural areas and large forests. Norway is one of the few countries in the world with fjords – deep indentations in the coastline formed by the scouring action of glaciers millions of years ago. The highest point is Galdhøpiggen (2469 m above sea level). Sixty per cent of the mainland is less than 600 m above sea level, 20% is 600–900 m above sea level and 20% is more than 900 m above sea level.

4. The weather fluctuates considerably from year to year, especially in the north, which is on the edge of the global temperate zone. However, given the country's extreme northerly position, its mainland climate is surprisingly mild. Norway is the northernmost country in the world to have open waters. This is due to the trade winds that blow east–west across the Atlantic to the American continent and the warm currents flowing from the Equator to the Norwegian Sea, where the angle of the Norwegian coastline and the open path to the Arctic Ocean guides the temperate air and waters to more northerly latitudes.

5. Norway covers an area of 385 155 km<sup>2</sup>. Seventy-nine per cent of Norway's 4 812 000 inhabitants (2009) live in urban settlements (919 urban settlements with populations of at least 200). In 2008 the proportional increase in the number of people living in urban settlements was greater than the proportional increase in the total size of the area covered by these settlements, which shows that land use is becoming increasingly efficient. The average population density of urban settlements in Norway was 1 615 on 1 January 2009, compared with 1 595 on 1 January 2008.

## **II. Economic indicators**

### **1. General remarks**

6. Only a small percentage of Norway's land area is suitable for cultivation. However, the country is richly endowed with natural resources, including offshore petroleum and natural gas, various ores, fish, timber (75 000 km<sup>2</sup> is covered by productive forests) and hydropower. Norway is the sixth largest producer of hydropower in the world. The Norwegian hydropower sector has been designed to accommodate variations in the natural supply of water to power stations and to match production to with seasonal changes in demand. Thanks in part to these resources, Norway has become one of the world's richest countries per capita GDP, particularly in the offshore sector. This is partly due to its proximity to the important markets of western Europe, its easy access to energy, its well-developed industrial sector, its political stability and its high educational standard.

7. Norwegian industries are diversified, and there is a free market economy and generally low trade barriers. A significant share of the Norwegian economy consists of service industries, including wholesale and retail industries, banking, insurance, engineering, transport and communications, and public-sector services. In 2008, the services sector as a whole accounted for approximately 48% of GDP. Norway's petroleum industries, including exploration and extraction, accounted for 26% of GDP and about 49% of exports. Manufacturing accounted for just under 9% of GDP.

8. The major manufacturing industries are machinery, construction of ships and oil platforms, paper products, metal products, base chemicals and electrical and electronic equipment. All these industries are highly export oriented. The paper, metal and chemical

industries have benefited from the access to hydropower and to some extent also to raw materials.

9. The discovery of substantial petroleum deposits in the Norwegian sector of the North Sea in the late 1960s and the start of North Sea oil production in 1971 has resulted in a well-developed petroleum sector. From the beginning of the 1970s this sector has accounted for the highest growth in the economy.

10. The exploitation of petroleum resources on the Norwegian continental shelf has had a major impact on the economy, and in 2008 Norwegian petroleum production totalled approximately 242 million standard m<sup>3</sup> of oil equivalents (scm o.e.). Norway is the world's fifth largest oil exporter and the third largest gas exporter.

## 2. Economic power

11. In 2008 Norway's GDP amounted to NOK 2 548 billion, or approximately USD 452 billion (average rate of exchange in 2008). 2008 GDP was 2.1% higher than in 2007 in constant prices. In 2007 total foreign assets amounted to NOK 5 548 billion and liabilities to NOK 1 350 billion, resulting in a net external debt of NOK 4 198 billion.

	2004	2005	2006	2007*	2008*
Gross domestic product (GDP) NOK million	1743 041	1945 716	2159 573	2277 111	2548 322
Annual growth rate	3.9	2.7	2.3	3.1	2.1
Gross national income (GNI) NOK million	1 746 397	1 959 166	2 161 141	2 293 478	2 571 585
NOK per capita GDP	379 600	420 851	463 360	483 550	534 440
NOK per capita GNI	380 331	423 760	463 697	487 026	539 319

12. Since 1970, annual economic growth has averaged 3.4%. Norway experienced strong economic expansion from 2003 to 2007, with an annual average growth in mainland GDP of 5%. Growth in the mainland economy reached 6% in 2007, but declined to 3.2% in 2008, according to provisional national accounts figures.

13. The cyclical peak was passed at the turn of the year 2007/2008, and the Norwegian economy is now experiencing a downturn. The turnaround began with a slowdown in housing investment, which became more pronounced during 2008. A decline in the demand for consumer durables followed, and there was a clear downward shift in consumption in 2008. The turnaround was intensified by the international financial crisis and the global economic downturn. However, the impact of the crisis has not been as severe in Norway as in most other countries, and this situation is expected to continue in the time ahead. The effects on demand of monetary and fiscal policy stimulus are expected to limit the downturn, and private consumption is forecast to rise again in the course of 2009. Petroleum investment is expected to remain high in 2009. Exports, mainland business investment and housing investment will reduce economic activity. Mainland Norway GDP is projected to fall by 1% this year, but to rise again in 2010 to an estimated ¾%.

#### 14. Public administration. Expenditures

	2004 (mill. NOK)		2005 (mill. NOK)		2006 (mill. NOK)		2007 (mill. NOK)		2008 (mill. NOK)	
	Per cent		Per cent		Per cent		Per cent		Per cent	
<b>COF06 Housing and Community</b>	5727	0.8	3887	0.5	4639	0.6	5190	0.6	6461	0.7
<b>COF07 Health</b>	12665 4	17	13289 7	17.3	14068 4	17.1	15261 8	17.5	16197 0	16.9
<b>COF09 Education</b>	10420 7	14	10730 6	14	11279 2	13.7	11916 0	13.6	12810 7	13.4
<b>COF10 Social services</b>	30108 2	40.5	31142 6	40.6	32863 8	40	34986 3	40	38189 1	39.9
<b>Social expenditures</b>	53767 0	72.3	55551 6	72.4	58675 3	71.4	62683 1	71.7	67842 9	70.9
<b>GDP</b>	17430 41		19457 16		21595 73		22771 11		25483 22	
<b>Social expenditures/GDP</b>		0.31		0.29		0.27		0.28		0.27
<b>Public expenditures/GDP</b>		0.43		0.39		0.38		0.38		0.38

15. The Government Pension Fund was established in 2006, and encompassed the former Government Petroleum Fund and the National Insurance Scheme Fund. The purpose of the Government Pension Fund is to facilitate government savings necessary to meet the rapid rise

in public pension expenditures in the coming years, and to support a long-term management of petroleum revenues.

16. The Ministry of Finance is responsible for managing the Government Pension Fund. The Ministry determines the general investment strategy of the Pension Fund and its ethical and corporate governance principles. Operational management of the Government Pension Fund – Global has been delegated to Norges Bank and of the Government Pension Fund – Norway to Folketrygdfondet.

17. The total market value of the Government Pension Fund was NOK 2 363 billion at the end of 2008, an increase of NOK 227 billion from 2007. Inflow of petroleum revenues amounted to NOK 384 billion, but negative developments in the financial markets reduced the value of the Fund by approximately NOK 663 billion. A significant depreciation of the Norwegian krone, as measured against the currency basket of the Government Pension Fund – Global, increased the market value of the Fund by NOK 506 billion. However, changes in the Norwegian krone exchange rate do not affect the assessment of the Fund's international purchasing power.

18. Total accrued taxes as a percentage of GDP are estimated at 43.6 for 2007, and when adjusted for petroleum activities, the tax level is estimated at 46.2%. The main goals of the tax system are to finance public services and income redistribution. The tax system is intended to increase government revenues in ways that permit the optimal use of labour, capital and natural resources.

19. Inflation in Norway rose appreciably from 2007 to 2008. In particular, a sharp rise in energy prices led to consumer price inflation (CPI), which escalated from 0.8 to 3.8%. The rise in energy prices has fed through to other prices. The prolonged economic upturn resulted in a relatively sharp rise in costs, and contributed to higher inflation, excluding energy products. Underlying consumer price inflation, as measured by CPI adjusted for changes in excise duties and excluding energy (CPI-ATE), has increased slightly more than the inflation target since the summer of 2008. The effects of the economic downturn and lower energy prices will probably lead to lower inflation towards the end of 2009. CPI-ATE is forecast at 2.4% in 2009 and headline inflation at 1.8%.

### Consumer price index:

	Average annual index for CPI	Change rate
1980	40.2	11.0
1981	45.6	13.4
1982	50.8	11.4
1983	55.1	8.5
1984	58.6	6.4
1985	61.9	5.6
1986	66.3	7.1
1987	72.1	8.7
1988	76.9	6.7
1989	80.4	4.6
1990	83.7	4.1
1991	86.6	3.5
1992	88.6	2.3
1993	90.6	2.3
1994	91.9	1.4
1995	94.2	2.5
1996	95.3	1.2
1997	97.8	2.6
1998	100.0	2.2
1999	102.3	2.3
2000	105.5	3.1
2001	108.7	3.0
2002	110.1	1.3
2003	112.8	2.5
2004	113.3	0.4
2005	115.1	1.6
2006	117.7	2.3
2007	118.6	0.8
2008	123.1	3.8

### 3. Employment

20. There has been a significant increase in unemployment since 2008, when it reached a 20-year low of 2.4% in the third quarter of the year. However, it rose to 3.1% in the first quarter of 2009. The economic outlook indicates that the unemployment rate will increase to 4½% by the end of 2009 and to an average of 4¾% in 2010. Seven out of 10 women and almost eight out of 10 men are currently in employment. Fewer women and more men currently work part time than 10 years ago: 43% of working women and 13% of men now work part time. The employment rate among immigrants increased from 63.3% in the fourth quarter of 2007 to 64.2% in the fourth quarter of 2007.

Percentage of the total population in the labour force and unemployed persons as a percentage of the labour force.

Annual average 2006			Annual average 2007			Annual average 2008		
	Labour force	Un-employed		Labour force	Un-employed		Labour force	Un-employed
	72.0	3.4		72.8	2.5		73.9	2.6
15-19 years	43.2	11.6	15-19 years	44.8	10.4	15-19 years	49.9	11.8
20-29 years	80.3	5.5	20-29 years	80.6	4.0	20-29 years	81.8	3.9
30-39 years	87.9	3.4	30-39 years	88.7	2.0	30-39 years	89.8	2.0
40-49 years	87.8	2.4	40-49 years	88.6	1.7	40-49 years	89.4	1.5
50-59 years	81.1	1.4	50-59 years	81.9	1.1	50-59 years	82.8	1.3
60-66 years	51.0	1.3	60-66 years	53.8	1.1	60-66 years	54.0	0.9
67-74 years	9.0	0.9	67-74 years	10.5	0.7	67-74 years	11.3	0.1
Males			Males			Males		
	75.6	3.5		76.0	2.6		77.1	2.8
15-19 years	41.0	12.1	15-19 years	42.6	11.2	15-19 years	48.5	13.2
20-29 years	83.5	5.5	20-29 years	82.7	4.1	20-29 years	83.7	4.3
30-39 years	91.8	3.5	30-39 years	92.3	1.9	30-39 years	93.2	1.8
40-49 years	91.1	2.6	40-49 years	91.7	1.8	40-49 years	92.1	1.6
50-59 years	85.3	1.4	50-59 years	85.9	1.2	50-59 years	86.3	1.5
60-66 years	56.9	1.4	60-66 years	58.8	1.4	60-66 years	59.8	1.2
67-74 years	12.0	-	67-74 years	14.0	1.0	67-74 years	14.7	0.2
Females			Females			Females		
	68.3	3.4		69.5	2.5		70.7	2.4
15-19 years	45.6	11.1	15-19 years	47.0	9.8	15-19 years	51.4	10.4
20-29 years	77.0	5.5	20-29 years	78.4	3.9	20-29 years	79.7	3.5
30-39 years	83.8	3.3	30-39 years	84.9	2.1	30-39 years	86.2	2.2
40-49 years	84.5	2.1	40-49 years	85.4	1.6	40-49 years	86.6	1.3
50-59 years	76.7	1.4	50-59 years	77.8	1.0	50-59 years	79.3	1.1
60-66 years	45.0	1.2	60-66 years	48.7	0.8	60-66 years	48.3	0.7
67-74 years	6.2	2.4	67-74 years	7.4	0.2	67-74 years	8.2	-

Numbers of employed persons by major industries and age:

<b>Annual average 2008</b>		15-19	20-29	30-39	40-49	50-59	60-66	67-74
		years						
Total (thousands)	2524	139	464	601	601	495	194	30
<b>Unspecified</b>		1	0	1	0	0	0	-
Males		1	0	0	0	0	0	-
Females		1	0	0	-	0	0	-
<b>01-02 Agriculture and forestry</b>		56	5	4	8	15	13	8
Males		41	4	3	6	11	9	6
Females		15	2	1	2	4	3	2
<b>05 Fishing</b>		14	1	2	3	3	1	0
Males		13	1	2	3	3	1	0
Females		1	-	0	0	0	0	-
<b>11 Oil and gas extraction</b>		37	0	4	10	14	8	1
Males		29	0	4	7	11	7	1
Females		8	0	1	3	3	1	0
<b>10.12-14 Mining and quarrying</b>		5	0	1	2	1	1	0
Males		4	0	1	1	1	0	-
Females		0	-	-	0	0	0	-
<b>15-37 Manufacturing</b>		286	11	46	72	73	59	22
Males		213	7	33	54	55	44	17
Females		73	4	12	18	18	14	5
<b>40-41 Electricity, gas, water supply</b>		18	1	3	3	5	5	1
Males		14	0	2	2	4	4	1
Females		5	0	1	1	1	0	-
<b>45 Construction</b>		183	11	42	42	46	31	11
Males		172	10	41	40	42	29	10
Females		11	1	1	2	4	2	1
<b>50-55 Domestic services, hotels, restaurants</b>		430	65	111	93	82	52	24
Males		214	25	51	50	45	28	12
Females		217	39	60	43	37	24	12
<b>60-64 Transport and communications</b>		156	4	29	37	38	33	14
Males		117	3	20	28	28	26	11
Females		39	1	9	9	11	7	0
<b>65-67 Financial</b>								

<b>intermediation, real estate, business activities</b>								
	55	0	7	15	15	13	5	0
Males	29	0	3	9	7	6	3	0
Females	26	-	3	6	8	6	2	0
<b>70-74 Real estate, renting, business activities</b>								
	290	8	55	79	72	51	21	5
Males	187	4	33	51	46	34	15	4
Females	103	4	22	27	26	17	6	1
<b>75 Public administration and defence</b>								
	162	6	21	36	41	41	16	1
Males	85	5	14	16	21	22	7	1
Females	78	1	8	20	21	19	9	0
<b>80 Education</b>								
	220	2	28	56	45	60	25	3
Males	77	1	10	18	16	19	11	2
Females	143	1	18	38	30	41	14	2
<b>85 Health and social work</b>								
	502	17	86	122	127	108	37	6
Males	86	5	15	23	19	17	7	1
Females	416	12	71	100	108	90	30	4
<b>90-99 Other activities</b>								
	109	9	25	23	23	18	9	2
Males	51	4	11	10	11	10	4	1
Females	58	5	14	13	13	8	4	0

### III. Demographic features

21. The population of Norway is 4 812 000 (April 2009). Oslo, the capital and largest city, had a population of 575 475 in 1 January 2009.

Year	Population size (in millions)	Population growth rate (%)	Inhabitants (per km <sup>2</sup> )
2009	4 799 252	1.013	16
2008	4 737 171	1.012	16
2007	4 681 134	1.009	15
2006	4 640 219	1.007	15
2005	4 606 363	1.006	15
2004	4 577 457	1.006	15
2003	4 552 252		15

22. The table shows the population in rural and urban areas

Year	Population in rural areas (in millions)	Population in urban areas (in millions)
2009	1 009 435	3 780 068
2008	1 000 943	3 722 786
2007	1 012 003	3 655 391

2006	1 016 736	3 607 813
2005	1 027 690	3 560 137
2004	1 020 840	3 536 454
2003	1 014 854	3 514 417

23. With regard to the dependency ratio (percentage of population under 15 and over 65 years of age), approximately 26% of the population is below the age of 20, while approximately 13% is above the age of 66. About 50.1% of the population are women and 49.9% are men.

Year				
	Men		Women	
	>15	65<	>15	65<
2009	0.104	0.063	0.099	0.084
2008	0.105	0.063	0.100	0.084
2007	0.106	0.062	0.101	0.084
2006	0.107	0.062	0.102	0.085
2005	0.108	0.062	0.103	0.085

24. The table shows the birth rate and mortality.

Year				
	Birth rate		Mortality	
	(live births per 1000 inhabitants)		(deaths per 1000 inhabitants)	
2008	12.7		8.7	
2007	12.4		8.9	
2006	12.6		8.9	
2005	12.3		8.9	
2004	12.4		9.0	
2003	12.3		9.3	

25. The life expectancy of women is 83 years and of men 78.3 years (2008).

Year	2003		2004		2005		2006		2007		2008	
	Age	m	w	m	w	m	w	m	w	m	w	m
0	77.04	81.93	77.5	82.33	77.72	82.52	78.12	82.66	78.24	82.66	78.31	82.95
1	76.32	81.18	76.76	81.59	76.98	81.75	77.41	81.87	77.49	81.9	77.57	82.13
2	75.36	80.22	75.8	80.61	76	80.78	76.43	80.9	76.51	80.92	76.59	81.14
3	74.37	79.24	74.81	79.62	75.04	79.78	75.44	79.91	75.52	79.95	75.62	80.16
4	73.38	78.25	73.83	78.63	74.05	78.79	74.46	78.91	74.53	78.95	74.62	79.17

26. Fertility (live births per 1,000 women) is 1.96 (2008).

Year	1991-1995		1996-2000		2001-2005	
	Age (years)	(live births per 1000 women)				
15-19		15.2		12.4		9.3
20-24		82.6		70.6		59.9
25-29		137.7		130.9		123.3
30-34		100.2		107.8		113.2

35-39	37.2	43.5	47
40-44	5.6	6.9	7.8
45-49	0.2	0.2	0.3

27. The table shows the composition of households from 2005 to 2009.

Year	Average household size (no. of persons)	Single parents as a percentage of all families
2009	2.2	8.7
2008	2.2	8.6
2007	2.2	8.8
2006	2.3	8.8
2005	2.3	8.8

28. The majority of the population is Norwegian and have Norwegian as their mother tongue. Immigrants (423 000) and Norwegians born to immigrant parents (86 000) amount to 10.6% of the population (2009). In terms of geographical region of origin, 203 000 have a European background, 60 500 of whom have a background from a country outside the EU/EEA. A total of 186 000 persons have a background from Asia, 61 000 from Africa, 17 000 from Latin America and 10 500 from North America and Oceania. The largest groups of immigrants are from Poland, Sweden, Germany and Iraq. Thirty-six per cent of immigrants have Norwegian nationality.

29. The main official language is Norwegian (there are two written versions of Norwegian, *bokmål* and *nynorsk*). In some districts, Sami (the language of Norway's indigenous population) is also an official language.

30. Norway has its own indigenous population, the Sami. They have their own parliament and live mainly in the county of Finnmark in North Norway. The traditional occupations of the Sami are reindeer herding, hunting and fishing, but in 2007 only 7.5% earned their living in this way. Since owing to the right to privacy there is no overall registration of Sami, it is difficult to determine the exact number living in Norway, but the figure is generally estimated at approximately 37 760 (2007).

#### **IV. Historical background**

31. In 1814, after Norway had been in a union with Denmark for more than four centuries, Denmark ceded Norway to Sweden as part of the Kiel Peace Agreement at the end of the Napoleonic Wars. Wishing to regain its independence, Norway drafted and adopted the Constitution still in effect today (the Constitution of 17 May 1814). Sweden agreed that Norway could retain its Constitution if the country accepted being a partner in a union under the King of Sweden. However, Norway had its own parliamentary assembly and an increasing degree of autonomy. The union with Sweden was formally dissolved in 1905 and Norway has been an independent country ever since. The day the Constitution was adopted, 17 May, is Norway's national day.

32. Norway's wealth increased steadily through the 1900s. The development of hydropower started in 1905 and the discovery and exploitation of oil and gas began in the 1970s. Norway also has a long maritime tradition, and is the sixth largest shipping nation in the world (2009)

#### **V. Social and cultural features**

##### **1. Literacy rate and education**

33. The literacy rate in Norway is virtually 100%. Since the illiterate population is assumed to be negligible, there are no statistics or indicators on literacy. However, Norway is included in the Adult Literacy and Life Skills (ALL) survey and the International Adult Literacy Survey (IALS). Although the survey in 2003 placed Norway as number one among the countries that participated, it still showed that 430 000 adults in Norway do not have the sufficient knowledge of reading and understanding of numbers to face the challenges in today's work life.

34. In Norway, 79% of the total population aged 25–64 years had attained upper secondary education or higher in 2007. The proportion of people whose level of education was below lower secondary school has declined over the last 20 years, and in 2007, only 30% of this group had educational attainment lower than upper secondary school, compared with 45% in 1985. The proportion of the population to attain tertiary education has doubled over the last two decades – from 13% in 1985 to 26% in 2007. Fifty-seven per cent of pupils at

upper secondary school complete their education during the standard period of time (three years), while seven out of 10 finish after five years (2007). One out of four has higher education. Sixty per cent of higher education students are women (2007).

35. The table shows the enrolment rates in primary and secondary education

School/academic year 2004–2005		Population on 1 January 2005	Enrolment rates in primary and secondary education		
			ISCED 1 (Primary education)	ISCED 2 (Lower secondary education)	ISCED 3 (Upper secondary education)
5-14 years*	Male	318 491	69.4	20.2	0.0
	Female	301 681	69.5	20.3	0.0
15-24 years	Male	287 410	-	10.9	36.4
	Female	275 539	-	10.9	35.5
25-34 years	Male	318 649	-	-	1.2
	Female	313 000	-	-	1.5
35-44 years	Male	348 813	-	-	0.4
	Female	334 993	-	-	0.8
45-54 years	Male	313 256	-	-	0.1
	Female	303 543	-	-	0.3
55-64 years	Male	264 310	-	-	0.0
	Female	259 812	-	-	0.1
65 years +	Male	292 719	-	-	0.0
	Female	414 724	-	-	0.0

School/academic year 2005–2006		Population on 1 January 2006	Enrolment rates in primary and secondary education		
			ISCED 1	ISCED 2	ISCED 3
5-14 years	Male	318 110	69.2	20.4	0.0
	Female	301 318	69.6	20.3	0.1
15-24 years	Male	293 022	-	11.0	37.7
	Female	281 161	-	10.9	35.9
25-34 years	Male	314 464	-	-	1.1
	Female	309 226	-	-	1.3
35-44 years	Male	352 844	-	-	0.4
	Female	339 081	-	-	0.7
45-54 years	Male	315 383	-	-	0.1
	Female	305 670	-	-	0.3
55-64 years	Male	272 706	-	-	0.0
	Female	267 382	-	-	0.0
65 years +	Male	296 328	-	-	0.0
	Female	416 933	-	-	0.0

School/academic year 2006–2007		Population 1 January 2007	Enrolment rates in primary and secondary education		
			ISCED 1	ISCED 2	ISCED 3
5-14 years	Male	316 206	70.0	20.4	0.0
	Female	299 940	70.0	20.3	0.0
15-24 years	Male	299 979	-	11.0	38.8
	Female	286 788	-	10.8	36.8
25-34 years	Male	311 297	-	-	1.2
	Female	305 549	-	-	1.3
35-44 years	Male	357 990	-	-	0.4
	Female	343 613	-	-	0.8
45-54 years	Male	319 133	-	-	0.1
	Female	308 965	-	-	0.4
55-64 years	Male	281 416	-	-	0.0
	Female	274 876	-	-	0.1
65 years +	Male	299 676	-	-	0.0
	Female	417 784	-	-	0.0

School/academic year 2007–2008		Population On 1 January 2008	Enrolment rates in primary and secondary education		
			ISCED 1	ISCED 2	ISCED 3
5-14 years	Male	314 397	70.0	20.4	0.0
	Female	299 177	70.0	20.4	0.0
15-24 years	Male	307 454	-	10.8	38.6
	Female	292 690	-	10.5	36.5
25-34 years	Male	313 306	-	-	1.2
	Female	304 699	-	-	1.3
35-44 years	Male	365 114	-	-	0.4
	Female	348 160	-	-	0.7
45-54 years	Male	323 715	-	-	0.1
	Female	311 471	-	-	0.3
55-64 years	Male	288 551	-	-	0.0
	Female	281 326	-	-	0.1
65 years +	Male	305 111	-	-	0.0
	Female	421 469	-	-	0.0

School/academic year 2008–2009		Population on 1January 2009	Enrolment rates in primary and secondary education		
			ISCED 1	ISCED 2	ISCED 3
5-14 years	Male	314 370	69.5	20.7	0.0
	Female	299 386	69.6	20.5	0.0
15-24 years	Male	314 355	-	10.2	37.9
	Female	299 595	-	10.3	35.3
25-34 years	Male	316 390	-	-	1.0
	Female	306 035	-	-	1.1
35-44 years	Male	370 599	-	-	0.3
	Female	351 076	-	-	0.5
45-54 years	Male	328 575	-	-	0.1
	Female	314 813	-	-	0.3
55-64 years	Male	293 920	-	-	0.0
	Female	286 866	-	-	0.0
65 years +	Male	304 000	-	-	0.0
	Female	400 812	-	-	0.0

36. The table shows the attendance and drop-out rates in primary and secondary education in Norway from 2000 to 2003. ISCED 1 and ISCED 2 are compulsory in Norway and attendance and drop-out rates from these two levels of education are likely to be 100% and 0 % respectively.

Reference years	Total nos of pupils by school year		Completed general or vocational education <sup>1</sup> (ISCED 3A and 3C)		Did not complete general or vocational education (ISCED 3A and 3C)		
			Completed according to nominal length of study (%)	Completed beyond nominal length of study (%)	Still in upper secondary education (%)	Enrolled in final year but failed exams (%)	Dropped out before or during final year (%)
2000	Total	51 982	56	13	6	7	17
	Men	26 521	48	15	7	7	22
	Women	25 461	64	11	5	6	15
2001	Total	52 704	57	12	7	6	19
	Men	27 006	50	13	8	7	24
	Women	25 698	65	10	5	6	14
2002	Total	54 519	57	12	7	7	19
	Men	27 996	48	14	8	8	22
	Women	26 523	65	9	5	7	14
2003	Total	56 271	56	12	6	8	19
	Men	28 745	48	14	7	8	22
	Women	27 526	65	10	4	7	14

37. The table shows the teacher/student ratio in state schools.

Reference years	Teacher/student ratio in state schools				
	ISCED 0	ISCED 1	ISCED 2	ISCED 3 and 4	ISCED 5 and 6
2007	m	11.0	10.2	9.8	10.0
2006	m	10.9	10.2	9.7	10.5
2005	m	m	m	m	m
2004	m	11.9	10.5	9.6	12.0
2003	m	11.7	10.4	9.2	11.9

## 2. Poverty

38. The total number of private households is 2 143 000, with an average of 2.2 persons per household. One-person households make up 18% of the total. Of the total number of households, 21.5% are single-parent families; of these 17.5% consists of a single mother and 3.95% of a single father.

*Gini coefficient for after-tax household income per consumption unit (EU scale):*

	2004	2005	2006	2007
<18 years	0.269	0.314	0.215	0.225
18-24 years	0.259	0.316	0.249	0.257
25-34 years	0.228	0.262	0.220	0.230
35-44 years	0.262	0.295	0.225	0.230
45-54 years	0.284	0.340	0.233	0.245
55-66 years	0.284	0.340	0.240	0.249
67- years	0.236	0.291	0.214	0.225
All	0.276	0.319	0.235	0.244

*(Persons in student households are excluded)*

39. Proportion of persons with after-tax income per consumption unit as a percentage of median income

2004			
	Women	Men	All
<18 years	8	8	8
18-24 years	19	15	17
25-34 years	9	9	9
35-44 years	6	7	7
45-54 years	5	6	5
55-66 years	6	5	6
67- years	26	10	19
All	10	8	9
2005			
	Women	Men	All
<18 years	8	8	8
18-24 years	19	15	17
25-34 years	10	10	10
35-44 years	7	8	7

45-54 years	5	6	6
55-66 years	6	5	6
67- years	26	10	19
All	11	8	10
<b>2006</b>			
	Women	Men	All
<18 years	9	9	9
18-24 years	20	16	18
25-34 years	10	10	10
35-44 years	7	8	7
45-54 years	5	6	6
55-66 years	6	5	6
67- years	25	9	19
All	11	9	10
<b>2007</b>			
	Women	Men	All
<18 years	9	9	9
18-24 years	21	16	18
25-34 years	11	11	11
35-44 years	7	8	8
45-54 years	5	7	6
55-66 years	6	5	6
67- years	25	9	18
All	11	9	10

### 3. Health

40. Infant mortality (deaths within the first year of life per 1 000 live births) is 2.7 (2008).

<b>Infant mortality in Norway, 1966-2005</b>	
	<b>Deaths under one year of age per 1 000 live births</b>
1966-1970	13.9
1971-1975	11.6
1976-1980	9.0
1981-1985	8.1
1986-1990	7.8
1991-1995	5.2
1996-2000	4.0
2001-2004	3.5
2001-2005	3.4

41. The table shows maternal mortality for the period 1998-2007.

<b>Maternal mortality per 100 000, 1998-2007</b>	
<b>Year</b>	
1998	6.9
1999	8.4
2000	3.4
2001	5.3
2002	3.6
2003	12.4
2004	0
2005	3.5
2006	8.5
2007	6.8

42. The table shows the proportion of induced abortions as a percentage of live births for the period 1998-2007.

<b>Induced abortions, 1998-2007</b>	<b>Induced abortions as percentage of live births</b>
1998	24.1
1999	24.2
2000	24.7
2001	24.5
2002	24.5
2003	24.6
2004	24.7
2005	24.6
2006	25.0
2007	25.9

43. Diseases

**Number of new cases of HIV, AIDS, syphilis and gonorrhoea per year, all ages + two selected groups 15-24 and 25-44**

<b>Year</b>			<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
	<b>Disease</b>	<b>Gender</b>						
	HIV	Men	145	148	97	179	166	182
		Women	93	104	97	97	82	117
	AIDS	Men	28	26	18	24	6	11
		Women	16	10	14	8	3	7
	Syphilis	Men	53	36	23	63	60	51
		Women	11	7	1	2	1	5
	Gonorrhoea	Men	206	228	226	205	209	260
		Women	35	37	52	31	29	41

**Number of new cases of communicable diseases, 2004-2008**

<b>Communicable diseases</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
AIDS	36	32	32	11	18
Botulism	1	6	2	-	-
Brucellosis	2	1	3	-	-
Campylobacteriosis	2 301	2 632	2 588	2 836	2 876
Chlamydia infection, genital	-	18 867	21 259	22 847	23 488
Diphtheria	-	-	-	-	4
<i>E. coli</i> enteritis	66	78	158	113	157
Echinococcosis	-	1	-	-	2
Encephalitis	103	177	181	138	133
Fleck typhus	-	-	-	-	-
Giardiasis	1 580	428	294	290	270
Gonorrhoea	264	278	236	238	301
Yellow fever	-	-	-	-	-
Haemorrhagic fever	-	-	-	-	-
Hepatitis A	180	57	41	29	49
Hepatitis B, acute	188	139	149	120	103
Hepatitis B, chronic	707	570	544	509	676
Hepatitis C	173	166	183	289	3 409
HIV infection	250	219	276	248	299
Influenza A (H1N1)	-	-	-	-	-
Pertussis	6 710	4 492	6 579	5 373	3 892
Cholera	-	1	1	1	-
Smallpox	-	-	-	-	-
Mumps	7	8	24	23	16
Legionellosis	24	129	27	35	41
Leprosy	-	-	-	-	-
Listeriosis	23	14	27	50	34
Lyme disease	255	280	316	328	345
Malaria	61	36	44	28	32
Measles	7	-	-	20	4
Anthrax	-	-	-	-	-
MRSA infection	229	265	336	342	349
MRSA carrier	-	205	273	252	304
Endemic nephropathy	41	64	22	76	50
Paratyphoid fever	23	18	16	17	17
Plague	-	-	-	-	-
Poliomyelitis	-	-	-	-	-
Prions disease	8	7	6	6	6
PRP infection/carrier	3	26	36	23	14
Rabies	-	-	-	-	-
Rubella	2	1	2	-	1
Salmonellosis	1 587	1 488	1 805	1 649	1 941
SARS	-	-	-	-	-
Shigellosis	155	165	137	148	134
Syphilis	43	24	67	61	56
Group A streptococcal diseases	253	260	160	132	172
Group B streptococcal diseases	161	164	176	184	178
<i>H. influenzae</i> infections	79	82	78	83	75
Meningococcal diseases	37	39	35	30	36
Pneumococcal diseases	1 126	1 083	1 015	958	855

Tetanus	-	-	-	2	2
Tuberculosis	-	-	-	306	324
Tularaemia	19	17	13	49	66
Typhoid fever	14	22	20	29	16
VRE infection/carrier	4	10	4	8	6
Yersiniosis	97	125	86	71	50
<b>Total</b>	<b>16 819</b>	<b>32 676</b>	<b>37 251</b>	<b>37 952</b>	<b>40 801</b>

#### 44. Cause of death in Norway

<b>The ten most important causes of death in Norway</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
Heart infarction	4 312	4 075	3 932	3 727	3 775
Yersiniosis	2 252	2 097	2 143	1 938	1 961
Females	2 060	1 978	1 789	1 789	1 814
Malignant neoplasm of lung	1 913	1 911	1 966	2 001	2 098
Males	1 203	1 172	1 186	1 209	1 223
Females	710	739	780	792	875
Chronic ischaemic heart disease	2 193	1 984	1 885	1 921	1 845
Males	1 170	1 059	1 055	998	1 017
Females	1 023	925	830	923	828
Unspecified pneumonia	1 772	1 426	1 877	1 755	1 829
Males	758	610	805	795	810
Females	1 014	816	1 072	960	1 019
Other chronic obstructive pulmonary disease	1 508	1 517	1 583	1 653	1 769
Males	813	817	895	869	925
Females	695	700	688	784	844
Stroke, not specified as haemorrhage or infarction	2 195	2 044	1 816	1 743	1 711
Males	766	733	663	600	583
Females	1 429	1 311	1 153	1 143	1 128
Heart failure	1 676	1 734	1 420	1 384	1 461
Males	622	630	537	511	580
Females	1 054	1 104	883	873	881
Senile dementia	940	950	1 101	1 203	1 293
Males	253	249	305	335	415
Females	687	701	796	868	878
Malignant neoplasm of colon	1 096	1 170	1 052	1 160	1 146
Males	455	562	492	535	536
Females	641	608	560	625	610
Malignant neoplasm of prostate	1 070	1 074	1 041	1 042	1 090
Males	1 070	1 074	1 041	1 042	1 090

#### 45. New cases of tuberculosis per 100 000, 1990-2006

Year	
1989	6.0
1990	6.7
1991	6.8
1992	6.7
1993	6.0
1994	5.6
1995	5.4
1996	5.0
1997	4.7

1998	5.5
1999	6.1
2000	5.3
2001	6.6
2002	5.7
2003	7.5
2004	6.6
2005	6.3
2006	6.4

#### **4. National Insurance Scheme**

46. The Norwegian National Insurance Scheme is a universal scheme. This means that, as a general rule, insurance is compulsory for all those who either live or work in Norway, irrespective of nationality, place of residence, gender, age, sexual orientation, political conviction, religious belief, skin colour or whether the person in question is residing in a rural or an urban area. The scheme covers all nine traditional branches of social security set out in ILO Convention No. 102.

47. The social insurance schemes, by definition, target all vulnerable groups, as they are all designed to alleviate living conditions for persons who have experienced one or more specified contingencies that have been found to often lead to hardship, e.g. sickness, disability, unemployment, maternity.

48. In the following we will focus on the elderly. For a more comprehensive presentation of the Norwegian National Insurance Scheme, please see the survey entitled “The Norwegian Social Insurance Scheme”, which can be found at the following site:

[http://www.regjeringen.no/en/dep/aid/doc/veiledninger\\_brosjyrer.html?id=2122](http://www.regjeringen.no/en/dep/aid/doc/veiledninger_brosjyrer.html?id=2122)

49. Reference is also made to Norway’s latest report on the implementation of ILO Convention No. 102.

50. The current retirement age in Norway is 67, with no early retirement option within the framework of the National Insurance Scheme.

51. The old-age pension consists of a basic pension, a supplementary pension and/or a special supplement, and in certain cases supplements for children and spouses. The basic

pension and the special supplement are residence based, while the supplementary pension is based on previous income.

52. Persons who are insured for pension purposes and who have a total insurance period of minimum three years between the ages of 16 and 66 are entitled to a pension.

53. A full pension requires an insurance period of minimum 40 years. If the insurance period is shorter, the pension is proportionately reduced. The full minimum social insurance pension as of 1 May 2009 is NOK 143 568 per year for single persons and NOK 265 272 for couples (NOK 132 636 for each).

54. The total expenditures on pensions under the National Insurance Scheme in 2008 were NOK 264 197 million. This amount represents approximately 35.2% of the combined state and national insurance budgets and 10.2% of GDP. The budget allocations to the national insurance scheme were NOK 68 026 million in 2008, which is equal to 25.8% of the total expenditures under the scheme.

55. In addition to the National Insurance Scheme, a supplementary allowance scheme has been introduced. This scheme is also non-discriminatory. The purpose of the scheme is to provide financial support for elderly persons with shorter periods of insurance under the National Insurance Scheme.

56. As mentioned above, the general National Insurance Scheme covers in principle all residents of Norway. However, because 40 years' residence before the age of 67 is required in order to acquire a full residence-based pension, those who have lived in Norway for a shorter period may not qualify for a pension that is sufficient to live on. The new supplementary allowance scheme is intended to guarantee a minimum income for necessary means of subsistence for persons who have attained the age of 67 and who have inadequate pensions or other financial means of support because they have less than 40 years' residence. The persons eligible for this are those who have reached pensionable age and who are permanent residents of Norway.

57. The maximum size of the allowance corresponds to the minimum social insurance pension, see above. The allowance is subject to a strict means test and is reduced if the person

or his/her spouse or cohabitant has other income from work or capital assets or a Norwegian or foreign pension. The capital assets and other property are in principle taken into account.

58. The allowance is supplementary to the ordinary pension benefits under the National Insurance Scheme, but excludes persons who are in receipt of the ordinary full, i.e. unreduced, conventional benefit.

59. The allowance is not conditional on a qualifying period or completed period of insurance.

## **5. Crime and justice**

60. In 2008 there were 171.3 police personnel per 100 000 inhabitants.

61. In 2009 there were 366 regular judges and 161 deputy judges in the courts of first instance, 154 judges in the courts of second instance and 19 judges in the Supreme Court.

62. In 2007, 307 000 persons received 357 000 sanctions, 3% more than the previous year. In total, 8% of the population over 15 years of age received one or more sanctions. There was a slight decrease in the number of sanctions imposed by the courts. Of the total number of sanctions, 322 000 concerned misdemeanours, and 28 900 persons received 35 100 sanctions for crimes.

63. The statistics for 2007 show that 11.7% of all resident men over the age of 15 were sanctioned more than once, as compared with 3.4% of all women. Of those who were only sanctioned for misdemeanours, 77% were men, while the corresponding figure for men sanctioned for a crime was 83%. The percentages are almost the same as in 2006. In 2007, 23 400 sanctions were imposed by the courts, 1.8% fewer than in 2006. The percentage decrease was greatest for conditional sentences (7 500), with a 4% drop from the previous year. For the first time since its introduction in 2002, the use of community sentences (2 700) has shown an reduction of 3%. The distribution of types of sanction imposed by the courts was almost the same as the previous year: 45% unconditional imprisonment, 32% conditional imprisonment, 12% community sentence and 12% fines.

64. In 2007, an average of 3 349 persons were imprisoned in Norwegian prisons, an increase of 6% from the previous year and 24% from 2001. The increase from 2006 is largely due to the increase in time spent on remand. On an average day, 2 535 persons were serving a prison sentence, 76 were in preventive detention/security detention, 75 were serving sentences for non-payment of a fine, and 662 were remanded in custody. The proportion of prisoners serving prison sentences had risen by 3,5% from the previous year. With a 16% increase from 2006, the average number of prisoners on remand in custody in 2007 was similar to the peak reached in 2002. The female proportion of all prisoners, 5.4%, was at about the same level as the previous year. On 1 January 2007, the number of prisoners aged 25 and over was 3,6% higher than in the previous year, while prisoners younger than 25 years dropped by 2,4%.

65. In 2008, more than 264 000 crimes and 122 000 misdemeanours were reported to the police, a decrease of 2.8 and 3.5% respectively from 2007. There was a considerable decrease in offences for profit (2.7%), narcotics crimes (8%) and traffic misdemeanours (5.1%). In 2008, 26 200 threats and other violent offences were reported to the police, almost 2% more than in the previous year. When the population increase is taken into account, the proportion of violent offences reported to the police has remained relatively stable since the turn of the millennium, about 5.5 per 1 000. In the last few years prior to 2008, the number of threats reported to the police declined, and the number of incidents of physical violence increased. However, in 2008 both threats and physical violence rose by almost 2% from the previous year.

66. Norway does not impose the death penalty.

67. More than 3 900 sexual offences were reported to the police in 2008, almost 4% more than in the previous year. In 2008, 810 incidents of sexual intercourse with children were reported to the police, and 93 incidents of incest, the same level as in the previous five years.

68. More than 175 000 larcenies and other offences for profit were reported to the police in 2008, almost 4 900 fewer than the previous year. The reduction in the number of offences for profit is mainly due to a decrease of 8% in aggravated larcenies. The number of aggravated larcenies from one-family homes increased from 2 200 in 2007 to 3 400 in 2008, i.e. 53%.

69. 11 deaths were registered in prison in 2008. Six deaths were registered outside prison (on the way to hospital or on leave).

## **B. CONSTITUTIONAL, POLITICAL AND LEGAL STRUCTURE OF THE STATE**

### **I. Form of government**

70. Norway is a constitutional monarchy with a parliamentary form of government. The Norwegian Constitution is based on a separation of powers, with an independent legislature, executive and judiciary. However, since the introduction of the principle of parliamentary government in 1884, it can no longer be maintained that the executive is independent of the legislature, as it cannot govern without the confidence of the legislative assembly. Together with customary law, the Constitution forms the legal framework for Norway's political system.

71. Norway has a state church based on the Evangelical-Lutheran faith. Although there is no separation of church and state, there is freedom of religion in accordance with a 1964 amendment to the Constitution. Approximately 81% of the Norwegian population are members of the Church of Norway (2008).

72. Norway has a well developed system of customary law. To meet the requirements under customary law the custom must have been consistently practised over a long period of time, and both the legal practitioners and society as a whole must have considered the custom to be legally binding. In Norway, customary law still plays a considerable part in the legal system, especially in the law of damages, law of torts, contract law, public administration law and constitutional law.

### **II. Democracy, political parties and the electoral system**

73. The legislative assembly of Norway is the Storting. The Storting has 169 members, and parliamentary elections take place every four years. There are no by-elections, nor does the Constitution provide for dissolution of the Storting between elections. Because Norway has a parliamentary form of government, the Storting determines the Government's composition. The Storting also decides whether or not a referendum should be held on a

particular issue. The Storting has a Presidium, which is chaired by the President of the Storting and whose responsibilities include determining the Storting's order of business and ensuring that constitutional rules are upheld in all matters. As far as possible, the President avoids taking a stand on purely political issues on which there are divergent opinions. Laws are enacted by the Storting, usually on the basis of a bill submitted by the Government.

74. Elections to the Storting are held every fourth year. The age of majority is currently 18 years. Norway practices universal suffrage. Everyone who is entitled to vote and who has lived in Norway for at least 10 years is eligible to stand for election. The Norwegian electoral system is based on the principles of direct election and proportional representation in multi-member constituencies, which are the counties. As of October 2009 seven political parties are represented in the Storting (the Labour Party, with 64 representatives, the Progress Party, with 41 representatives, the Conservative Party, with 30 representatives, the Socialist Left Party, with 11 representatives, the Centre Party, with 11 representatives, the Christian Democratic Party, with 10 representatives, and the Liberal Party, with 2 representatives). There are a number of smaller political parties that are not represented in the Storting. Groups that are not political parties may also put up lists of candidates for election. At the general election in September 2009, the voter turnout was 76.4%, and 42% of the 3 688 candidates were women. In the current Storting 39.6% of the members are women.

Distribution of seats in the Storting by party

Party	Election period	No. of seats
The Socialist Left Party (Sosialistisk venstreparti)	2005-2009	15
	2001-2005	23
The Labour Party (Det norske arbeiderparti)	2005-2009	61
	2001-2005	43
The Centre Party (Senterpartiet)	2005-2009	11
	2001-2005	10
The Christian Democratic Party (Kristelig folkeparti)	2005-2009	11
	2001-2005	22
The Liberals (Venstre)	2005-2009	10
	2001-2005	2
The Conservative Party (Høyre)	2005-2009	23
	2001-2005	38
The Progress Party (Fremskrittspartiet)	2005-2009	38
	2001-2005	24
The Coastal Party (Kystpartiet)	2005-2009	0
	2001-2005	1
Independent representatives (Uavhengige stortingsrepresentanter)	2005-2009	0
	2001-2005	2

75. Numbers of recognised national political parties

Year	No. of parties
2005-2009	18
2001-2009	18

76. Numbers and percentages of eligible voters

Year of election	No.	Percentage
2009	3 528 000	0.735
2005	3 421 500	0.743
2001	3 353 500	0.745

77. Percentages of women members of the Storting

Parliamentary period	
2005-2009	37.9
2001-2005	36.4

78. Six national referendums have been held in Norway, and these have traditionally had a higher turnout than Storting elections, reaching a record 89% when Norway voted against membership of the European Union (EU) in 1994. In 1905 Norwegians voted in favour of the dissolution of the union with Sweden and of offering the throne to Prince Carl of Denmark (who accepted and became King Haakon VII). In a referendum in 1919, Norwegians voted for the introduction of a ban on spirits, but after a new referendum in 1926 the prohibition was repealed. Norway voted against membership of the European Economic Community (EEC) in 1972 and of the EU in 1994.

### **III. The Norwegian Government**

79. The Government is formed by the party or parties that have a majority of the seats in the Storting or that constitute a minority capable of governing. Thus the Government is indirectly selected by the electorate. The Government consists of the Prime Minister and a number of ministers (20 ministers in November 2009). The Office of the Prime Minister assists the Prime Minister in leading and coordinating the work of the Government. The ministries are responsible for executing the policies decided by the ministers in the various sectors of the government administration. Formal decisions by the Government are made in the form of a Royal Decrees.

80. The executive power is invested in the King, but Royal Decrees are adopted by the King in Council, which consists of the government ministers. The King fills an important symbolic function as head of state and Norway's official representative.

#### **IV. Counties and municipalities**

81. Norway is divided into 19 counties and 430 municipalities (2008), and a number of political decisions are made at these two levels. The Government delegates autonomous powers in certain policy areas to the county and municipal councils, and these areas are specified in legislation. Much of the public administration is also carried out at these levels. Elections to the municipal and county councils are held every fourth year. The voter turnout for the county municipal and elections in 2007 was 61.2%. Unlike the Storting elections, where the vast majority of candidates represent registered parties, lists of local independent candidates are very common in county and municipal elections.

#### **V. Legal structure**

82. The administration of justice is carried out by the courts of law, at three levels: the District Court of first instance, the Court of Appeal and the Supreme Court, at the highest level. Civil and criminal cases are heard at all levels. Civil cases are brought before the courts by the parties in the case, whereas criminal cases are brought by the prosecution authority. Most civil disputes are considered initially by a conciliation board, which is to be found in every municipality and consists of laypeople. The ordinary courts are supplemented by special courts, including the Labour Court and the Land Consolidation Courts.

83. The courts have remained fully independent of the other constitutional powers. In Norway, there is no procedural law. Thus, the legality of administrative decisions is subject to control by a court.

84. In 2002, administrative control of the courts was moved from the Ministry of Justice, where it had been since the creation of the Norwegian state in 1814, to the National Courts Administration. This body was established in order to safeguard the independence of the courts in relation to the other branches of government. The Ministry of Justice has no power to instruct the National Courts Administration, but has the main responsibility for drafting legislation relating to the courts.

85. The public administration agencies are also supervised by the Parliamentary Ombudsman for the Public Administration. The Ombudsman investigates complaints from citizens concerning an injustice perpetrated by a public agency. The Ombudsman processes complaints concerning administrative decisions at government, county and municipal levels, and may also take the initiative to investigate a matter.

## **VI. Membership of the European Economic Area (EEA)**

86. Norway is a party to the Agreement on the European Economic Area (EEA), under which the country participates in the internal market of the European Union (EU). Norway is also a member of the European Free Trade Association (EFTA).

87. The EEA Agreement, which is an agreement between the member states of the European Union (EU) and the existing EFTA states (apart from Switzerland), entered into force on 1 January 1994. The purpose of this agreement is to create a comprehensive economic partnership that extends the internal market of the EU to the participating EFTA states, which together have become the EEA. The EEA Agreement provides for free movement of goods, persons, services and capital between the signatory countries. The enlargement of the EU on 1 May 2004 and 1 January 2007 had a direct impact on the Agreement, which explicitly states that a country becoming a member of the EU must also apply for membership of the EEA. As from 2007, there are three EFTA states (Iceland, Liechtenstein and Norway) and 27 EU member states participating in the European Economic Area (EEA).

88. The cooperation under the EEA Agreement does not include participation by the EEA EFTA states in certain areas, such as the EU's Common Agricultural Policy, the Common Fisheries Policy, the Economic and Monetary Union, and the EU Taxation and Customs Union. However, as a member of the EEA Agreement, Norway is bound by the four freedoms in these areas as well, e.g. in non-discrimination law.

89. In December 1996, Iceland and Norway signed a cooperation agreement with the “Schengen states”, a group of 13 EU member states. The Schengen cooperation provides for common rules for the movement of persons to and between participating countries. On 1 May 1999, the Schengen cooperation was integrated into the EU framework, and Norway and Iceland have negotiated an agreement on institutional solutions for continuing participation in

the Schengen cooperation after its integration into the EU. The latter agreement entered into force on 25 March 2001.

90. In addition to the EEA, Norway is a member of several other international organisations, including the International Monetary Fund (IMF), the Organization for Economic Cooperation and Development (OECD), the International Bank for Reconstruction and Development (IBRD, the World Bank) and the World Trade Organization (WTO). Norway is a founding member of the United Nations and its subordinate agencies and has been a member of the North Atlantic Treaty Organization (NATO) since 1949. Norway is also a member of the Inter-American Development Bank (IADB), the African Development Bank (AfDB), the Asian Development Bank (ADB), the European Bank for Reconstruction and Development (EBRD), the Council of Europe Development Bank (CEB), the Nordic Investment Bank (NIB), the Nordic Development Fund (NDF), the Nordic Council, the Nordic Project Fund (Nopef) and the Nordic Environment Finance Corporation (NEFCO).

## **VII. Recognition of non-governmental organisations**

91. The Norwegian Register of Non-Profit Organisations was established in December 2008, and more than 13 000 non-profit organisations are registered here. The Register is owned by the Ministry of Culture and Church Affairs and operated by the Brønnøysund Register Centre. Registration is voluntary. One of the main objectives of the Register is to simplify and improve interaction between the government and the voluntary sector.

## 2. GENERAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF HUMAN RIGHTS

### C. ACCEPTANCE OF INTERNATIONAL HUMAN RIGHTS NORMS

#### I. Main international human rights conventions and protocols

##### 92. Ratification status

Convention/ protocol	Signature (S) Ratifications (R)	Reservations	Acceptance of optional procedures
International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966	R 13/09/1972	Subject to the reservation to Article 8, paragraph 1 (d) "to the effect that the current Norwegian practice of referring labour conflicts to the State Wages Board (a permanent tripartite arbitral commission in matters of wages) by Act of Parliament for the particular conflict, shall not be considered incompatible with the right to strike, this right being fully recognised in Norway."	
International Covenant on Civil and Political Rights (ICCPR), 1966	R 13/09/1972	Subject to reservations to Article 10, paragraph 2 (b) and paragraph 3 "with regard to the obligation to keep accused juvenile persons and juvenile offenders segregated from adults" and to Article 14, paragraphs 5 and 7 and to Article 20, paragraph 1.  19 September 1995 [The Government of Norway declares that] the entry into force of an amendment to the Criminal Procedure Act, which introduces the right to have a conviction reviewed by a higher court in all cases, the reservation made by the Kingdom of Norway with respect to Article 14, paragraph 5 of the Covenant shall continue to apply only in the following exceptional circumstances: 1. "Riksrett" (Court of Impeachment) According to Article 86 of the Norwegian Constitution, a special court shall be convened in criminal cases against members of the Government, the Storting (parliament) or the Supreme Court, with no right of appeal.	31 August 1972 "Norway recognises the competence of the Human Rights Committee referred to in Article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant."

		<p>2. Conviction by an appellate court</p> <p>In cases where the defendant has been acquitted in the first instance, but convicted by an appellate court, the conviction may not be appealed on grounds of error in the assessment of evidence in relation to the issue of guilt. If the appellate court convicting the defendant is the Supreme Court, the conviction may not be appealed under any circumstances whatsoever.</p>	
International Convention on the Elimination of All Forms of Racial Discrimination, (ICERD), 1965	<b>R</b> 06/08/1970		Norway recognises the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within the jurisdiction of Norway in accordance with Article 14, with the reservation that the Committee shall not consider any communication from an individual or group of individuals unless the Committee has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979	<b>R</b> 21/05/1981		
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984	<b>R</b> 09/07/1986		Norway recognises the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be

			victims of a violation by a State Party of the provisions of the Convention.
Convention on the Rights of the Child (CRC), 1989	<b>R</b> 08/01/1991		
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), 1990		Norway decided not to ratify the UN Convention on Migrant Rights in 2002, as the wording of the Convention was considered to be so vague and imprecise on a number of points that it would be difficult to clarify the consequences and obligations that ratification would entail. We were also concerned that the Convention could undermine existing obligations under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The duplication of existing rights, to some extent with variations, could be unfortunate, since this could lead to ambiguity. Norway has already ratified all the key human rights instruments and the ILO core conventions on workers' rights. These also apply to foreign nationals resident in Norway. Norway participates actively in the UN and in various international forums where migrants' rights are on the agenda, for instance the Global Forum on Migration and Development. Norway gives high priority to efforts to improve labour standards, which are also crucial in the context of migrants' rights.	
Optional Protocol to the CRC on the involvement of children in armed conflict, 2000	<b>R</b> 23/09/2003	"Pursuant to Article 3, second paragraph, of the Protocol, the Government of the Kingdom of Norway declares that the minimum age for voluntary recruitment to the armed forces is 18 years."	
Optional Protocol to the CRC on the sale of children, child prostitution, and child pornography, 2000	<b>R</b> 02/10/2001		
Optional Protocol to ICCPR, concerning individual petition, 1966	<b>R</b> 13/09/1972	Subject to the following reservation to Article 5, paragraph 2: "... The Committee shall not have competence to consider a communication from an individual if the same matter has already been examined under other procedures of international investigation or settlement."	
Second Optional Protocol to	<b>R</b> 05/09/1991		

ICCPR, concerning abolition of the death penalty, 1989			
Optional Protocol to CEDAW, concerning individual complaints and inquiry procedures, 1999	<b>R</b> 05/03/2002		
Optional Protocol to CAT, concerning regular visits by national and international institutions to places of detention, 2002	<b>S</b> 24/09/2003	Norway plans to complete ratification of the Optional Protocol to CAT within the very near future.	

## II. Other United Nations human rights and related conventions

### 93. Ratification status

<b>Convention/ protocol</b>	<b>Signature (S) Ratification (R) Accession (A),</b>
Convention on the Prevention and Punishment of the Crime of Genocide, 1948	<b>R</b> 22/07/1949
Slavery Convention, 1926 as amended in 1955	<b>R</b> 11/04/1957
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949	<b>A</b> 23/01/1952
Convention relating to the Status of Refugees, 1951, and its 1967 Protocol	<b>R</b> 23/03/1953
Convention relating to the Status of Stateless Persons, 1954	<b>R</b> 19/11/1956
Convention on the Reduction of Statelessness, 1961	<b>A</b> 11/08/1971
Rome Statute of the International Criminal Court, 1998	<b>R</b> 16/02/2000
United Nations Convention against Transnational Organized Crime, 2000, and its Protocols against the smuggling of migrants by land, sea and air, and to prevent, suppress and punish trafficking in persons, especially women and children	<b>R</b> 23/09/2003

## III. Conventions of the International Labour Organization

### 94. Ratification status

<b>Convention/ protocol</b>	<b>Signature (S) Ratification (R)</b>
Weekly Rest (Industry) Convention, 1921 (No. 14)	<b>R</b> 07/07/1937
Forced or Compulsory Labour Convention, 1930 (No. 29)	<b>R</b> 01/07/1932
Labour Inspection Convention, 1947 (No. 81)	<b>R</b> 05/01/1949
Migration for Employment Recommendation, 1949 (No. 86)	<b>R</b> 17/02/1955
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	<b>R</b> 04/07/1949
Migration for Employment Convention, 1949 (No. 97)	<b>R</b> 17/02/1955
Right to Organize and Collective Bargaining Convention, 1949 (No. 98)	<b>R</b> 17/02/1955
Equal Remuneration Convention 1951 (No. 100)	<b>R</b> 24/09/1959
Social Security (Minimum Standards) Convention, 1952 (No. 102)	<b>R</b> 30/09/1954
Abolition of Forced Labour Convention, 1957 (No. 105)	<b>R</b> 14/04/1958
Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)	
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	<b>R</b> 24/09/1959
Equality of Treatment (Social Security) Convention, 1962 (No. 118)	<b>R</b> 28/08/1963
Employment Policy Convention, 1964 (No. 122)	<b>R</b> 06/06/1966
Labour Inspection (Agriculture) Convention, 1969 (No. 129)	<b>R</b> 14/04/1971
Minimum Wage Fixing Convention, 1970 (No. 131)	
Holidays with Pay Convention (Revised), 1970 (No. 132)	<b>R</b> 22/06/1973

Minimum Age Convention, 1973 (No. 138)	<b>R 08/07/1980</b>
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	<b>R 24/01/1979</b>
Migrant Workers Recommendation, 1975 (No. 151)	
Labour Relations (Public Service) Convention, 1978 (No. 151)	<b>R 19/03/1980</b>
Occupational Safety and Health Convention, 1981 (No. 155)	<b>R 22/06/1982</b>
Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities Convention, 1981 (No. 156)	<b>R 22/06/1982</b>
Indigenous and Tribal Peoples in Independent Countries Convention, 1989 (No. 169)	<b>R 19/06/1990</b>
Worst Forms of Child Labour Convention, 1999 (No. 182)	<b>R 21/12/2000</b>
Maternity Protection Convention, 2000 (No. 183)	

#### **IV. Conventions of the United Nations Educational, Scientific and Cultural Organization**

95. Ratification status

<b>Convention/ protocol</b>	<b>Signature (S) Ratification (R)</b>
Convention against Discrimination in Education, 1960	<b>R 08/01/1963</b>

#### **V. Conventions of the Hague Conference on Private International Law**

96. Ratification status

<b>Convention/ protocol</b>	<b>Signature (S) Ratification (R)</b>
Convention relating to the settlement of the conflicts between the law of nationality and the law of domicile, 1955	
Convention on the law applicable to maintenance obligations towards children, 1956	<b>S 24/10/1956</b>
Convention concerning the recognition and enforcement of decisions relating to maintenance obligations towards children, 1958	<b>R 02/09/1965</b>
Convention concerning the powers of authorities and the law applicable in respect of the protection of minors, 1961	
Convention on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions, 1965	
Convention on the Law Applicable to Maintenance Obligations, 1973	
Convention on the Recognition of Divorces and Legal Separations, 1970	<b>R 15/08/1978</b>
Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations, 1973	<b>R 12/04/1978</b>
Convention on the Civil Aspects of International Child Abduction, 1980	<b>R 09/01/1989</b>
Convention on Celebration and Recognition of the Validity of Marriages, 1978	
Convention on the Law Applicable to Matrimonial Property Regimes, 1978	
Convention on International Access to Justice, 1980	
Convention on the Law Applicable to Succession to the Estates of Deceased Persons, 1989	
Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, 1993	<b>R 25/09/1997</b>
Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, 1996	

## VI. Geneva Conventions and other treaties on international humanitarian law

### 97. Ratification status

Convention/ protocol	Signature (S) Ratification (R)
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949	<b>R</b> 03/08/1951
Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949	<b>R</b> 03/08/1951
Geneva Convention (III) relative to the Treatment of Prisoners of War, 1949	<b>R</b> 03/08/1951
Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949	<b>R</b> 03/08/1951
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977	<b>R</b> 14/12/1981
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non International Armed Conflicts (Protocol II), 1977	<b>R</b> 14/12/1981
Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti Personnel Mines and on Their Destruction, 1997	<b>R</b> 09/07/1998
<i>Convention on Cluster Munitions 2008</i>	<b>R</b> 03/12/2008

## VII. Regional human rights conventions

### a) *Conventions of the Council of Europe (a selection)*

### 98. Ratification status

Convention/ protocol	Signature (S) Ratification (R)
Convention for the Protection of Human Rights and Fundamental Freedoms 1950	<b>R</b> 15/1/1952
European Social Charter 1961	<b>R</b> 26/10/1962
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment 1987	<b>R</b> 21/4/1989
European Charter for Regional or Minority Languages 1992	<b>R</b> 10/11/1993
Framework Convention for the Protection of National Minorities 1995	<b>R</b> 17/3/1999

## **D. LEGAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS AT THE NATIONAL LEVEL**

### **I. Legislation**

#### **Introduction**

99. Human rights are protected under the Constitution, the Human Rights Act and specific legislation in certain areas.

100. Norway is a dualist country. In order to be directly applicable in Norwegian law, international human rights conventions must therefore – in principle – be incorporated or transformed into Norwegian law. Incorporation means that the convention as such is incorporated into Norwegian law through specific provisions, for instance in the Human Rights Act. Transformation means that national legislation is worded so as to be in accordance with the convention. Transformation may be either active or passive. In active transformation the Storting implements new legislation or amends existing legislation in order to comply with the convention concerned, whereas in passive transformation the Storting considers that existing Norwegian legislation is already in accordance with the convention.

101. It is also a principle of general Norwegian law that Norwegian law should be interpreted in accordance with obligations in public international law that are binding on Norway. The principle is particularly strong with respect to international human rights obligations. The principle has been cited a number of times by the Norwegian Supreme Court.

102. In some areas of law sector monism applies, i.e. it is explicitly stated that provisions in a particular Act apply with the limitations that follow from public international law, including human rights. The Norwegian Civil Procedure Act and the General Civil Penal Code are examples of such legislation.

#### **The Norwegian Constitution**

103. The Norwegian Constitution, which was drawn up in 1814, is founded on the principles of the sovereignty of the people, the separation of powers and respect for human rights and fundamental freedoms. The Constitution of 1814 did not, however, contain a

complete bill of rights, but specified those human rights and fundamental freedoms that were agreed on at the time. Articles relating to human rights have been added in recent years. The Constitution also establishes a *general duty* for all public authorities to respect and secure human rights, including human rights that are not written into the Constitution.

#### Human Rights Committee appointed by the Storting

104. On 18 June 2009 the Storting appointed a committee to propose a limited revision of the Constitution with the aim of strengthening the position of human rights.

105. The Human Rights Committee consists of prominent members of the Norwegian public, and its work will be part of the Storting's plans for the celebration of the 200<sup>th</sup> anniversary of the Constitution. The Committee's report is to be submitted by 1 January 2012.

#### The Human Rights Act of 21 May 1999

106. Under the Human Rights Act of 21 May 1999, the following conventions have been incorporated into Norwegian law:

- The Council of Europe Convention for the protection of Human Rights and Fundamental Freedoms of 4 November 1950 with later amendments, including the following additional protocols:
  - Protocol No. 1, 20 March 1952
  - Protocol No. 4, 16 September 1963, securing certain rights and freedoms other than those already included in the Convention and in the First Protocol thereto
  - Protocol No. 6, 28 April 1983, Concerning the Abolition of the Death Penalty
  - Protocol No. 7, 22 November 1984
  - Protocol No. 13, 21 February 2002, Concerning the Abolition of the Death Penalty
- The United Nations International Covenant 16 December 1966, on Economic, Social and Cultural Rights
- The United Nations International Covenant, 16 December 1966, on Civil and Political Rights, including the following additional protocols
  - I. Optional Protocol, 16 December 1966
  - II. Second Optional Protocol, 15 December 1989 Aiming at the Abolition of the Death Penalty

- The United Nations International Convention, 20 November 1989, on the Rights of the Child, including the following additional protocols:
  - III. Optional Protocol, 25 May 2000, on the Involvement of Children in Armed Conflict
  - IV. Optional Protocol, 25 May 2000, on the Sale of Children, Child Prostitution and Child Pornography
- The United Nations International Convention, 18 December 1979, on the Elimination of All Forms of Discrimination against Women, including the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, 6 October 1999.

### Other legislation

107. A number of other conventions relating to human rights have also been incorporated or transformed into Norwegian law. For instance, the United Nations Convention on the Elimination of All Forms of Racial Discrimination has been incorporated into Norwegian law through section 2 of the Discrimination Act of 3 June 2005 and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has been transformed into Norwegian law through the Penal Code.

### II. Competencies of judicial, administrative and other public authorities concerning human rights

108. All public authorities are obliged to respect and secure human rights obligations whether they stem from the Constitution, Norwegian law or international conventions that are binding on Norway, cf. Article 110 c of the Norwegian Constitution. Some public authorities have a more general responsibility; for example, the Norwegian Minister of Justice is responsible for the Human Rights Act and the Parliamentary Ombudsman has a duty to help ensure that all public authorities respect and secure human rights.

### III. Remedies

109. There are many ways in which a question of human rights may be brought before a Norwegian court or administrative authority, for example in connection with a civil claim or

civil or penal proceedings such as a claim for compensation, as a ground for declaring an administrative or a court decision null and void, or as a question of procedure (for example a fair trial) in civil or penal proceedings. Furthermore an individual who considers that his human rights have been violated may, subject to the ordinary limitations in the Civil Procedure Act, demand that any court pass a judgment on the case.

110. Several public authorities and complaint mechanisms address human rights issues more specifically. On a more general level an individual has the right to submit a complaint to the Parliamentary Ombudsman concerning an alleged injustice – including human rights violations – committed by any public authority. The Ombudsman may point out that an error or negligence has been committed by the public authority, He may also point out that the decision is clearly unreasonable or contrary to good administrative practice. If he finds sufficient grounds, he may recommend that compensation should be awarded. The opinion of the Ombudsman is not legally binding, but in practice it is frequently followed.

#### IV. The European Court of Human Rights and other international individual complaint mechanisms

111. On the regional level, Norway has ratified the European Convention on Human Rights and accepted the jurisdiction of the European Court of Human Rights. Within the framework of the United Nations, Norway has also accepted the jurisdiction of several other complaint mechanisms.<sup>1</sup>

### E. FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROMOTED AT THE NATIONAL LEVEL

#### I. Introduction

112. The paramount objective of a constitutional government is to protect individuals against abuse of power and arbitrary treatment by public authorities and to ensure equal treatment, welfare and democracy. Both the government and the public administration at

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<sup>1</sup> For example the Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Article 22 and the United Nations Convention on the Elimination of All Forms of Racial Discrimination Article 14.

national, regional and local levels are bound by Norway's human rights obligations in the exercise of their authority. The same applies to the Storting and the judiciary. The implementation of human rights instruments in Norwegian law and their status within the legal system is described in §79.

113. The judiciary is independent of the executive and the legislature, and has the power to review the constitutionality of acts passed by the Storting and whether legislation is compatible with Norway's human rights obligations. It may also review administrative decisions.<sup>2</sup> Administrative decisions may also be appealed to a higher administrative level and to the Ombudsman.<sup>3</sup>

114. Responsibility for national implementation of human rights obligations is divided between the ministries, which are all responsible for following up the recommendations of various treaty bodies within their sectors. Human rights are integrated and mainstreamed into all sectors of government and administration. All ministries and administrative bodies have an obligation to take human rights into account when drafting legislation, drawing up guidelines for administrative practice and adopting decisions.

115. The Ministry of Justice nevertheless has a particular responsibility to ensure that Norwegian law and administrative practice are consistent with Norway's human rights obligations. All draft legislation is revised by the Ministry of Justice in order to assess its compatibility with the Constitution and international human rights obligations. The Ministry of Justice also provides advice to other ministries and government bodies on the interpretation of human rights standards in relation to sector legislation and administrative practice.

## **II. The Storting (the Norwegian parliament)**

116. Under the Norwegian parliamentary system, the Government is accountable to the Storting, which exercises continuous control over the Government's activities, including the protection and promotion of human rights.

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<sup>2</sup> See section D above.

<sup>3</sup> See below

117. In the Storting, as in all the government structures, human rights are mainstreamed and taken into account by each committee and by the plenary when passing legislation and adopting decisions. The Storting has no separate body such as a human rights committee.

118. The Parliamentary Ombudsman plays an important role in supervising, on behalf of the Storting, compliance with international human rights standards by the public administration. In 2007 the Act relating to the Parliamentary Ombudsman was amended in order to strengthen the human rights mandate and emphasise the role of the Ombudsman in ensuring that the public administration respects and protects human rights.<sup>4</sup>

### **III. County and municipal authorities**

119. Norway has a two-tier system of local government, consisting of 19 counties and 430 municipalities. The county and municipal authorities have the same administrative status, while central government has the overriding authority and supervises county and municipal administration. The main representative of central government that supervises the local authorities is the county governor.

120. The Local Government Act of 25 September 1992 No. 107<sup>5</sup> sets out the basic principles for the organisation of the and county and municipal authorities, their work and their relations with supervisory government bodies. On the whole the rules are the same for counties and municipalities. The Act grants counties and municipalities wide powers as regards the organisation of their political and administrative structures.

121. The Local Government Act does not regulate which duties are to be carried out locally. These questions are covered by separate provisions. The current division of responsibility for some of the main services is as follows.

#### **122. Central government responsibilities**

- The National Insurance Scheme
- Specialised health services (hospitals, etc.)
- Higher education/universities, labour market, refugees and immigrants
- National road network, railways, agriculture , the environment

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<sup>4</sup> See below for the Parliamentary Ombudsman.

<sup>5</sup> <http://www.regjeringen.no/en/doc/Laws/Acts/Local-Government-Act.html?id=439600>

- Police, courts, prisons, armed forces, foreign policy
- Specialised social services

### **123. County responsibilities**

- Upper secondary school
- Regional development
- County roads and public transport
- Regional planning
- Business development
- Culture (museums, libraries, sports)

### **124. Municipal responsibilities**

- Primary and lower secondary school
- Preschool institutions/kindergartens
- Primary health care, care of the elderly and disabled, social services
- Local planning (land use), agriculture, the environment, municipal roads, harbours
- Water and sanitation
- Culture and business development

125. In accordance with the principle of local autonomy, it is up to each local authority to organise its work as it deems best but, as on central government level, the promotion and protection of human rights must be taken into account by all local authorities in their areas of responsibility.

126. In order to ensure the rights of citizens and the legality of adopted decisions, county and municipal authorities are subject to state supervision and control.

127. The main representative of central government who supervises the local authorities is the county governor. According to section 59 of the Local Government Act, the county governor reviews the legality of county and municipal decisions, either upon request by at least three of the members of the county or municipal council or ex officio. The county governor also deals with appeals from the public over certain county and municipal decisions on the basis of legislation in the sector concerned.

128. The County Governor serves as a guardian of civic rights. He may review county or municipal decisions regarding the rights of any individual in the fields of health and social welfare, education, and building and planning, and may reverse the decision to the benefit of the individual.

129. In some areas sector legislation confers central control of counties and municipalities to bodies with specific competence in the area in question. Examples are the Board of Health, which supervises the local authorities in the area of health services, and the County Social Welfare Board, which reviews certain administrative decisions under the Child Welfare Act.<sup>6</sup>

## **IV. National human rights institutions**

### **I. The Norwegian Centre for Human Rights**

130. The national institution for human rights in Norway is the Norwegian Centre for Human Rights (NCHR). The centre is accredited with A status according to the standards of the International Coordinating Committee (ICC) of human rights institutions. The NCHR is part of the international network of national institutions for human rights, and works closely with the UN High Commissioner for Human Rights in Geneva.

131. The Norwegian Centre for Human Rights is organised as a multi-disciplinary centre under the Faculty of Law at the University of Oslo. By Royal Decree of 21 September 2001, the Norwegian Government granted the Norwegian Centre for Human Rights status as a national institution for human rights, defined by the Paris Principles (General Assembly resolution 48/134) (UN E/C.12/Q/NOR/2 21 May 2004, paragraph 2).

132. The terms of reference of the NCHR are to promote and monitor the protection and implementation of human rights in Norway. The centre's work includes studies and research, monitoring, consultancy, education and information concerning the human rights situation in the country. It issues statements and supplementary reports in connection with Norway's reporting to international treaty bodies, and makes comments and suggestions to draft

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<sup>6</sup> <http://www.regjeringen.no/en/doc/Laws/Acts/the-child-welfare-act.html?id=448398>

legislation and other government proposals. The Centre also arranges seminars, courses and lectures on the human rights situation, and publishes a yearbook on human rights in Norway.

133. The NCHR collaborates with similar entities in the research community, ombudsmen, non-governmental organisations and other civil society actors, and a number of international partners. There is an advisory board with broad representation from civil society including ombudsmen, NGOs, trade unions and the media.

134. The NCHR is not the competent authority for dealing with complaints from individuals regarding alleged human rights violations in Norway. This competence lies with the Parliamentary Ombudsman and other ombudsmen.

## **II. The Parliamentary Ombudsman**

135. The ombudsman institutions play a key role in monitoring the Norwegian authorities' fulfilment of their human rights obligations. The Parliamentary Ombudsman for the Public Administration was established in 1962, and his terms of reference are to deal with complaints from citizens concerning an injustice perpetrated by the public administration at any of the three levels: government, county or municipal. The Ombudsman may also raise an issue on his own initiative.

136. The functions of the Parliamentary Ombudsman are set out in the Constitution, in section 75, litra l, of the Act of 22 June 1962 No. 8 relating to the Parliamentary Ombudsman for the Public Administration<sup>7</sup> and in the Instructions of 19 February 1980 No. 9862 to the Parliamentary Ombudsman for the Public Administration. The Ombudsman is appointed by and administratively subordinate to the Storting, but acts as an independent body in the exercise of his functions.

137. In 2007 the Parliamentary Ombudsman Act was amended in order to strengthen the human rights mandate of the Parliamentary Ombudsman. According to the amended section 3 of the Act, the Ombudsman shall:

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<sup>7</sup> The English translation of the Act including amendments up to 2004, but not the 2007 amendment, can be found at <http://www.ub.uio.no/cgi-bin/ujur/ulov/sok.cgi> .

138. “seek to ensure that individual citizens are not unjustly treated by public authorities and help to ensure that public authorities respect and protect human rights.”

139. The Ombudsman’s opinions are not legally binding on the public authorities, but they are widely respected and followed. The opinions are published on the website and in the Yearbook of the Parliamentary Ombudsman for the Public Administration.

### **III. The Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal**

140. **The Equality and Anti-Discrimination Ombud** was established in 2006<sup>8</sup> and is responsible for promoting equality of opportunity and equal treatment, and addressing discrimination. The Ombud’s task is to strengthen efforts to promote equality and combat discrimination based on such factors as gender, ethnicity, disability, sexual orientation and age.

141. The Equality and Anti-discrimination Ombud monitors compliance with the following acts:

- The Gender Equality Act<sup>9</sup>
- The Act on prohibition of discrimination on the basis of ethnicity, religion etc. (the Anti-Discrimination Act)<sup>10</sup>
- The Act on prohibition of discrimination on the basis of disability (the Anti-Discrimination and Accessibility Act).
- The regulations regarding equal treatment issued under the Working Environment Act<sup>11</sup> with exception for discrimination on the basis of temporary and part-time employment.
- The anti-discrimination regulations issued in the housing legislation.

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<sup>8</sup> See the Act of 10 June 2005 No. 40 on the Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal, <http://www.regjeringen.no/en/doc/Laws/Acts/The-Act-on-the-Equality-and-Anti-Discrim.html?id=451952>

<sup>9</sup> Act of 9 June 1978 No. 45 relating to Gender Equality, <http://www.regjeringen.no/en/doc/Laws/Acts/The-Act-relating-to-Gender-Equality-the-.html?id=454568>

<sup>10</sup> Act of 3 June 2005 No. 33 on prohibition of discrimination based on ethnicity, religion etc,

<http://www.regjeringen.no/en/doc/Laws/Acts/the-act-on-prohibition-of-discrimination.html?id=449184>

<sup>11</sup> Act of 17 June 2005 No. 62 relating to the working environment, working hours and employment protection, <http://www.arbeidstilsynet.no/binfil/download.php?tid=42156>

142. The Ombud is also responsible for seeking to ensure that Norwegian legislation and practice comply with Norway's obligations under the United Nations Convention for the Elimination of Discrimination Against Women (CEDAW) and the United Nations Convention for the Elimination of Racial Discrimination (CERD).

143. An individual who claims to have been discriminated against may submit a complaint to the Ombud, who makes an administrative statement. Such statement may be appealed to the Equality and Anti-discrimination Tribunal. Unlike the Ombud's statements, those of the Tribunal are legally binding, and the Tribunal may impose a coercive fine to ensure compliance. However, neither the Ombud nor the Tribunal may set aside a legislative act or annul an administrative decision on the grounds that it is contrary to anti-discrimination legislation. The Ombud and the Tribunal are independent of both the Storting and the Government in the exercise of their functions.

144. The Ombud also provides general legal advice and guidance regarding cases of discrimination. As part of its work to promote equality, the Ombud will identify situations or conditions that hinder equal opportunity and equal treatment, raise awareness and influence attitudes and behaviour. The Ombud further provides advice and guidance to public- and private-sector employers on issues of diversity in relation to employment.

145. The Ombud records cases of discrimination and contributes to the development of expertise. It also serves as a forum and an information centre for promoting cooperation between different actors. The Ombud plays an active role in the public debate on equality and discrimination.

146. Concerning the Equality and Ant-Discrimination Tribunal reference is made to para 222-227.

#### **IV. The Ombudsman for Children**

147. In 1981 Norway established the world's first **Ombudsman for Children**.<sup>12</sup> The Ombudsman's main tasks are to promote the rights of children in the public and private

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<sup>12</sup> Act 6 March 1981 No. 5 relating to the Ombud for Children, [http://www.barneombudet.no/english/about\\_the\\_law\\_and\\_in/](http://www.barneombudet.no/english/about_the_law_and_in/)

sectors and to monitor the development of children's living conditions. The Ombudsman also monitors the compliance of Norwegian legislation and practice with the United Nations Convention on the Rights of the Child (CRC), and submits its own supplementary reports to the Committee on the Rights of the Child.

148. The Ombudsman for Children is independent of the Storting, the Government and other public authorities, and may freely raise issues and criticise government policy. The Ombudsman has the power to investigate, criticise and publicise issues that will improve the welfare of children and youth, and may demand access to case files and official documents in order to fulfil this function. However, the Ombudsman cannot reverse an administrative action or decision. There is no formal complaints mechanism such as those for complaints to the Parliamentary Ombudsman or the Equality and Anti-discrimination Ombud, but the Ombudsman for Children may raise issues on his own initiative, and address his opinions and recommendations to any public authority.

## **V. Other ombudsman institutions**

149. The terms of reference of the **patient ombudsmen** are to safeguard patients' needs, interests and legal rights in the health services, and to improve the quality of such services. There is one patient ombudsman in each of the 19 counties, and their powers and terms of reference are set out in Chapter 8 of the Act of 2 July 1999 No. 63 relating to patients' rights.

150. Any individual who claims that their rights or interests have been violated by the county/regional specialist care service or by the municipal primary health care service, may address a complaint to the Patient Ombudsman. The ombudsman may give its views on the matter and propose actions and improvements, but its views are not legally binding.

151. The **Ombudsman for the Armed Forces** deals with a number of cases involving human rights, such as the right to privacy, freedom of expression and freedom of religion.

152. **Other ombudsman institutions** have been established in some counties and municipalities, such as an ombudsman for the elderly and for social services. These ombudsmen may also play an important role in monitoring the authorities' observance of human rights and in raising awareness among government employees and the general public.

## **V. Dissemination of human rights instruments**

153. The core UN human rights conventions ratified by Norway have all been translated into Norwegian. The conventions that are incorporated into Norwegian law in the form of the Human Rights Act and other acts are published in Norwegian and English on the legal information database Lovdata: [www.lovdata.no](http://www.lovdata.no). The conventions are also published on the government website: [www.regjeringen.no](http://www.regjeringen.no), and on the websites of the individual ombudsman institutions. Hard copies may be obtained from all these agencies and institutions on request.

154. Some of the core human rights instruments have also been published in brochures and widely distributed. For example, a short version of the Convention on the Rights of the Child, translated into Norwegian and Sami, has been distributed to all primary schools in Norway.

155. Judgements and decisions by the European Court of Human Rights are published on Lovdata, together with summaries in Norwegian. Lovdata also publishes Norwegian summaries of the decisions and opinions of the monitoring bodies under the UN human rights system in individual cases where Norway is a party.

## **VI. Raising human rights awareness among public officials and other professionals**

156. Education and training in human rights is a prerequisite for promoting and protecting human rights. Norway does not currently have an overview over the relevant courses and programmes, teacher qualifications and other forms of implementation of such education, or of the extent to which personnel in key professions have sufficient operational competence to identify possible human rights violations. A study on these questions is being planned in collaboration with civil society organisations. The aim will be to provide information on teacher competence, methodology and the results of human rights education in primary and secondary schools, and on available programmes, scope, competence, implementation and targets for human rights education in higher education, with special emphasis on professional training. A further aim will be to identify any need for coordination and reinforcement in this area.

157. Universities and university colleges are autonomous institutions. in principle the government is therefore not in a position to impose specific requirements on these institutions regarding the content of teaching or research, but it may and does lay down a national curriculum for certain types of training and certain subjects . National curriculum regulations have been drawn up for teacher training and for professional training in the health and social services sector, and human rights has been included as an obligatory component in these training programmes. Knowledge about human rights is also included in the curricula for other professions, such as lawyers, police and prison wardens.

158. Further education programmes for public officials are organised by the government and other public authorities, and by professional and other civil society organisations.

## **VII. Promotion of human rights awareness through educational programmes and government-sponsored public information**

159. Including human rights education in all levels of the education system has high priority in Norway. In 2008 the Storting decided to amend the purpose clauses for day-care institutions and primary and secondary schools, and the amendments to the Education Act, which regulates primary and secondary education, entered into force in January 2009. The amended purpose clause for day-care institutions will be included together with other necessary amendments in the Act relating to day-care institutions as soon as they have been adopted.

### **Kindergartens**

160. According to the new purpose clause, kindergartens should, in cooperation with the parents, ensure that children's need for care and play is met, and promote their holistic development. Kindergartens must base their activities on the fundamental values of the Christian and humanist heritage, which are also those inherent in human rights, such as respect for human dignity, intellectual freedom, charity, forgiveness, equality and solidarity.

161. The curriculum for the content and tasks of kindergartens laid down by the Norwegian Ministry of Education and Research in 2006 has similar objectives. Thus kindergartens should base their activities on a common set of values such as human worth, equality, honesty and

fairness, and these values should be taught in accordance with the human rights conventions to which Norway is a party. International conventions and Norwegian law both emphasise the right of parents to bring up their children in accordance with their religion and ideological beliefs and the right of children to learn about the society in which they are growing up.

#### Primary and secondary education

162. The amended purpose clause for education and training entered into force in January 2009. Ever since the first objectives for state schools were decided in 1848 and until 2008, the purpose clauses have been amended primarily by adding new objectives and without changing the core principle of Christian and moral upbringing. The objectives in the new Education Act are a clear break with this tradition, as they are based on fundamental human rights, and take account of the fact that while Norwegian society has its own cultural tradition it is also marked by cultural diversity.

163. The new purpose clause states that “Education and training shall be based on fundamental values in Christian and humanist heritage and traditions, such as respect for human dignity and nature, on intellectual freedom, charity, forgiveness, equality and solidarity, values that also appear in different religions and beliefs and are rooted in human rights.” It also states that education and training should provide insight into cultural diversity, respect the individual’s convictions, and promote democracy, equality and scientific thinking. Pupils and apprentices are to learn to think critically and act ethically and to have joint responsibility and the right to participate. Furthermore all forms of discrimination are to be combated.

164. Human rights are also integrated in the compulsory subject curricula for primary and secondary education. In social studies subjects, the children are expected to have acquired various competencies concerning human rights by the end of grades 7, 10 and 11. This is also included in the teaching of the subject religion, philosophies of life and ethics. A special subject (140 lessons), entitled human rights and politics, is offered as an elective for pupils in grade 12 of the general studies programme, and human rights are also incorporated in the optional subjects of sociology and law.

### The European Wergeland Centre

165. In cooperation with the Council of Europe, Norway has established a centre on education for intercultural understanding, human rights and democratic citizenship. The Centre, which is named after the Norwegian poet Henrik Wergeland (1808-1845), was established in 2008 and began operating in February 2009. The Centre aims to function as a European resource centre for the member states of the Council of Europe, and will build on and promote the values and goals shared by the Council of Europe and Norway.

166. The main task of the Wergeland Centre is to promote democratic culture and social belonging through education. It is to conduct research with a practical focus on its areas of work and provide in-service training for teachers and teacher training professionals. It will also disseminate information, serve as a platform and create a network for actors in this field. The working language is English, and the target groups are teachers, teacher training professionals, scientists, practitioners, policy-makers and other relevant actors.

### **VIII. Promotion of human rights awareness through the media**

167. Freedom of expression and of the press is guaranteed both through international human rights instruments and in the Norwegian Constitution. The press and other mass media regularly highlight important human rights issues in Norway and play a vital role in facilitating public debate on these questions. Civil society organisations also make use of the media to put human rights issues on the public agenda.

### **IX. Role of civil society, including non-governmental organisations**

168. Civil society, including human rights defenders, plays a key role in the realisation of human rights in Norway and has laid much of the foundation for democracy and welfare in Norwegian society. NGOs promote diversity, disseminate knowledge, stimulate debate on policies and priorities, contribute proposals to public consultations, engage in voluntary work and promote social cohesion. In many cases matters have been placed on the agenda as a result of initiatives taken by civil society stakeholders.

169. Norway has always had a strong civil society. More than half of the adult population of Norway is active in one or more organisations, in fields such as nature conservation, sport, religion, human rights, development cooperation, culture, the trade unions and trade and

industry organisations. In Norway a high rate of participation in NGOs is perceived as an indicator of a good society characterised by diversity, community and civic engagement. The Government wishes to involve a broad cross-section of society in the efforts to promote human rights and support and facilitate voluntary engagement and the development of a vibrant civil society. The state's provision of public funding for NGOs without imposing guidelines for their activities is an important means of achieving this objective. The Government also organises regular meetings with human rights organisations, and all draft legislation is subject to a broad consultation process that includes human rights organisations, which often provide valuable input and are able to influence government policy.

170. A number of Norwegian civil society organisations that focus on human rights have created a network, the NGO Forum for Human Rights, through which they share information and coordinate their efforts. A similar network has been established specifically for children's rights, the Forum for the Convention on the Rights of the Child, which has a membership of more than 50 institutions and NGOs.

## **X. Budget allocations and trends**

171. As discussed in the introduction, human rights are mainstreamed in all areas of national public administration. Funding for human rights is therefore not specifically allocated in the national budget, but appears under a wide range of items, such as education, health and care, social welfare and courts administration.

## **XI. Development cooperation and assistance**

172. In 2009 Norway reached its target of increasing development assistance to 1% of GNI (gross national income). Human rights is one of the priority areas for Norwegian development cooperation, together with the environment and sustainable development, peace-building, humanitarian assistance, oil and clean energy, women and gender equality, good governance and the fight against corruption, and the efforts to reach the health-related Millennium Development Goals.

173. Out of the total budget of NOK 26.2 billion for international development assistance in 2009, NOK 255.2 million has been allocated under the item “human rights”.

## **F. REPORTING PROCESS AT THE NATIONAL LEVEL**

### **I. UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

174. In accordance with the reporting procedure described in paragraphs 17 and 18 of Norway’s core document, a draft of the present report has been submitted for comment to the Government’s Advisory Committee on the Human Rights Working Group on United Nations-related issues. This opportunity to comment on the report does not of course prevent this group or any other non-State actor from presenting their views directly to the Committee.

### **II. UN Covenant on Civil and Political Rights**

175. The Norwegian Ministry of Justice and the Police has coordinated the reporting process. A large number of ministries have contributed to the report, and Norwegian civil society has played an important and active role. The Ministry of Foreign Affairs and the Ministry of Justice started the reporting process by holding a joint meeting to inform organisations of the process and invite them to submit contributions and suggestions for Norway’s report. The challenges and possible solutions pointed out by civil society were communicated to the relevant line ministries and taken into account when the report was written. Finally, a brief consultation process was held on the draft report before the report was finalised.

### **III. The UN Convention on the Rights of the Child (CRC)**

176. The work on the report is implemented in accordance with the guidelines for periodic reports. The Ministry of Children and Equality coordinates the work, and nine ministries with a responsibility for children and youth affairs in their sectors provide contributions. The reporting process has been further developed in the period since the first report. In connection with Norway’s fourth report to the CRC Committee, the Ministry of Children and Equality invited eight municipalities to collect children and young people’s views on what it is like growing up in Norway, and these were attached in the form of an annex to the fourth report.

A draft of the report was submitted to the Sami Parliament for input and a consultation round was held with NGOs and the Ombudsman for Children..

177. In 2008 the Ministry of Children and Equality initiated regular meetings between contact persons in the relevant ministries to discuss challenges connected with the implementation of the CRC. An educational programme on the CRC for ministry employees is being implemented in 2009. A conference will be arranged in November 2009 to celebrate the 20<sup>th</sup> anniversary of the CRC.

#### **IV. The UN Convention on the Elimination of Discrimination Against Women (CEDAW)**

178. In September 2006 Norway submitted its seventh periodic report to the Committee on the Elimination of Discrimination Against Women. In October 2005, the Ministry of Children and Equality requested the other ministries to contribute reports relating to their particular spheres of responsibility, and contacted the Equality and Anti-Discrimination Ombud to request assistance in preparing the report. On the basis of the input from the ministries and the Ombud, a draft report was prepared and consultations were held with a number of women's and gender equality organisations, human rights organisations, the social partners and other ministries. The Ministry of Children and Equality also invited all the consultative bodies to a meeting. The responses were incorporated into the final report, which was also distributed to all the consultative bodies.

#### **V. The UN Convention on the Elimination of Racial Discrimination (CERD)**

179. The reporting process to CERD is similar to that of CRC and CEDAW, with several ministries contributing to the report. Consultations were held with civil society organisations and ministries. As was done for previous reports to CERD, a meeting was held with the consultative bodies. Norway's reports and CERD's concluding observations have been forwarded to the relevant governmental and non-governmental bodies and organisations.

180. The responsibility for reporting to CERD was transferred to the Ministry of Children and Equality before the work on the nineteenth and twentieth report began. This ministry has aimed to increase the transparency of the reporting process and the involvement of civil society in the work on this report. A broad range of organisations have been invited to comment in writing on the draft report, and all the relevant documents have been published on

the ministry's website. The draft report has been forwarded to the Sami Parliament for comments. The ministry also arranged a meeting with representatives for the Sami Parliament. The nineteenth and twentieth CERD-report will be delivered November/December 2009.

## **VI. The International Covenant on Economic, Social and Cultural Rights (ICESCR)**

181. Norway's fifth periodic report is due on 30 June 2010. It is being prepared in accordance with the treaty-specific guidelines (E/C.12/2008/2) which take into account the harmonised guidelines on reporting under the international human rights treaties (HRI/GEN/2) and the evolving practice of the Committee in relation to the application of the Covenant, as reflected in its concluding observations, general comments and statements.

182. A preparatory inter-ministerial meeting of more than 10 participating ministries was held under the auspices of the Ministry of Foreign Affairs. At least two open consultation meetings for civil society will be held. Civil society involvement and a transparent governmental process are considered vital to the content of the report. The Ministry of Foreign Affairs will publish all the relevant documents pertaining to the reporting process on the government website in order to facilitate NGO participation in the process. Norway's report and ICESCR's concluding observations will be forwarded to the relevant governmental and non-governmental bodies and organisations, and published on the government website.

## **VII. The UN Convention on the Rights of Persons with disabilities**

183. Norway has signed the UN Convention on the Rights of Persons with Disabilities, and intends to submit a bill to the Storting on the ratification the Convention in 2010. EU regulations and directives and Council of Europe resolutions and recommendations relating to people with disabilities are being followed up.

### **3. INFORMATION ON NON-DISCRIMINATION AND EQUALITY, AND EFFECTIVE REMEDIES**

#### **G. PROTECTION AGAINST DISCRIMINATION - INTRODUCTION TO THE NORWEGIAN LEGAL FRAMEWORK**

184. Provisions relating to protection against discrimination on the grounds of personal qualities or opinions are currently to be found in a number of different acts. The protection measures vary according to the grounds of the discrimination.

185. The Norwegian prohibition against discrimination on the basis of gender includes provisions relating to pregnancy and leave of absence for the birth or adoption of a child, which are set out in the Gender Equality Act of 1978. The Anti-Discrimination Act of 2005 prohibits discrimination on the grounds of ethnicity, national origin, descent, skin colour, language, religion or belief. The Anti-Discrimination and Accessibility Act of 2008 prohibits discrimination on the basis of disability. These acts apply in principle to all areas of society. Chapter 13 of the Working Environment Act prohibits discrimination in employment relationships on the basis of political views, membership of an employee organisation, sexual orientation, age, or temporary or part-time employment. Discrimination on the grounds of ethnicity, sexual orientation or disability is also prohibited in the housing legislation.

186. Direct and indirect discrimination, harassment and instructions to discriminate against an individual on the basis of the above-mentioned grounds are prohibited. The anti-discrimination legislation also contains provisions for the protection of a person who brings a suit for discrimination from being subjected to unfavourable treatment (reprisals), on account of his or her action, and the Act also covers being an accessory to discrimination.

187. All these acts have introduced a shared burden of proof and civil law sanctions for violations of the prohibition in the form of redress or damages. A special enforcement mechanism has also been established to supervise and assist in the implementation of the Act, see below. Decisions regarding redress and damages must be made by a court of law.

188. The anti-discrimination legislation is enforced by two bodies, the Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal, which were established on 1 January 2006. Both are independent agencies administratively subordinate to

the Ministry of Children and Equality. The Ombud's opinion may be appealed to the Tribunal.

189. In its promotional role, the Ombud promotes equality and seeks to prevent discrimination in society as a whole. Among other things, this entails identifying and drawing attention to factors that hinder equality and equal treatment, raising awareness and educating the public, providing general information and guidance, advising employers on ethnic diversity in working life, and monitoring the nature and extent of discrimination in society.

190. The Penal Code also provides for protection under criminal law against discrimination and hateful expressions.

191. In June 2007 a Commission was appointed by the Norwegian Government to propose comprehensive anti-discrimination legislation and in June 2009 the Commission submitted its proposal for compiled and more comprehensive anti-discrimination legislation.

### **I. The Gender Equality Act**

192. The Gender Equality Act entered into force on 15 March 1979. The Act provides the framework for all efforts to promote gender equality in Norway. It prohibits all discrimination on grounds of gender, but is particularly aimed at strengthening the position of women. It applies in all areas of society, with exception for the internal affairs of religious communities. In October 2009 the Government submitted a bill to the Storting to clarify the special exception for religious communities. Such discrimination can only be founded in the general provision for justified unequal treatment. The conditions are to be that the unequal treatment has a just cause, that it is necessary and that it does not disproportionately negatively affect the person or persons subject to the unequal treatment. As well as being an important guarantee against discrimination, the Act provides a basis for proactive measures.

193. The Act requires public authorities to work purposefully to promote gender equality in their own areas of responsibility. It also requires employers to work actively on gender equality and report annually on the activities in their enterprises. The duty to report is implemented in the Accounting Act and in the Local Government Act.

194. The Act enables authorities and others to introduce special measures for one gender for a limited period of time in order to promote gender equality. The provision in the Act

concerning representation of both sexes on official committees, etc. has played an important role in promoting women's participation in public governance and has served as a precursor to similar provisions relating to representation on boards of directors of limited companies, etc.

195. The Act is enforced by the Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal.

## **II. The Anti-Discrimination Act**

196. The Anti-Discrimination Act entered into force on 1 January 2006. The Act prohibits discrimination based on ethnicity, national origin, descent, skin colour, language, religion or belief.

197. The purpose of this act is to promote equality, ensure equal opportunities and rights and to prevent discrimination regardless of ethnicity, religion, etc.

198. The Act applies in all areas of society except for family life and personal relationships. As regards the discriminatory grounds of religion and belief, exceptions are made for actions and activities under the auspices of religious and belief communities and enterprises with a religious or belief-related objective, when such actions and activities are significant for the achievement of the community's or enterprise's religious or belief-related objectives. Direct and indirect discrimination, harassment and instructions to discriminate against a person on the basis of the aforementioned grounds are prohibited. Under the Act a person who brings a discrimination case before the court may not be subjected to unfavourable treatment such as retaliation on account of his or her action. In addition, a prohibition against being an accessory to discrimination has been introduced.

199. Differential treatment that is necessary in order to achieve a legitimate objective or that does not constitute a disproportionate intervention for the person or persons affected is not considered to be discrimination under the Act. Nor is positive special treatment that contributes to the achievement of the purpose of the Act considered to be discrimination. The Act prescribes that such special treatment shall cease when its purpose has been achieved.

200. A provision regarding the shared burden of proof has been included in the Act. The Act introduces civil law sanctions for breaches of the prohibition, in the form of redress and damages.

201. Decisions regarding redress and damages must be made by courts of law. The Act thus ensures coherent protection under civil law against discrimination based on ethnic origin, religion, etc.

202. The Act also covers discrimination committed jointly by several persons, either in loosely-knit groups or in more organised forms.

203. The Act contains a separate penal provision for serious contraventions of the prohibition against discrimination that are committed jointly by several persons. The penalty is fines or imprisonment for up to three years. A person who has previously been sentenced for contravention of this provision may be sentenced even if the contravention is not serious.

204. The Act meets the requirements set out in EU Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, and EU Council Directive 2000/78/EF establishing a general framework for equal treatment in employment and occupation.

205. The Act requires public authorities to work purposefully to promote equality on the basis of ethnicity in their own areas of responsibility, and it requires employers to make active efforts to promote the purpose of the act in their enterprises. To ensure that small private enterprises are not required to comply with excessively stringent requirements, this duty is limited to enterprises that regularly employ more than fifty people. Corresponding amendments in the Accounting Act and the Local Government Act entered into force on 1 January 2009. For private companies the duty is limited to companies with more than fifty employees.

206. The Act is enforced by the Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal.

### **III. The Anti-Discrimination and Accessibility Act**

207. The Anti-Discrimination and Accessibility Act entered into force on 1 January 2009. The Act's purpose is to strengthen legal protection against discrimination on the basis of disability.

208. The Anti-Discrimination and Accessibility Act is divided into two parts – one concerning discrimination and one concerning accessibility. These are closely linked in the sense that a breach of the provisions relating to accessibility may constitute discrimination. On the other hand, discrimination on the basis of disability may take place without there being any contravention of the accessibility provisions.

209. The objectives of the Act are to promote equality, ensure equal opportunities and rights and prevent discrimination on the basis of disability. The Act is intended to help dismantle disabling barriers created by society and to prevent new ones from being created. The Act applies in all areas of society, including working life. Direct and indirect discrimination is prohibited. The Act also contains a prohibition against harassment and against giving instructions to discriminate, harass or make use of reprisals, and against contributing to discrimination. In order to ensure that a person who complains of a breach of the Act's prohibitions is not made subject to negative reactions, the Act also contains a prohibition against reprisals. There are provisions setting out a duty of general accommodation (universal design) and individual accommodation.

210. Universal design is used to mean designing or accommodating the main physical features of the undertaking in such a way that the normal function of the undertaking can be utilised by as many people as possible. This duty applies to undertakings that offer goods and services to the general public. Universal design therefore ensures not only accessibility but also accessibility on equal terms. Pregnant women, parents with young children and many elderly people benefit from greater accessibility in the form of a universally designed society. However, in some cases general accommodation requirements are not enough to ensure accessibility for all persons with disabilities.

211. Where universal design does not benefit everyone, the Act also has a duty to make individual accommodation in the areas of working life, schools and education, day-care institutions and certain municipal services.

212. The sanctions for a breach of the prohibitions of the Act are civil law sanctions: damages for both non-financial and financial losses.

213. The Act requires public authorities to work purposefully to promote equality in accordance with the purpose of the act in their own areas of responsibility, and it requires employers to report annually on gender equality in their enterprises. For private companies the duty is limited to companies with more than fifty employees.

214. The Act is enforced by the Equality and Anti-Discrimination Ombud and the Tribunal. The time limits for the universal design of ICT (information and communications technology) are enforced by the Agency for Public Management and eGovernment (DIFI).

#### **IV. The Working Environment Act (Chapter 13)**

215. Chapter 13 of the Working Environment Act prohibits discrimination in employment relationships on the basis of political views, membership of an employee organisation, sexual orientation, age, or temporary or part-time employment. According to the scope of anti-discrimination Chapter 13 applies to all aspects of employment and to the employers selection and treatment of self-employed persons and contract workers.

216. In 2009, the Government submitted a bill with amendments to the Working Environment Act to clarify the special exception for religious communities concerning sexual orientation. Such discrimination can only be founded in the general provision for justified unequal treatment. The conditions are to be that the unequal treatment has a just cause, that it is necessary and that it does not disproportionately negatively affect the person or persons subject to the unequal treatment.

#### **V. The Equality and Anti-Discrimination Ombud**

217. The office of Equality and Anti-Discrimination Ombud was established on 1 January 2006. It is an independent body administratively subordinate to the Ministry of Children and Equality. The Ministry cannot instruct the Ombud with respect to the processing of individual

cases or the Ombud's other professional activities. Nor can the Ministry amend the Ombud's decisions.

218. The Ombud's task is to combat discrimination and promote equality regardless of factors such as gender, ethnicity, disability, language, religion, sexual orientation or age. The Ombud enforces the Gender Equality Act, the Anti-Discrimination Act, the Anti-Discrimination and Accessibility Act and Chapter 13 of the Working Environment Act with exception for discrimination on the basis of temporary and part time employment. The Ombud also enforces the anti-discrimination provisions in the housing acts (the Tenancy Act, the House-Building Cooperatives Act, the Housing Cooperatives Act and Property Unit Ownership Act). The Ombud must also ensure that Norwegian law and administrative practices are in conformity with Norway's obligations pursuant to the UN Convention on the Elimination of All Forms of Discrimination against Women and the UN Convention on the Elimination of All Forms of Racial Discrimination.

219. The Gender Equality Act, the Anti-Discrimination Act, The Anti-Discrimination and Accessibility Act and the Working Environment Act (Chapter 13) are, as mentioned above, administered by the Ministry of Children and Equality, while the housing acts are administered by the Ministry of Local Government and Regional Development.

220. The law enforcement role of the Ombud entails issuing statements in response to complaints about violations of the legislation within the Ombud's sphere of work. Any person who believes that he or she has been discriminated against may submit the case to the Ombud, who carries out an objective assessment of the case and issues a statement. A statement by the Ombud may be appealed to the independent Equality and Anti-Discrimination Tribunal.

221. The Ombud's promotional role involves promoting equality and preventing discrimination in society as a whole. Among other things, this entails identifying and drawing attention to factors that hinder equality and equal treatment, raising awareness and educating the public, providing general information and guidance, advising employers on ethnic diversity in working life, and monitoring the nature and extent of discrimination.

## **VI. The Equality and Anti-Discrimination Tribunal**

222. The Equality and Anti-Discrimination Tribunal was established by law on 1 January 2006 and enforces the in para 141 mentioned legislation relating to equality and anti-discrimination.

223. The Tribunal receives government funding but functions as an independent body that is not subject to instruction by the government. The Tribunal is accessible to the general public and its services are free of charge.

224. Only the Equality and Anti-Discrimination Ombud is competent to investigate alleged non-compliance with the law. A statement issued by the Ombud may be appealed to the Tribunal, and the case may only be considered by the Tribunal after the Ombud has issued a statement.

225. The decisions of the Tribunal are administratively binding, but may be overruled by a court of law. The Tribunal may impose a coercive fine to ensure compliance.

226. As regards administrative decisions made by municipal and state institutions, the powers of the Tribunal are more limited. In such cases the Tribunal may only issue recommendations.

227. The Tribunal consists of eight members and four substitute members appointed by the government. When cases are being considered the members are divided into two divisions with five members each. The chair and deputy chair participate in both divisions, thus ensuring consistency in the practice of the Tribunal. Most of the members are lawyers.

## **VII. The Commission to propose more comprehensive anti-discrimination legislation**

228. The Commission to propose more comprehensive anti-discrimination legislation was appointed by the Norwegian Government on 1 June 2007, and submitted its recommendations on 19 June 2009<sup>13</sup>.

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<sup>13</sup> <http://www.regjeringen.no/nb/dep/bld/dok/nouer/2009/nou-2009-14.html?id=566624>.

229. The Commission's final report is undergoing consultation. The closing date for statements is 30 December 2009.

### **VIII. Ratification of Protocol No. 12 to the European Convention on Human Rights and Fundamental Freedoms**

230. The Protocol was signed by Norway on 15 January 2003, and the Commission to propose more comprehensive anti-discrimination legislation has considered whether Norway should ratify it.

231. The majority of the Commission's members recommended that Norway should not ratify the Protocol. They placed special emphasis on the high degree of uncertainty regarding the obligations undertaken by a state on ratification and regarding how the very broadly formulated wording in Article 1 of the Protocol will be interpreted by the European Court of Human Rights. The majority also emphasised the fact that ratification of the Protocol would entail greater protection against discrimination for legal entities and that this does not lie within the core area of the prohibition against discrimination under human rights law. The minority of the Commission recommended ratifying the Protocol. They pointed out that the Protocol does not entail any new obligations for Norway, it only entails new procedural benefits for victims of discrimination. The minority also pointed out that protection against discrimination for legal entities is already provided by Article 14 of the European Convention on Human Rights. Furthermore, the minority considered it unlikely that protection against discrimination will be interpreted by the European Court of Human Rights as introducing a general requirement of just cause that is independent of the grounds for discrimination.

### **H. ORGANISATION OF THE GOVERNMENT'S EFFORTS TO PROMOTE EQUAL RIGHTS AND PREVENT DISCRIMINATION**

232. In 2007 the overall responsibility for coordinating Norway's efforts to promote equal rights and prevent discrimination was assigned to the Ministry of Children and Equality. Today the Ministry administers the Gender Equality Act, the Anti-Discrimination Act, the Anti-Discrimination and Accessibility Act and Chapter 13 of the Working Environment Act on protection against discrimination. Unifying the administration of the various acts under one ministry is a step in the Government's long-term efforts to combat discrimination, as it makes it easier to view the various forms of discrimination in relation to one another.

233. The Ministry of Children and Equality plays a leading role in the efforts to promote an equal rights perspective in all policy areas and at all administrative levels. However, each ministry is responsible for promoting equal rights and preventing discrimination within its sector, in accordance with the principle of sector responsibility.

### ***I. Gender equality***

234. The Norwegian Gender Equality Act prohibits discrimination on grounds of gender in all areas of society.

235. In Norway today, almost as many women as men have completed higher education. Welfare benefits such as paid parental leave, flexible working hours and well-developed childcare facilities have made it easier to combine family life with paid employment. However, conditions for women and men in working life still differ. For example, far more women work part time and, adjusted for working hours, women's pay is approximately 84.3% of men's.

236. In order to achieve gender equality both in the workplace and at home, it is important for fathers to take a larger share of responsibility for childcare and family life. Since the introduction of parental leave earmarked for fathers, an increasing proportion of fathers have taken a greater share of parental leave. From 1 July 2009, 10 weeks of parental leave are earmarked for fathers.

237. In 2003, it was decided that Norway would be the first country in the world to require balanced gender representation on the boards of public limited companies. This means that the boards of private and public companies must include a minimum of 40% of each sex. On 1 July 2008, 40% of board members were women. Overall, the figure has risen from approximately 7% in 2003 to approximately 44% in 2009.

### ***II. Equal rights for gay, lesbian, bisexual and transgender people***

238. There have been significant developments in gay and lesbian rights in Norway over the last few years. Under the new Marriage Act (Act of 4 July 1991 No 47) which entered into force on 1 January 2009, same-sex couples are entitled to get married. Registered partners

may also apply for their partnership to be legally recognised as a marriage. Same-sex couples have the same rights as others to adopt children. Lesbian couples are also entitled to IVF treatment.

239. The Working Environment Act prohibits discrimination on the basis of sexual orientation.

240. In June 2008, the Government launched an action plan 2009-2012 for improving the quality of life for lesbian, gay, bisexual and transgender (LGBT) people, which includes measures to combat the discrimination that many people in these groups experience in various life phases and social contexts. The aim is integration of LGBT perspectives in all areas of society. The action plan focuses in particular on groups that are vulnerable to discrimination on several different grounds. Eight ministries are involved, and the plan includes guidelines for how LGBT interests are to be taken into account in foreign policy, education policy, health policy, children and family policy, employment policy, in connection with immigration, in Sami policy, in the police and justice sector, and in relation to employment in the government sector.

241. The action plan sets out a number of research and development measures to further develop, systematise and disseminate knowledge about LGBT. For example, several textbooks for pupils and teachers have been published and will be distributed to all schools, and studies have been conducted on attitudes among the general public and on the situation of LGBT people, including young people and Sami communities.

242. LGBT organisations have for many years played an important role in putting such issues on the agenda in Norway. In recent years, the national organisations have gained considerable influence; they now act as watchdogs and are important partners for the authorities at both national and local level. These organisations receive annual support from the authorities for their operating expenses, and also project grants.

243. In 2009 Norway has taken part in the Council of Europe Committee of Experts on Discrimination on Grounds of Sexual Orientation and Gender Identity, which during the course of the year is to submit a proposal for a joint LGBT policy for the member countries.

The Norwegian Government is also an advocate for LGBT rights and a promoter of LGBT interests in its dialogues with politicians and authorities in other countries.

### **III. Equal rights for persons with disabilities**

244. Many people with disabilities encounter obstacles in their daily lives due to lack of accessibility in their physical surroundings. Accessibility is crucial for ensuring full participation in society. The Government is systematically seeking to improve accessibility by promoting universal design.

245. Norway's action plan for universal design and better accessibility for the period 2009–2013. The action plan is intended to support the implementation of the Anti-Discrimination and Accessibility Act, universal design in the Planning and Building Act and other legislation that safeguards the rights of people with disabilities. The priority areas are outdoor areas, planning, buildings, transport and ICT. The Government is also promoting universal design in workplaces in the public sector and in private enterprises that offer goods and services to the general public.

### **IV. Equal rights for ethnic minorities**

246. Discrimination may be experienced by all population groups and in all areas of society. However, discrimination is not always implemented by the majority population against the minority population. Prejudice, scepticism, xenophobia, racism and other forms of discrimination occur between and within minority groups, and may also be directed towards the majority population. The Government believes that all forms of racism, discrimination and harassment must be prevented. Every citizen is responsible for combating unjustified differential treatment. However, the authorities and the majority population have a greater responsibility than others.

247. Protection against racial discrimination is regulated by the Anti-Discrimination Act. The Penal Code also contains provisions against discrimination on the basis of ethnicity, national origin, skin colour, religion and beliefs.

248. Studies show that people from ethnic minorities are particularly vulnerable to discrimination. Many complaints handled by the Equality and Anti-Discrimination Ombud have to do with racial discrimination in connection with working life and the public

administration. Hate crime that targets minority groups is another challenge. Although the police receive few reports of hate crime, there is reason to believe that the true figures are much higher.

249. To be effective, the fight against racism and discrimination requires a continuous, systematic effort. The Government has strengthened its work in this field by developing an action plan to promote equality and prevent ethnic discrimination 2009-2012. The action plan focuses on discrimination based on the ethnicity, national origin, descent, skin colour, language, religion or beliefs of immigrants and their children, the Sami and other national minorities.

250. The action plan includes 66 new measures with particular focus on working life, public services, day care and education, and the housing market, and discrimination in restaurants, bars and nightclubs. The Ministry of Children and Equality is coordinating the implementation of the action plan, which involves nine ministries. During the period covered by the plan, the Government will collaborate with the eight main social partners on implementing the measures to prevent discrimination in working life.

251. One of the key objectives of the action plan is to ensure that the new provisions relating to anti-discrimination activities and reporting introduced in the amended Anti-Discrimination Act are properly followed up. Another key objective is to increase knowledge of the nature, scope and causes of discrimination with a view to initiating more targeted measures.

## **V. Indigenous peoples and national minorities**

252. The Sámediggi (the Sami Parliament) was established in 1989 under the Sami Act, as a representative political body for the Sami in Norway, in particular as a party in the dialogue with central government. The Sámediggi has also assumed administrative responsibilities and makes use of policy instruments in certain areas.

253. Almost 14 000 individuals registered on the electoral roll for elections to the Sámediggi in 2009. However, many Sami choose not to register themselves on this electoral roll, and the number of registered voters should not be taken as an indication of the total number of Sami.

254. Because there is no overall registration of the Sami population, it is difficult to generate statistics on the Sami as a group. However, a project aimed at producing more accurate statistics is being carried out by Statistics Norway, and the Sámediggi has recently decided to allow the use of information in the electoral roll, the relevant registers for reindeer husbandry and ethnic data from the census of 1970 for this purpose.

255. In recent years policies towards the Sami have given priority to recognising and strengthening minority and indigenous rights and on development of an infrastructure of institutions in Sami society. Legislation and programmes have been established to strengthen the Sami language, culture, industries and society. Of particular importance are the Finnmark Act, the Procedures for Consultations with the Sámediggi and the Plan of Action for Strengthening Sami Languages.

256. As an indigenous people, the Sami are entitled to be consulted on matters that may affect them directly. The Sámediggi and the central government authorities have concluded an agreement on how these consultations are to be carried out in the Procedures for Consultations between the State Authorities and the Sámediggi of 11 May 2005. The authorities are also obliged to consult with other Sami interests in addition to the Sámediggi, particularly matters that directly affect Sami land use, such as reindeer husbandry.

257. Norway ratified the European Charter for Regional or Minority Languages in 1993 and the European Framework Convention for the Protection of National Minorities in 1999. The following groups are recognised as national minorities in Norway, as they have long-standing ties with the country: Jews, Kven, the Roma, the Romani People/Tater, and Skogfinn.

258. In 2009 the Government presented a plan of action to improve the living conditions of Roma people with Norwegian nationality. Most members of this group live in the municipality of Oslo, and the action plan was drawn up in cooperation with the Roma people themselves and the municipality of Oslo.

259. In order to maintain the necessary dialogue with the Roma, one of the measures in the plan is to appoint a consultative body in which they participate.

260. In cooperation with the Roma, the municipality of Oslo has developed a model for adult education for young Roma. The project started in 2007, and aims to raise proficiency in reading and writing, mathematics and digital skills. The plan of action proposes that the project should be further developed by establishing a centre for advice and counselling on housing, work, social services, etc.

261. The Sami are an indigenous people who traditionally live in the northern and eastern parts of Norway, and in parts of Sweden, Finland and Russia.

262. The rights of the Sami are protected under Article 110a in the Norwegian Constitution, which states that “it is the responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop their language, culture and way of life.” The rights of the Sami are also protected in more specific provisions in the Sami Act and other legislation, and through Norway’s obligations under several international conventions, particularly Article 27 of the UN Convention on Civil and Political Rights and ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

263. Norwegian policy towards the Sami is based on the recognition that the state of Norway was established on the territory of two peoples, the Norwegians and the Sami, and that both these peoples have the same right to develop their culture and language.

## **VI. Immigrants**

264. 10.6% of Norway’s population has an immigrant background, defined as persons with two parents born abroad. Even though there are large variations between groups and individuals, statistics show that the immigrant population as a whole has poorer living conditions than the general population. In order to improve their living conditions, the Government has introduced an Action Plan for Integration and Social Inclusion of the Immigrant Population. Over NOK 500 million has been allocated to the 40 measures in the plan. It was put into effect in 2007 and continued in 2008 and 2009.

265. Newly arrived immigrants are in a vulnerable position in the labour market. According to the Introduction Act, the municipalities have been obliged since 1 September 2004 to offer such immigrants an introductory programme. The programme is intended for persons between

the ages of 18 and 55 who have been granted asylum or a residence permit on humanitarian grounds or collective protection under conditions of mass outflow, and persons who have been given a residence or work permit as family members of these persons. The aim of the programme is to give newly arrived immigrants the opportunity to participate in working and social life and to increase their financial independence. It may last for up to two years on a full-time basis, and provides basic Norwegian language skills, basic insight into Norwegian society and preparation for participation in working life and/or education, at the minimum. Everyone who participates in an introductory programme should have an individually tailored plan and are entitled to an introduction benefit, which is equivalent to twice the basic amount under the National Insurance Scheme. (As of 1 May 2009 the introduction benefit is NOK 145 762.) In the event of absence that is not due to illness or for welfare reasons, the benefit is correspondingly reduced.

266. The Introduction Act also regulates the right and obligation to participate in a 300-hour Norwegian language instruction and social studies programme free of charge. This applies to those who have been given a residence permit after 1 September 2005 that constitutes grounds for a settlement permit. Migrant workers and their families are also obliged to take part in a 300-hour instruction programme but this is not free of charge. People holding an EEA EFTA work/residence permit are not obliged to take a language course. The programme consists of 250 hours of language instruction and 50 hours of social studies in a language the immigrant understands. The municipalities are obliged to arrange for further language instruction, up to a maximum of 2 700 hours, if the person concerned needs it. This applies to persons who have a right to take part in language courses free of charge. The right to take part in the programme applies for three years from the date the work/residence permit is granted or from the date of arrival in Norway. The municipality's obligation to provide further instruction applies for five years from the date on which the right or obligation to participate in the programme took effect. In order to obtain a settlement permit and Norwegian nationality, immigrants must complete the 300 hours of Norwegian language instruction.

267. Some immigrants have lived in Norway for several years without a permanent attachment to the labour market and are dependent on social security, and these are also in a vulnerable position. In 2005 the Government started a project called Second Chance, which is a qualifying programme aimed at immigrants who do not have a secure foothold in the labour

market, are recipients of social security benefits and have lived in Norway for several years. The objective is to ensure permanent attachment to the labour market for the participants. The project is intended to test the model of the introduction programme on a new group. The project has been continued in 2007, 2008 and 2009.

## **VII. Asylum seekers**

268. The Government pursues a humane asylum and refugee policy in accordance with the international provisions by which Norway is bound. The Norwegian provisions relating to protection against persecution are based on the UN Refugee Convention.

269. According to the Norwegian Immigration Act, a foreign national who applies for protection in Norway must be offered accommodation while they are waiting for the immigration authorities to reach a decision. The public health services have the same responsibility for asylum seekers as for the rest of the population, and this applies to both primary health care and specialised health care services such as psychological help/counselling.

270. If the application for protection has been rejected, the foreign national will be offered accommodation pending his or her exit from Norway.

## **VIII. Migrant workers**

271. Migrant workers are in a vulnerable position in the labour market. Norway puts great emphasis on ensuring that migrant workers enjoy the same pay and working conditions as Norwegian workers. Two action plans against social dumping have been put into effect, and contain a number of measures to ensure that migrant workers are paid according to Norwegian standards.

272. Overall labour market policy in Norway consists of three main labour market schemes – vocational training, work practice and wage subsidies. An individual work capability assessment determines whether or not an individual is offered the opportunity to participate in a labour market scheme. There are also two main schemes that are directly targeted at newly arrived immigrants: the above-mentioned introductory programme and a Norwegian language instruction programme.

273. The strong economic growth in Norway in recent years has caused labour shortages, and labour migration, particularly from the new EU member states, has increased significantly. The great majority have come from Poland, which accounted for almost 15 000 immigrants (more than 26% of total immigration) in 2007. Poland has not only been the main origin country of the new wave of immigrants since 2005, it has now replaced Sweden as the single most important origin country of the total immigrant population.

274. During the favourable economic situation that prevailed until recently, many Polish labour migrants found employment in the construction industry. With the strong decline in this industry, immigrants from the new EU countries now have the second highest unemployment rate of any immigrant group in Norway, and their lack of language skills is a major obstacle to employment in other sectors, both now and in the future. Labour migrants from the new EU member countries are eligible for mainstream labour market schemes, some of which include language training.

275. Unemployment benefit for an unemployed person represents partial compensation for loss of income and is intended to provide an incentive to find a new job. In principle, labour migrants have the same right to unemployment benefit as others. However, the duration of their residence permit will determine the period during which they may receive the benefit.

276. EEA nationals may reside and work in Norway for a period of up to three months without a permit. Job-seekers from EEA countries may stay in Norway for up to six months without a permit. Transitional rules apply to persons from the new EU countries Bulgaria and Romania. EEA nationals who have acquired some connection with working life in Norway by working here for a certain period and paying tax as employees, may submit claims for Norwegian unemployment benefit on the basis of unemployment benefit rights earned in another EEA country.

277. The local government sector is responsible for services that ensure that all inhabitants in their respective areas experience good living conditions. The municipality is responsible for implementing the Social Services Act. Those unable to support themselves by working or exercising financial rights are entitled to financial support, which is intended to make the person self-supporting.

278. In spite of the current international financial situation, Norway still aims to achieve a high level of employment, low unemployment and an inclusive labour market with room for everyone who is able and willing to work. The main goals of labour market policy are therefore to facilitate high participation in employment and efficient utilisation of the available workforce by ensuring a well-functioning labour market and inclusive and well-ordered workplaces. Extensive labour market and rehabilitation measures are aimed at contributing to high employment and low unemployment, and combating exclusion by helping people with labour market-related problems to find and keep a relevant job.

279. The Norwegian Employment and Welfare Administration is responsible for implementing labour market policy. The Administration facilitates efforts to match job seekers with vacant jobs and to ensure comprehensive help and security for persons who need work-oriented assistance to find and keep employment.

280. In 2006 Norway presented a plan of action for combating poverty. The plan is based on an integrated approach and focuses on measures to prevent persons from experiencing poverty and social exclusion. These include general economic policy, employment and labour market policies, education, social security and other measures to reduce inequalities of income. The goal is that everyone shall be given the opportunity to enter employment. Norway has developed social programmes for those on the margins of the labour market to increase their labour market participation.

281. The efforts to reduce poverty and social exclusion have both a short-term and a long-term perspective. The short-term goal is to reduce poverty and improve the situation for vulnerable groups, and the long-term goal is to protect the next generation from poverty and inequality.

282. There is no simple recipe for action or solution to this problem, and inclusive welfare systems are necessary. The Nordic welfare model is marked by a relatively large redistribution of wealth through the income tax system, universal welfare systems, a comprehensive, publicly financed education system, an active labour market policy and a flexible labour market. The welfare model has resulted in less poverty and inequality and a more equitable income distribution in Norway than in many other countries. Norway continues to build on this model, and is reforming and further developing the welfare system.

283. Norway has also developed strategies and action plans in several other areas that promote social inclusion and poverty reduction by combating inequality, including white papers on education and inequality, a national strategy for reducing social inequalities in health, a National Action Plan on Alcohol and Drugs, and the above-mentioned Action Plan for Integration and Social Inclusion of the Immigrant Population and Goals for Social Inclusion.

284. In this work the Government has strengthened cooperation and communication with user and other organisations and associations in the voluntary sector. These organisations are important cooperation partners for both central and local government. A liaison committee has been established to strengthen the dialogue between the Government and self-appointed representatives of socially and financially disadvantaged persons.

## **IX. Freedom of choice in respect of where to live**

285. The point of departure for the Government's regional policy is the establishment and maintenance of conditions that ensure Norway's inhabitants real freedom to live in the place of their choice. The Government's objective is to maintain the main features of the current settlement pattern and to further develop the plurality of historical and cultural resources deriving from it.

286. Rural and regional policy is an integrated part of the Government's overall political agenda. A well-developed infrastructure is vital to positive development in a country like Norway, with its sparse population and long distances. The Government will continue to strengthen municipal finances, introduce large-scale expansion of road and railway construction programmes, set new objectives for the expansion of broadband infrastructure and pursue an active and differentiated policy for economic growth and jobs in order to secure the goal of full employment.

287. The Government believes that local challenges are most effectively met by local initiatives. It therefore gives priority to providing support for the municipality as a development driver and for community development. In this way the Ministry of Local Government and Regional Development invites the county authorities to cooperate further on strengthening and more effectively mobilising community development initiatives in the

municipalities. The Ministry is also considering the allocation of additional funds to local and regional projects focusing on knowledge creation and the development of strategies designed to attract new inhabitants and make local communities more attractive to live in. By adapting policy measures and encouraging regional cooperation, county authorities can often support local industry in a more targeted and coordinated manner than is possible through direct state involvement, which traditionally has a sector-oriented focus.

288. The primary resource of a modern economy is the creativity and ingenuity of its people, particularly their ability to deal with socio-economic change through innovation. The Government's policy is to promote these resources where people live rather than forcing them to move to concentrated urban areas. It intends to facilitate innovation and restructuring by businesses in all parts of the country. In order to stimulate new activity, the Government will continue to place significant emphasis on efforts to stimulate entrepreneurship: a new action plan for entrepreneurship in the education system, a more systematic approach to entrepreneurship advisory services and increased funding for entrepreneurs in order to help them create new high-quality jobs. The Government also emphasises that female innovation and entrepreneurship must be stimulated more effectively than at present.

289. North Norway faces particular challenges because of its sparse population, the long distances between settlements and the small labour markets. The Government is therefore giving priority to North Norway in order to stimulate land-based business development and improve the region's infrastructure and the living conditions of its indigenous people.