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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-ninth session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 44 OF THE CONVENTION**

Concluding observations: Norway

1. The Committee considered the third periodic report of Norway (CRC/C/129/Add.1) at its 1036th to 1037th meetings (see CRC/C/SR.1036-1037), held on 24 May 2005, and adopted at its 1052nd meeting, held on 3 June 2005, the following concluding observations.

A. Introduction

2. The Committee welcomes the timely submission of the State party's third periodic report, which follows the guidelines for reporting and includes information on follow-up given to the Committee's previous recommendations (CRC/C/15/Add.126). The Committee also welcomes the State party's written replies to its list of issues (CRC/C/Q/NOR/3), which allowed for a better understanding of the situation of children in Norway, and notes with appreciation the frank and open dialogue with the delegation of the State party.

**B. Follow-up measures undertaken and
progress achieved by the State party**

3. The Committee welcomes a number of positive developments in the reporting period, including:

- (a) Overall progress in implementing the Convention on the Rights of the Child;
- (b) The incorporation of the Convention into domestic law in 2003;
- (c) Changes in specific children's legislation which further strengthen and enhance the scope of the right of children to be heard;
- (d) The initiation of the Life Before 18 project aimed at raising awareness of the Convention among children and involving them in the reporting process;
- (e) Adoption and implementation of a National Plan of Action for Human Rights 2000-2005.
- (f) The amendment of the penal code in April 2003 to specifically criminalize trafficking in persons;
- (g) The ongoing and outstanding commitment of the State party to international assistance and cooperation, in particular in the area of education.
- (h) The implementation of a number of programmes and national plans of action to strengthen the protection of the rights of the child, including the 2001 Plan of Action

for Children, Young People and the Internet, the 2002 Plan of Action for Children and Young People with Immigrant Backgrounds, the 2003 Plan of Action Against Trafficking in Women and Children, the Plan of Action to combat Child and Youth Crime (2000-2004), the Plan of Action to Combat Racism and Discrimination (2002-2006), as well as the programmes entitled “The Government’s Efforts to Combat Female Genital Mutilation - 2002” and “Renewed Efforts to Combat Forced Marriage - 2002”.

- (i) The ratification of the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, in 2001 and 2003 respectively.

C. Principal subjects of concern, suggestions and recommendations

C.1. General measures of implementation

Committee’s previous recommendations

4. The Committee notes with appreciation that many of the recommendations have been implemented, but it also notes with regret that some of the concerns it expressed and the recommendations it made (CRC/C/15/Add.126) after its consideration of the State party’s second periodic report (CRC/C/70/Add.2) have not been sufficiently addressed, inter alia those contained in paragraphs 19 (training and education on the Convention), 21 (non-discrimination), 27 (freedom of thought, conscience and religion), 31 (separation of parents), 41 (mental health services) and 43 (childcare services).

5. **The Committee urges the State party to make every effort to address the previous recommendations that have been only partly implemented or not implemented at all, and the list of recommendations contained in the present concluding observations.**

Legislation and Implementation

6. The Committee welcomes the many measures taken to bring national legislation into full conformity with the Convention. It notes, however, that the national legislation in some areas, such as immigration, participation of children in governing bodies and religious freedom, require further attention in order to ensure that the actual implementation is in full conformity with the principles and provisions of the Convention.

7. **The Committee invites the State party to continue its efforts to ensure that national legislation is and remains in full conformity with the Convention. The Committee encourages the State party to provide training for judges on the direct applicability of the Convention in cases related to children as well as training on the Convention for officials in the central administration and the municipalities.**

Coordination

8. The Committee joins the State party in its concern that there is a need to improve the coordination and coherency of efforts on behalf of children and young people at both central and local levels, especially with regard to local authorities.

9. **The Committee recommends that the State party continues and strengthens its efforts to improve the coherency and coordination of efforts on behalf of children and young people so as to ensure adequate cooperation among central and local authorities as well as cooperation with children, young people, parents and non-governmental organizations.**

Independent Monitoring Structures

10. While acknowledging the important contribution made by the Children's Ombudsperson, the Committee notes that the Children's Ombudsperson faces limitations in his activities due to his apparent dependence on the Ministry of Children and Family Affairs.

11. **The Committee recommends that the State party further enhances the independence of the Children's Ombudsperson.**

Data collection

12. The Committee highly appreciates the State party's well-developed system of data collection, but it regrets the lack of statistical data regarding the situation of children who have been subjected to violence and of those who do not start or drop out of upper secondary school. The Committee also regrets the limited data available on immigrant children and children living in institutions and foster families.

13. **The Committee recommends that the State party continue its efforts to improve the systematic collection of data concerning the situation of children, inter alia concerning children who have been subjected to violence and abuse, children who do not start or drop out of upper secondary school, children within the alternative care system and immigrant children.**

Allocation of resources

14. While noting with appreciation measures taken in this respect, the Committee is concerned that the range of services available to children varies depending on the place in the country where children live, both with respect to the content and to the execution of the services.

15. **The Committee recommends that the State party undertakes a study to assess and analyse the level and content of resources provided to children and takes, where necessary, measures to ensure equal access and availability of services for all children, irrespective of the geographical location or size of the municipality.**

Training/dissemination of the Convention

16. The Committee is concerned that, despite the various measures taken by the State party in this area, awareness of the Convention among children and youth remains low and that not all professionals who work with and for children receive adequate training in children's rights. The Committee regrets in this regard that human rights is only taught in schools as an optional subject in upper secondary education.

17. The Committee encourages the State party to:

- (a) Incorporate education on the rights of the child in the curricula of both primary and secondary education;
- (b) Ensure systematic and ongoing training programmes on human rights, including children's rights, for all persons working for and with children (e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, teachers, social workers, health personnel and especially children themselves)
- (c) Ensure the dissemination and translation of the Committee's General Comments.

C.2. General principles (Arts. 2, 3, 6 and 12 of the Convention)

Non-discrimination (art. 2)

18. Despite the ongoing measures of the State party in this area, the Committee is concerned about the discrimination faced some by children in schools and society on the grounds of their religious or ethnic backgrounds.

19. **In light of article 2 of the Convention, the Committee recommends that the State party continues and intensifies its efforts to prevent and eliminate all forms of de facto discrimination against children.**

C.3. Civil rights and freedoms (arts. 6-8, 13-17, 19 and 37 (a))

Right to freedom of thought, conscience and religion

20. The Committee takes note of the Views of the United Nations Human Rights Committee of 3 November 2004 (CCPR/C/82/D/1155/2003) regarding the teaching of the school subject Christianity, Religious and Ethical Education (CREE). In this regard, the Committee welcomes the State party's information on the planned changes of the Education Act to bring the teaching of CREE in full compliance with the right to freedom of religion enshrined in article 15 of the Convention. The Committee encourages the State party to expedite the process of adopting and enacting these changes.

C.4. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)

21. The Committee is concerned that the best interests of the child are not adequately taken into consideration in cases where foreign nationals who have children in Norway are permanently deported as a consequence of having committed a serious criminal offence.

22. **The Committee urges the State Party to ensure that the best interests of the child are a primary consideration in the decisions taken regarding deportation of their parents.**

Children deprived of their family environment

23. The Committee is concerned at the number of children who have been removed from their families and live in foster homes or other institutions. In this regard, the Committee notes the State party's willingness to review its practices concerning the removal of children from their family environment.

24. **The Committee recommends that the State party takes measures to address the causes of the rising number of children who are removed from their families, including through adequate support to biological parents. The State encourages the State party to give priority to protecting the natural family environment and ensure that removal from the family and placement in foster care or institutions is used only as a measure of last resort when in the best interests of the child.**

Periodic review of placement

25. While welcoming the efforts of the Ministry of Children and Family Affairs, the Committee is concerned about the insufficient periodic review of children placed in foster homes due to a lack of supervisors and lack of training of supervisors.

26. **The Committee recommends that the State party pursue its efforts to ensure adequate supervision of the situation of children placed in foster homes or institutions.**

Abuse and neglect, maltreatment, violence

27. The Committee is concerned that children who are exposed to violence within the family do not always receive sufficient care and assistance.

28. **The Committee recommends that the State Party continue to strengthen its efforts to provide adequate assistance to children who are exposed to violence within the family or whose parents are psychiatric patients and/or drug abusers, including through:**

- (a) Ensuring that all victims of violence have access to counselling and assistance with recovery and reintegration;
- (b) Providing adequate protection to child victims of abuse within their homes;
- (c) Strengthening measures to address the root causes of violence with the family, giving special attention to the marginalized and disadvantaged groups;
- (d) Public education campaigns about the negative consequences of ill-treatment and preventive programmes, including family development programmes, promoting positive, non-violent forms of discipline.

C.5. Basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)

Children with disabilities

29. The Committee notes with concern that children with disabilities are limited in their participation in cultural and recreational activities.

30. **The Committee recommends that the State party take all necessary measures to ensure that equal access to services, including cultural and recreational activities, is provided to children with disabilities taking into consideration the standard rules on the equalization of opportunities for persons with disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339).**

Basic health and welfare

31. The Committee remains concerned about the high incidence of eating disorders (bulimia and anorexia nervosa). Furthermore, the Committee is concerned about the growing problems of overweight among children that results from low physical activity combined with a poor diet.

32. **The Committee recommends that the State party pay close attention to child and adolescent health, taking into account the Committee's General Comment No. 4 on adolescent health and development in the context of the Convention on the Rights of the Child. In particular, the Committee recommend that the State party strengthen measures to address the occurrence of eating disorders and to promote a healthy lifestyle among adolescents.**

Mental health services

33. While welcoming measures taken to strengthen the mental health services for children and young people, the Committee is concerned at the remaining challenges, such as the waiting time for assistance and care. The Committee is also concerned at the shortage of child and adolescent psychiatrists and psychologists.

34. **The Committee encourages the State Party to speed up the development of mental health care so as to ensure that adequate treatment and care are provided to all children and young people that need it without undue delay.**

35. The Committee remains deeply concerned at the high incidence of suicide among adolescents, which accounts for about one out of four deaths among young women and men.

36. **The Committee urges the State Party to strengthen the health service's resources for people in suicidal crisis and to take measures to prevent suicide among groups that are at risk.**

Adequate standard of living

37. The Committee notes with concern the high proportion of immigrant children living in households with a persistently low income.

38. **The Committee recommends the State Party to ensure that the needs of all children are met and to take all necessary measures to ensure that no group of children live under the poverty line.**

C.6. Education, leisure and cultural activities (arts. 28, 29, 31)

39. The Committee welcomes the numerous measures taken to combat bullying at school, particularly the initiatives taken by the Ombudsman for Children, but it remains concerned at the persistence of this phenomenon in many schools.

40. **The Committee recommends that the State Party strengthen the measures taken to combat bullying and ensure the participation of children in the initiatives aimed at reducing bullying.**

C.7. Special protection measures (arts. 22, 38, 39, 40, 37 (b)-(d), 32-36)

Refugee children (art.22)

41. The Committee expresses concern about the large number of unaccompanied asylum-seeking children (33 in 2003) who disappear from reception centres in the State party. It is particularly concerned that these children are vulnerable to abuse and exploitation. The Committee is also concerned about the insufficient supervision of and care provided to unaccompanied asylum-seeking children as well as about the insufficient psychological and psychiatric services provided to children living in reception centres. Furthermore, the Committee is concerned that the processing of asylum claims is too slow.

42. **The Committee urges the State Party to strengthen measure to ensure that adequate support and supervision are provided to children living in reception centres, as well as adequate psychological and psychiatric care for traumatized asylum-seeking children. The Committee recommends that the State party improved the situation in reception centres for unaccompanied children seeking asylum, both in terms of resources and adequately trained and competent staff, so that the assistance and care for these children reach the same level as that provided in other institutions under the child welfare system. The State party should also take further measures to ensure a more expedite processing of asylum claims.**

Drug abuse

43. The Committee notes with concern the high number of children who consume drugs and alcohol in the State party. The Committee is also concerned about the large number of children who suffer as a result of their parents' drug abuse. The Committee notes in this regard the test project on prevention of drug abuse problems among children and adolescents which has been started up in a number of municipalities.

44. **The Committee recommends that the State party:**

- a) Strengthens efforts to provide children and parents with accurate and objective information about the harmful consequences of substance abuse;**
- b) Ensures that children using drugs and narcotics are treated as victims (not as criminals) and are provided with the necessary recovery and reintegration services;**
- c) Expands the project on prevention of drug abuse problems among children and adolescents to more municipalities.**

Sexual exploitation and sexual abuse (art. 34)

45. The Committee is concerned at the incidence of sexual abuse of children and young people in the State party, and regrets the lack of recent studies into this problem.

46. **In light of articles 34 and other related articles of the Convention, the Committee recommends that the State party:**

- (a) **Conducts a comprehensive study to assess the nature and extent of sexual abuse of children as well as the characteristics of abused children with a view to identifying those groups who are particularly vulnerable to abuse;**
- (b) **Strengthens measures to combat sexual abuse of children and adolescents;**
- (c) **Ensures that children's testimony are recorded in an appropriate way and that the persons carrying out the hearing have the necessary specialists qualifications.**

Sale, trafficking and abduction (art.35)

47. While welcoming measures taken to combat trafficking in women and children, the Committee is concerned that trafficking in women and children for sexual exploitation remains a problem in the State party.

48. **The Committee encourages the State Party to strengthen its efforts for an effective implementation of its plan to combat sexual exploitation and trafficking in persons. The Committee also encourages the State party to extend its cooperation to countries/regions which face serious problems in this area and to undertake a study to assess the nature and extent of trafficking and sexual exploitation of children and to identify groups who are particularly vulnerable to this form of exploitation.**

(Other concerns and recommendations of the Committee concerning this issue are contained in the Committee's concluding observations on the initial report of Norway under the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography (see document CRC/C/OPSA/CO/3).)

C.8. Follow-up and dissemination

Follow-up

49. The Committee recommends the State party to take all appropriate measures to ensure full implementation of the present recommendations, *inter alia*, by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or State Governments and Parliaments, when applicable, for appropriate consideration and further action.

Dissemination

50. The Committee further recommends that the third periodic report and written replies submitted by the State party and related recommendations (concluding observations) it adopted be made widely available, including through the Internet (but not exclusively), to the public at large, civil society organizations, youth groups, professional groups, and

children in order to generate debate and awareness of the Convention, its implementation and monitoring.

C.9. Next report

51. The Committee underlines the importance of a reporting practice that is in full compliance with the provisions of article 44 of the Convention. An important aspect of States' responsibilities to children under the Convention includes ensuring that the United Nations Committee on the Rights of the Child has regular opportunities to examine the progress made in the Convention's implementation. The Committee appreciates the State party's performance in this regard and it invites the State party to submit its fourth periodic report, which should not exceed 120 pages (see CRC/C/148), by 6 February 2008 as foreseen in the Convention.
