



Report

The Role of Human Rights in
Norwegian Foreign and Development Policy



UTENRIKSDEPARTEMENTET



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The Role of Human Rights in Norwegian Foreign and Development Policy



FOREWORD	7
INTRODUCTION	8



A STRONGER INTERNATIONAL LEGAL ORDER	11
--------------------------------------	----

Reform of international monitoring mechanisms	13
UN	13
The Council of Europe	15

The development of international rules	19
The UN Convention on the Rights of Persons with Disabilities	19
The International Convention for the Protection of All Persons from Enforced Disappearance	19
The Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	20
The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	20
The UN Declaration on the Rights of Indigenous Peoples	20
The Council of Europe Convention on the Prevention of Terrorism	21
The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse	21
The Council of Europe Convention on Action against Trafficking in Human Beings	21
The Nordic Sami Convention	22

International monitoring of Norway's human rights obligations	22
Norway's reporting obligations to the UN	22
Norway's reporting obligations to the ILO	24
Norway's reporting obligations to the Council of Europe	25

Thematic priority areas in Norway's multilateral efforts	26
Human rights defenders	26
The private sector and human rights	28
Discrimination on grounds of sexual orientation and gender identity	28
Combating violence against children	29
Better implementation of workers' rights	30
Follow-up to the World Conference against Racism	31
Freedom of expression	31



Democracy and the principles of the rule of law	33
What has Norway said and done?	34
Freedom of expression and independent media	34
The Global Intermedia Dialogue	34
Political messages and initiatives in response to the cartoon controversy	34
Norway's human rights dialogues	35

Round-table conference on democracy and diversity	38
Efforts to combat the death penalty	39
The work of the OSCE to promote democracy and human rights	40
Grants for Norwegian and international human rights organisations	42
Support for good governance provided through development cooperation	43
The Norwegian Centre for Democracy Support	43

Peace, reconciliation and transitional justice	45
--	----

Norway's priorities	46
Meetings on reconciliation processes and transitional justice in post-conflict situations	46
UN Security Council resolution 1325	47
Children in war and conflict	47
Norway's support for international legal processes and criminal prosecution	49



Economic and social development	51
---------------------------------	----

What is being done to strengthen the integration of human rights into the work of the UN?	53
Norway's priority areas and initiatives	54
The rights of women and gender equality	54
Appendix on human rights in Norad's Aid Manual	57
The right to education	57
The right to health	60
The right to food	60
The right to water	63
UN-Habitat and the right to shelter	65
Research on international development issues and human rights	65
Efforts to combat corruption	65
The Extractive Industries Transparency Initiative (EITI)	66
Voluntary Principles on Security and Human Rights	67



Useful Internet addresses	69
---------------------------	----





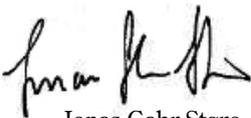
One of the Norwegian Government's primary objectives is to promote an international legal order based on democracy and human rights. Not only do all states have a legal obligation to advance human rights, they also have a moral obligation to protect individuals from human rights abuses. Thus, our policy must be based on democratic and ethical values.

A policy of this kind is also in our own interests. Grave, systematic human rights violations undermine a state's legitimacy and provide a breeding ground for war and conflict. Efforts to advance human rights are therefore not just a means of protecting individuals, but also a means of enhancing international peace and security and promoting economic and social development.

The global human rights situation is changing. We must adapt our foreign and development policy to ensure that our efforts produce the best possible results. This report highlights a number of important international issues and development trends that have a bearing on the implementation of human rights. It also provides insight into what Norway is doing to address these challenges.

On 12 May 2009, Norway was elected to the UN Human Rights Council for the period 2009–2012. Membership of the Council gives us more international influence, but it also raises expectations of Norway's ability to promote a coherent human rights policy in relevant forums and arenas. We view this as a unique opportunity to further strengthen efforts to promote human rights in our foreign and development policy.

June 2009



Jonas Gahr Støre



Erik Solheim

Introduction

*“We will not enjoy **development** without security, we will not enjoy **security** without development, and we will not enjoy either without respect for **human rights**. Unless all these causes are advanced, none will succeed.”*
- Kofi Annan, In Larger Freedom

In a globalised world with modern communication technology our knowledge of human rights abuses across national borders is increasingly transcending national borders. Knowledge facilitates stronger engagement, but it also increases expectations of states' ability to deal with human rights abuses in their own and other countries. Norway takes this challenge seriously.

The implementation of human rights is about policy, power and resources. Broad-based knowledge and strategic partnerships are required if international initiatives and responses are to produce the best possible results. In some situations a public response is an effective approach; in others the best results are achieved through confidential talks. Flexibility in terms of means and channels is essential in our international efforts to strengthen human rights.

It is also important to understand international developments and trends. Respect for inalienable human rights, such as the right to freedom against torture, has been undermined in the fight against terrorism. The same applies to fundamental freedoms, such as freedom of association, assembly and expression, which are pivotal values in democratic societies. The cartoon controversy led to negative stereotypes being reinforced and further exploited. At the same time, several countries whose views on human rights differ from our own have increased their geopolitical influence. The fact that Norway has a growing number of economic interests in countries where there are considerable human rights challenges also raises difficult questions about engagement and responsibility.

Changes in the global human rights situation have had consequences for Norway's foreign and development policy. We have intensified our efforts to promote dialogue and reach compromise across political and regional divides. Norway's efforts at the UN Conference on Racism in Geneva in April 2009 illustrate this approach.

We are also working to use foreign and development policy instruments in a more coherent and focused manner. We are seeking to use treaties, reports and recommendations from the UN human rights system in our practical development cooperation. At the same time, we are seeking to apply the lessons we have learned from development cooperation in our multilateral human rights activities. In this way, we intend to strengthen the link between Norway's roles as a development actor and as a foreign policy actor, and thereby enhance our efforts to promote human rights.

In autumn 2006, the Minister of Foreign Affairs initiated the project *Refleks – Globalisation and national interests*. The project examined Norway's interests in the light of global changes and analysed a number of more general trends that are relevant to the human rights area.

The report from the project, *National Interest: Foreign policy for a globalised world – The case of Norway*, was published in September 2008. A white paper entitled *Interests, Responsibilities and Opportunities. The main features of Norwegian foreign policy* (Report No. 15 (2008–2009) to the Storting) was presented in the Council of State on 13 March 2009 and debated in the Storting on 12 June.

Norway's priorities in the human rights area

Women's rights and gender equality
The rights of children
The rights of indigenous peoples
Human rights defenders
Combating discrimination based on sexual orientation and gender identity

Abolition of the death penalty, the prohibition of torture and safeguarding the basic principles of the rule of law
Freedom of expression, religion and belief
Labour standards
The right to water, food, health and education
Strengthening international monitoring mechanisms

The parameters for this report

Since 1998, the Ministry of Foreign Affairs has published annual reports on Norway's efforts to promote human rights. These reports have dealt with national and international measures. In the annual report for 2004–2005, however, the Ministry stated that subsequent reports would focus on Norway's international human rights efforts. This report therefore deals only with the main challenges and initiatives relating to human rights in Norway's foreign and development policy. While the Ministry of Foreign Affairs has a special responsibility in this area, many other ministries have contributed to the report on the basis of their participation in various international forums that focus on human rights.

The report primarily gives examples of Norway's priority areas and initiatives from the period 2006–2008, but in certain areas it has been updated up to the time of publication, i.e. June 2009. The report does not attempt to provide a complete overview of human rights-related activities in the period concerned. It is based on the priorities set out in the Government's policy platform that are particularly relevant to human rights, which are as follows:

- I. A stronger international legal order
- II. Democracy and the principles of the rule of law
- III. Peace, reconciliation and transitional justice
- IV. Economic and social development





A stronger international legal order

Promoting an international legal order is an important objective for Norway. Support for international human rights instruments constitutes an important part of this effort.

In the period since World War II, human rights have been set out in a number of global and regional international law instruments. These instruments were largely inspired by the Universal Declaration of Human Rights, which was adopted in 1948. In Europe, the European Convention on Human Rights has a unique position. Important global human rights treaties include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the UN Convention on the Elimination of All Forms of Racial Discrimination, the UN Convention on the Elimination of All Forms of Discrimination against Women, the UN Convention on the Rights of the Child, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the UN Convention on the Rights of Persons with Disabilities.

Every day, serious, systematic human rights violations are reported in many parts of the world. A large proportion of the world's people are not aware of their rights. Of those who are, only a fraction have sufficient knowledge and resources to demand that their rights be fulfilled. And only a small number of these succeed.

At the same time, individuals and organisations all over the world are increasingly using human rights as a goal and a tool in their efforts to make authorities accountable for their abuse of power.

At the World Social Forum in Nairobi in 2007, there was a considerable increase in the number of global, national and local organisations that used human rights as a frame of reference in their fight for justice and better standards of living. Eighty-four organisations arranged during more than 80 seminars, workshops and panel debates during the part of the forum that was devoted to human rights.

10 December 2008 was the 60th anniversary of the adoption of the Universal Declaration of Human Rights. This was marked by events all over the world throughout 2008.

In Europe, the European Court of Human Rights (ECHR) is in danger of collapsing under the burden of the enormous number of appeals. An increasing proportion of the European population has the necessary knowledge and resources to appeal against human rights violations. Consequently, the number of cases is growing every year. At the beginning of 2007, the Court had almost 90 000 cases pending. By the end of 2008, this number had increased to 97 000. This trend illustrates the trust that the Court enjoys and its growing importance in Europe. At the same time, it is clear that extensive reforms are necessary to ensure the Court's future.

In connection with the 60th anniversary of the Universal Declaration of Human Rights, a panel comprising some of the world's leading human rights experts met in Oslo on 11–12 June 2008 to identify challenges in the human rights area. The panel was chaired by Mary Robinson, former President and High Commissioner for Human Rights. The members included Hina Jilani, Manfred Nowak and Paulo Pinheiro, all of whom are, or have been, special rapporteurs under the UN Human Rights Council.

In its final report, *Protecting Dignity: an Agenda for Human Rights*, the panel highlighted the following challenges:

- 1) There is a significant gap between existing norms and their implementation
- 2) Extreme poverty is the greatest obstacle to the implementation of human rights. It appears unlikely that we will reach the UN Millennium Development Goal of halving extreme poverty by 2015
- 3) The fight against poverty cannot be won without national institutions and implementation systems that respect the rule of law and the principle of non-discrimination.

What does this tell us?

The international human rights system does not automatically guarantee that human rights will be fulfilled. However, it gives individuals and organisations a political and legal tool in their efforts to make authorities accountable. While it is states that have formulated the rules and committed themselves to realising human rights, civil society plays an important role in monitoring the actions of the state, demanding improvements and reporting human rights violations. Full realisation of human rights is dependent on people being aware of their rights and having the necessary resources to demand that their rights be implemented. Another prerequisite is that implementation mechanisms are effective.

Other states can promote and contribute to human rights through international organisations and bilateral cooperation. The responses that can be used against states that commit serious human rights violations include expressing concern and exercising various types of political pressure. In extraordinary situations, massive human rights violations may justify the use of sanctions and other coercive measures. However, a sense of ownership and willingness to change on the part of the authorities are essential to achieving a lasting improvement in the human rights situation in a country. Support to strengthen a country's own ability to improve the human rights situation is therefore an important tool.

Reform of international monitoring mechanisms

UN

There is a strong focus on efforts to promote human rights in the UN. The 2005 World Summit in New York confirmed that human rights, development and international peace and security are the most important pillars of the UN system.

From Human Rights Commission to Human Rights Council

The UN Commission on Human Rights was established in 1946. Its mandate was primarily to develop UN rules and mechanisms to protect fundamental rights and freedoms. The Human Rights Commission gradually came to deal with all types of human rights violations and developed into a forum where small and large states, NGOs and human rights activists from all over the world could raise serious human rights issues.

The Human Rights Commission was increasingly criticised for being ineffective and politicised. On 15 March 2006, after long, difficult negotiations, the UN General Assembly adopted a resolution establishing a Human Rights Council to replace the Human Rights Commission.

The composition of the Human Rights Council

While the Human Rights Commission had 53 members, the Human Rights Council has 47. The composition of the Council reflects political realities. Western countries are in the minority. The work of the UN is characterised by group positions, where solidarity with a particular group often determines a country's view and vote. We must therefore work strategically to break down these constellations. To gain support for our positions, the Western group must build alliances across political and geographical divisions.

Organisation of the work of the Human Rights Council

One important change in the transition from Commission to Council is how the work is organised. While the old Human Rights Commission had an annual six-week session, the new Human Rights Council has three ordinary sessions totalling ten weeks in all. The Human Rights Council may also be convened for special sessions when one third of its members so request. Special sessions may deal with both situations in specific countries and thematic issues. So far, there have been 11 special sessions.

The place of the Human Rights Council in the UN system

Another important change is that the Human Rights Council is placed directly under the UN General Assembly. Thus, human rights activities were upgraded, as the former UN Human Rights Commission was a subordinate body of ECOSOC.

The Universal Periodic Review – UPR

The most important innovation of the Human Rights Council was the establishment of a mechanism for periodic reviews of the human rights situation in all UN member states, known as the Universal Periodic Review (UPR). Each country is to be reviewed every fourth year, and Norway will be reviewed for the first time in December 2009.

Civil society plays an important role in the UPR process by providing information and knowledge. Norway was among the countries that sought to ensure that independent experts were also given a clearly defined role in the process, but unfortunately there was not enough support for this view.

Recommendations from UN treaty bodies and UN special rapporteurs are collated in a report that is prepared by the UN prior to the review of an individual country. Norway is concerned to ensure that the UPR process is used to encourage all states to cooperate with relevant human rights bodies and implement their recommendations.

UN human rights efforts are carried out in difficult political terrain. The relationship between the state and the individual may involve conflicts of values and is political by nature. The tensions created by this cannot be eliminated by establishing new organisational structures. The negotiations on the Human Rights Council did not culminate in the results Norway was aiming at in all areas. Regimes whose views on human rights differ from those of Norway have increased their relative influence. However, this does not mean that Norway should withdraw. Instead, this situation has given rise to creative new efforts. For example, to strengthen trust and improve coordination between the various regional groups, Norway has taken part in the establishment of an informal five-nation group in Geneva consisting of Russia, India, Chile, South Africa and Norway. This group meets prior to important meetings to share information on new initiatives and general positions.

On 12 May 2009, Norway was elected to the Human Rights Council for the period 2009–2012. As a member, Norway will continue to be a critical voice while at the same time seeking dialogue and cooperation. The purpose of our engagement is clear: to ensure that individuals are better protected from abuse and have better access to the rights enshrined in existing human rights standards and treaties. Norway's aim in becoming a member is to exert an influence.

As a member, we will continue our efforts to support human rights defenders and promote corporate social responsibility. We will seek to ensure that special attention is paid to freedom of expression, independent media and freedom of assembly. We will also continue to focus on the fight against discrimination and the rights of especially vulnerable groups, including the rights of women and children. We will also continue to express clear views regarding the prohibition of torture, the abolition of the death penalty and efforts to promote human rights and humanitarian law in conflict situations. We will use our voice in the Human Rights Council to address serious human rights violations under oppressive regimes that do not demonstrate a willingness to cooperate or improve.

Norway also continues to be active in the Third Committee of the UN General Assembly, which addresses a number of crucial human rights issues each autumn.



Navanethem Pillay
Photo: OHCHR

The Office of the UN High Commissioner for Human Rights

The Office of the High Commissioner for Human Rights (OHCHR) has several responsibilities. Among other things, the Office of the High Commissioner is the UN system's secretariat for the human rights bodies that have been established to monitor states parties' implementation of the human rights conventions. The Office is also tasked with coordinating and strengthening human rights activities in other UN agencies, organisations and units.

At the same time, the High Commissioner functions as an independent ombudsperson for human rights issues in all UN

member states. Furthermore, the Office of the High Commissioner has increasingly built up expertise on human rights issues in individual countries and regions, which enables it to offer technical assistance to states wishing to strengthen the status of human rights in their own countries. This is done through the head office in Geneva, regional or country offices, or human rights advisers in UN country teams.

In 2005, the General Assembly decided to double the resources allocated to OHCHR within the next five years. This was one of the positive outcomes of the 2005 World Summit. The OHCHR has a two-year budget, one third of which is financed through the regular UN budget and two thirds from voluntary contributions. In the 2006–2007 budget period, the budget totalled USD 160 million. In 2007, Norway was the second largest financial donor to the OHCHR, contributing more than USD 10 million.

Together with other donor countries, Norway has fully supported the High Commissioner's Action Plan (2005) and Strategic Management Plan (SMP), designed to operationalise the High Commissioner's road map for the next five years. One of the main priorities is to strengthen the High Commissioner's presence in the field and increase contributions to UN efforts at country level. Expertise on the various countries will be enhanced by strengthening the regional desks at the head office. The other main priority in the High Commissioner's plans is to strengthen leadership at the Office of the High Commissioner.

Norway has also provided financial support for the UN programme to ensure that human rights are integrated into UN efforts at country level through various UN programmes and organisations (the Action 2 Programme). This programme was designed to strengthen the capacity of UN country teams, and the OHCHR has played an important role in this work. The programme is currently being evaluated, and on the basis of this a decision will be made as to whether it will be continued as a separate programme or be integrated into other UN programmes and organisations.

In July 2008, Navanethem Pillay of South Africa was appointed as the new High Commissioner for Human Rights, succeeding Louise Arbour of Canada. At the time of her appointment, Ms Pillay was a judge at the International Criminal Court (ICC) in The Hague. She was previously President of the International Criminal Tribunal for Rwanda (ICTR) and has had a long career as a human rights defender and lawyer.

The Council of Europe

The main purpose and core values of the Council of Europe are to promote democracy, human rights and the rule of law in Europe. This was confirmed at the Third Summit of the Council of Europe in Warsaw in 2005, where a plan of action was adopted for the work of the organisation in these areas.

Norway has worked actively to strengthen contacts between the Council of Europe and NGOs, among other things with respect to monitoring member states' execution of judgments of the European Court of Human Rights (ECHR) and working for reform of the ECHR. This is an important step in efforts to create a more democratic, inclusive Europe. Another measure aimed at promoting democracy was the drafting of a Council of Europe Convention on Access to Official Documents. This work took place in the Steering Committee for Human Rights (CDDH), where the Norwegian Ministry of Justice is represented. The convention was finally adopted by the Committee of Ministers in November 2008 and was opened for signature in connection with the Council of Europe Conference of Ministers of Justice in Tromsø on 18 June 2009. Norway was one of the first countries to sign the convention.

The Council of Europe Steering Committee for Equality between Women and Men (CDEG) works to promote equal opportunities and rights for women and men, to prevent violence against women and to promote integration of gender equality in the Council of Europe and member states. In 2008 Norway participated actively in the Steering Committee's network on integration. The Council of Ministers adopted a Recommendation on Gender Equality Standards and Mechanisms in autumn 2007. The Recommendation has now been translated into Norwegian and will be used in further efforts to promote gender mainstreaming in various areas.

At the Third Summit of the Council of Europe in Warsaw in 2005, a decision was made to implement a three-year European Campaign to Combat Violence against Women. Norway participated actively in the campaign. The campaign (2006–2008) culminated in a conference in Strasbourg in June 2008, where 44 countries were represented, 18 of them at political level. State Secretary Astri Aas-Hansen headed the Norwegian delegation. She presented the measures introduced by the Norwegian Government in this area, including the action plan *Vendepunkt* (Turning Point), which was launched in December 2007 and covers the period 2008–2011.

Norway has also participated actively in the efforts of the Council of Europe to combat xenophobia and disseminate knowledge of other cultures. A series of measures have been initiated, including in the areas of education, youth work and intercultural and interreligious dialogue. Norway has made a special contribution in this area by establishing a European resource centre in Oslo for education in intercultural understanding, human rights and democratic citizenship. The agreement between Norway and the Council of Europe on the establishment of the European Wergeland Centre was signed in September 2008 and entered into force on 11 January 2009. The main purpose of the centre is to improve the expertise of teachers and teacher-trainers in the fields of human rights, democracy and intercultural understanding.

Norway has also provided support for project cooperation between the European Commission for Democracy through Law (the Venice Commission) and the Union of Arab Constitutional Courts and Councils. The Venice Commission was established to support the democratisation process in Central and Eastern European countries by providing legal assistance for law reform in accordance with respect for human rights, the rule of law and fundamental democratic values. However, the Commission also issues opinions on general issues relating to legislation and democracy. Norway regards the new collaboration with the Union of Arab Constitutional Courts and Councils as an important measure in the dialogue between Arab countries and Europe.

Reform efforts related to the European Court of Human Rights

The European Court of Human Rights (ECHR), the Council of Europe's most important institution for promoting human rights and the rule of law, is unable to keep pace with the explosive rise in the number of applications lodged. This means that the number of cases pending is increasing and there are unacceptable delays in the proceedings. One of Norway's main priorities is to help the ECHR resolve this situation.

Protocol No. 14 to the European Convention for the Protection of Human Rights and Fundamental Freedoms

At the Council of Europe Summit in 2005, it was agreed that all necessary steps would be taken to ensure the long-term effectiveness of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Member states committed themselves to giving the ECHR the necessary support and to implementing the reform package that was



The European Court of Human Rights. Photo: The Council of Europe

adopted at the meeting of the Council of Europe's Committee of Ministers in May 2004, which included ratifying Protocol No. 14 to the Convention, implementing measures to prevent and remedy human rights violations at the national level and improving execution of the judgments of the ECHR.

Protocol No. 14 will simplify the court's procedures, particularly by ensuring that fewer judges take part in dealing with clear-cut cases. It is estimated that the Protocol will enable the ECHR to increase its productivity by at least 25%. Since the Protocol entails amendments to the convention, it has to be ratified by all the State Parties before it can enter into force. The agreed aim was that the Protocol should enter into force by May 2006, but by mid-June 2009 it had still not been ratified by Russia. Like other member states and institutions in the Council of Europe, Norway has repeatedly urged Russia to ratify the Protocol as quickly as possible. Temporary measures have been introduced to enable the State Parties to implement two of the procedures in Protocol No. 14 that will particularly help to strengthen the ECHR's capacity. On 27 May 2009 Norway signed Protocol 14bis without making any reservation as to subsequent approval. This means that the procedures concerned are applicable to Norway from 1 June 2009.

The Human Rights Trust Fund

At a meeting of the Council of Europe's Committee of Ministers in May 2006, the Norwegian Foreign Minister emphasised member states' own responsibility for fulfilling their obligations under the convention. He proposed the establishment of a Human Rights Trust Fund in the Council of Europe to help member states prevent and remedy human rights violations at national level. The Fund is particularly designed to support measures aimed at resolving structural human rights problems in member states, thereby limiting the number of cases submitted to the ECHR.

The agreement on the establishment of the Fund was signed during a visit to Norway by the Secretary General of the Council of Europe in March 2008. The Fund was formally established in July 2008, when Norway paid its first contribution, followed by Germany and the Netherlands. Several other member states have indicated their interest in contributing to the Fund at a later date. The Fund will be managed by the Council of Europe Development Bank.

The Committee of Ministers' supervision of states' execution of ECHR judgments

The Committee of Ministers of the Council of Europe has a duty to supervise states' execution of judgments of the ECHR. Since autumn 2006, the Liaison Committee between the Committee of Ministers and the ECHR has been chaired by the Norwegian Ambassador to the Council of Europe.

In recent years, Norway has been in the forefront of efforts to improve the Committee of Ministers' supervision of the execution of judgments and has worked actively to promote transparency and closer cooperation with other Council of Europe bodies. In 2006, the Committee of Ministers revised its procedural rules for supervisory meetings and decided, following a proposal by Norway, that the Committee of Ministers should prepare annual reports on supervision of the execution of judgments. The first annual report was presented in March 2008. Furthermore, following a proposal by Norway, the 2006 meeting of the Committee of Ministers resolved to intensify efforts to ensure more rapid, better compliance with ECHR judgments, among other things through annual tripartite meetings between members of the Committee of Ministers and the Council of Europe Parliamentary Assembly and the Commissioner for Human Rights. Norway has also participated in a working group that drafted a new recommendation on effective national capacity to ensure rapid execution of ECHR judgments. The recommendation was adopted on 6 February 2008.

Norway has also sought to ensure sufficient resources for the ECHR and for the Committee of Ministers' supervision of the execution of judgments. Norway has made it clear that this must not be at the expense of other Council of Europe activities that also contribute to the effectiveness of the European human rights system.

Recommendations for further reform measures

At the Council of Europe Summit in 2005, a decision was made to establish a Group of Wise Persons to suggest further reform measures to ensure the long-term effectiveness of the convention's control mechanisms. Under the chairmanship of former President of the European Court of Justice Gil Carlos Rodríguez Iglesias, the Group presented its final report on 15 November 2006, which included ten proposals for additional reform measures. The Group's most important proposal is to establish a new judicial filtering mechanism within the ECHR to deal with the most clear-cut cases so that the present judges can concentrate on cases of principle. Another proposal is to transfer the procedural provisions of the convention to a new instrument – the Rules of Court – to make the convention's control mechanism more adaptable in future. Other proposals include enabling national supreme courts to ask the ECHR for advisory opinions, to transfer the determination of compensation to national authorities in cases where the ECHR has ruled that there has been a violation of the convention and to extend the duties of the Commissioner for Human Rights.

Norway has worked in the Council of Europe actively to ensure that the report is followed up with a broad-based, open consultation process at European and national levels. At the national level, the Ministry of Foreign Affairs arranged national consultations between representatives of relevant public bodies and civil society in the first half of 2007. Norway generally takes a positive view of the Group's proposals, but questions whether they go far enough. Norway takes part in a Reflection Group under the Council of Europe Steering Committee for Human Rights, which will further study the proposals in the report of the Group of Wise Persons as well as other proposals that could strengthen the convention's control mechanisms. Even though the implementation of certain procedures set out in Protocol No. 14 through Protocol 14bis will alleviate the Court's situation, the main priority must continue to be the entry into force of the entire Protocol No. 14. At the same time, work continues on further reform measures.

The development of international rules

In the Council of Europe, the UN and the ILO, the international community has been working on further developing the normative framework for human rights for almost 60 years. An overview of the most important human rights treaties is available on the Ministry of Foreign Affairs' human rights webpages at regjeringen.no.

The UN Convention on the Rights of Persons with Disabilities

The UN estimates that there are currently approximately 650 million disabled people in the world. Discrimination on the grounds of disability is widespread in many countries. A new Convention on the Rights of Persons with Disabilities, adopted by the UN General Assembly on 13 December 2006, aims to help combat such discrimination. The convention confirms that all civil, political, economic, social and cultural rights also apply to persons with disabilities.

Norway was among the 81 countries that signed the convention on 30 March 2007. The convention entered into force on 3 May 2008. The Ministry of Children and Equality is working on preparations for Norway's ratification. An optional protocol to the convention has also been adopted, which establishes an individual complaints procedure. The Government has not yet decided whether Norway should sign and ratify the protocol, and the question is being examined.

The Norwegian authorities cooperated actively with organisations for the disabled in its work on the convention, which lasted for four years. The Norwegian negotiating delegation included representatives from the Norwegian Federation of Organisations of Disabled People.

The International Convention for the Protection of All Persons from Enforced Disappearance

Enforced disappearances are used by repressive regimes to eliminate dissidents and human rights activists. According to the UN Working Group on Enforced or Involuntary Disappearances, at the end of 2006 there were more than 41 000 outstanding cases of enforced disappearance in 79 member states. Although existing human rights standards have provided protection from enforced disappearance, there have been loopholes in the international rules that have in practice prevented effective protection. A new convention was adopted by the UN General Assembly on 20 December 2006 to strengthen protection against enforced disappearances under international law.

The convention defines enforced disappearance and expands the scope of human rights protection, among other things by providing that no one may be held in secret detention. The convention also specifies a number of measures to prosecute persons who commit or are accessory to enforced disappearance. Furthermore, it requires states parties to cooperate with other states on investigation, prosecution and, if relevant, extradition of those who have committed crimes.

Norway took part in the negotiations on the convention and signed it on 21 December 2007. The convention will enter into force when it has been ratified by 20 countries.

The Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The Optional Protocol entered into force on 22 June 2006. The purpose of the protocol is to prevent torture and other cruel, inhuman or degrading treatment or punishment by ensuring that places where persons are deprived of their liberty are visited regularly by independent international and national bodies. The international visiting mechanism corresponds in all essentials to the system under the European Convention against Torture, but the UN Convention also requires there to be independent national visiting bodies. Norway signed the Optional Protocol on 24 September 2003 and intends to ratify it in autumn 2009.

The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

An individual complaints procedure for the International Covenant on Civil and Political Rights was adopted through an Optional Protocol in 1966. In the case of the International Covenant on Economic, Social and Cultural Rights (ICESCR), a complaints procedure was not adopted until 2008. The Optional Protocol will be opened for signature on 24 September 2009 and will enter into force when it has been ratified by 10 countries.

Norway supported the UN's decision to draft an optional protocol because it recognises the indivisibility and interdependence of human rights. Furthermore, Norway regarded the UN process as an important opportunity to improve knowledge and awareness of how the implementation of such rights could be strengthened. However, a clear prerequisite for Norway's support was that Norway should be free to decide whether to adhere to any subsequent complaints procedure.

During work on the optional protocol, fundamental concerns emerged about an individual complaints procedure. This was due to the sometimes extremely vague wording of the provisions of the ICESCR concerning rights and the fact that these rights have a bearing on important distribution policy issues. These factors could result in the ICESCR Committee not being given authority to review national decisions in individual cases. Norway therefore decided to reserve its position on the draft protocol when the draft was submitted to the UN Human Rights Council for consideration. At the same time, Norway expressed disappointment that the final draft protocol did not contain a clear reference to states parties' margin of appreciation as regards the implementation of rights over and above what are termed "minimum standards". Norway also expressed concern that the draft protocol did not specify that requests for temporary measures are not legally binding on states parties. The same positions were put forward when the draft protocol was adopted by the UN General Assembly on 10 December 2009.

The UN Declaration on the Rights of Indigenous Peoples

The UN Declaration on the Rights of Indigenous Peoples was adopted by the UN General Assembly on 13 September 2007. The Declaration is not a binding document under international law, but it provides important guidelines for further efforts to define the rights of indigenous peoples. It will be particularly important in countries that have indigenous populations and that have not ratified ILO Convention No.169.

The Declaration on the Rights of Indigenous Peoples contains provisions concerning both fundamental needs, such as food, health and education, and the use of traditional resources and lands. The provisions on land rights in Article 26 and subsequent articles can be interpreted in various ways. In connection with the vote in the General Assembly, Norway made

an interpretative declaration stating that, for the countries that have ratified ILO Convention No. 169, the Declaration must be construed as referring to the same rights as those set out in the ILO Convention. Article 3 of the Declaration states that indigenous peoples have the right to self-determination.

The preamble to the Declaration on the Rights of Indigenous Peoples states that the situation of indigenous peoples varies from region to region and from country to country, and that the significance of national and regional peculiarities and historical and cultural backgrounds should be taken into consideration. In practice, this means that the rights laid down in the convention must be implemented in a way that is adapted to the situation of the indigenous people concerned.

The Norwegian authorities participated actively in negotiations on the Declaration. The Government worked closely with the Sámediggi (Sami parliament), which has always been represented in the Norwegian negotiating delegation.

The Council of Europe Convention on the Prevention of Terrorism

The Council of Europe Convention on the Prevention of Terrorism was opened for signature at the Warsaw Summit in May 2005. Norway has taken a number of steps to follow up the provisions of the convention. For example, new penal provisions relating to terrorism have been drafted, cf. Proposition No. 8 (2007–2008) to the Odelsting, and a new penal provision prohibiting incitement, recruitment and training for terrorist acts in the Act of 19 December 2008 No. 114 concerning amendments to the Penal Code of 1902, etc. (penal provision against incitement, recruitment and training for terrorist acts). The convention must be construed with the limitations that ensue from the European Human Rights Convention (ECHR), and the implementation and enforcement of the Convention on the Prevention of Terrorism must be subject to the legal safeguards provided by the ECHR and other human rights obligations, see Article 12 of the convention. For a more detailed discussion of the convention, cf. Proposition No. 8 (2007–2008) to the Odelsting and Proposition No. 79 (2007–2008) to the Odelsting.

The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

Norway has actively supported the Council of Europe's efforts to strengthen the rights of children. The Council of Europe adopted the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse in July 2007. Norway was one of the 22 member states that signed the treaty at the meeting of European Ministers of Justice on 25 October 2007. As of mid-June 2009, the convention had not entered into force.

The Council of Europe Convention on Action against Trafficking in Human Beings

The fight against human trafficking has high priority in the work of the Council of Europe as well as in Norway. Countries of origin, transit countries and recipient countries for human trafficking are represented in the Council of Europe, and it is therefore an important forum for dealing with this issue. In May 2005, the Council of Europe adopted a Convention on Action against Trafficking in Human Beings, which entered into force on 1 February 2008. Norway ratified the convention on 17 January 2008. A new monitoring mechanism, the Group of Experts on Action against Trafficking in Human Beings (GRETA), has been established for the purpose of monitoring states parties' implementation of the convention. GRETA has been given a great deal of freedom to define its own monitoring procedures. The convention allows for the use of questionnaires, country visits and discussions with non-governmental

organisations. Norway made efforts to ensure that it was represented in GRETA, and Hanne Sophie Greve, a court of appeal judge and former judge at the European Court of Human Rights in Strasbourg, was elected to the group in December 2008, and was elected by the group as its first President. Members are elected for a period of four years, beginning 1 January 2009. Further information on the provisions of the convention may be found in Proposition No. 2 (2007–2008) to the Storting.

Information about more general measures to combat human trafficking is to be found in the Government's Action Plan Against Human Trafficking (2006–2009) entitled *Stop Human Trafficking*. The Ministry of Foreign Affairs' reports on the Ministry's measures under the action plan in 2007 and 2008 are available at regjeringen.no. The Norwegian Agency for Development Cooperation (Norad) review of the Ministry of Foreign Affairs' portfolio for the period 2003–2007 is also available at regjeringen.no.

The Nordic Sami Convention

A group of Nordic experts was commissioned by the Swedish, Finnish and Norwegian governments to prepare a draft Nordic Sami Convention. The group of experts presented its recommendation on 26 October 2005. The governments of the three Nordic countries have agreed to continue their work on a Nordic Sami Convention, initially by continuing national efforts to follow up consultation submissions and any impact assessments undertaken.

The draft convention is based on the fact that the Sami are an indigenous people living in Finland, Sweden and Norway. The draft has been drawn up on the basis of the international instruments by which the three countries are bound. The proposed aim of a Nordic Sami Convention is to facilitate interaction between Sami people across national borders.

In Norway, the proposal has been circulated for consultation and has been considered by a working group comprising representatives of the Ministry of Labour and Social Inclusion, the Ministry of Justice and the Police, the Ministry of Foreign Affairs and the Sami Parliament. On the basis of the report of the group of experts and the consultation submissions, the working group has carried out a systematic review of the draft Convention with a view to identifying and discussing any problems relating to national and international law. The report of the working group was submitted on 3 October 2007 and may be found on the Ministry of Labour and Social Inclusion website. At a meeting in November 2007 between the ministers responsible for Sami affairs and the presidents of the Sami parliaments in the respective countries, it was decided that the countries should further clarify the situation in relation to national law. The Nordic civil service body for Sami issues has been authorised to prepare a plan for further work on the convention.

International monitoring of Norway's human rights obligations

It is important that Norway adheres to and implements international human rights instruments, both because this strengthens human rights protection in Norwegian law and because it helps to enhance respect for human rights at the international level. International monitoring of Norway's human rights obligations is primarily based on periodic country reports and individual complaints.

The following is a brief presentation of Norway's work in connection with periodic country reports in the period 2006–2008. Specific recommendations to Norway based on the country reports or individual complaints are not discussed. However, this information may be found in the Norwegian Centre for Human Rights' yearbooks on human rights in Norway. Norwegian summaries of judgments of the European Court of Human Rights regarding both Norway and other countries are available at lovdata.no.



Sami Woman. Easter celebrations in Kautokeino.

Norway's reporting obligations to the UN

In Norway's national follow-up activities, a great deal of effort is devoted to preparing periodic country reports on Norway's implementation of the UN human rights conventions, participating in the examinations of international monitoring bodies, and implementing their recommendations. In March 2006 Norway was examined by the UN Human Rights Committee on the implementation of the International Covenant on Civil and Political Rights. The UN Committee on the Elimination of Racial Discrimination examined Norway's follow-up to the UN Convention on the Elimination of All Forms of Racial Discrimination in August 2006.

In August 2007 the UN Committee on the Elimination of Discrimination against Women assessed Norway's implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women, while the UN Committee against Torture assessed Norway's implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in November 2007. In 2008 the Norwegian authorities submitted Norway's fourth report to the UN Committee on the Rights of the Child and Norway's fourth report under the European Charter for Regional or Minority Languages.

Dialogue with Norwegian human rights organisations and institutions is a key component of Norway's efforts to follow up the recommendations of international monitoring bodies. Among other things, the Norwegian authorities have held meetings with civil society actors on the recommendations of the UN Committee on Human Rights, the UN Committee on Economic, Social and Cultural Rights and the UN Committee against Racial Discrimination. Background documents and minutes of these meetings are available on the Ministry of Foreign Affairs human rights webpages at regjeringen.no. While the Ministry of Foreign Affairs usually coordinates follow-up meetings, each ministry is responsible for following up Norway's international human rights obligations within its own area of responsibility.

Norway's reporting obligations to the ILO

The International Labour Organisation (ILO) is the UN special agency for dealing with matters related to the world of work. The ILO is a tripartite organisation whose governing bodies comprise representatives of workers, employers and governments. The organisation was established to improve living standards, labour standards and opportunities for workers all over the world. The ILO fulfils its mandate by adopting international conventions and recommendations relating to protection of the right to organise, labour standards, discrimination in the workplace and social security.

Eight of the ILO conventions are regarded as being core conventions. They concern the right to organise and bargain collectively (Nos. 87 and 98), equal pay for men and women (No. 100), non-discrimination in the field of employment and occupation (No. 111) and the elimination of forced labour (Nos. 29 and 105) and child labour (Nos. 138 and 182). The ILO Convention on Indigenous and Tribal Peoples (No. 169) also plays an important part in the organisation's efforts to promote human rights. In addition to extensive normative work, the ILO engages in global development cooperation to promote democracy and human rights, strengthen worker protection and combat unemployment and poverty.

According to the ILO Constitution, reports must be submitted at regular intervals on changes in Norwegian regulations and practices relating to the conventions Norway has ratified. Reports on the eight core conventions must be submitted every second year. In the case of the Convention on Indigenous and Tribal Peoples and most other ILO conventions, reports must be submitted every fifth year.

In 2007, Norway reported on the ILO core conventions on forced labour (No. 29 Forced Labour Convention and No. 105 Abolition of Forced Labour Convention) and child labour (No. 138 Minimum Age Convention and No. 182 Worst Forms of Child Labour).

In 2008, Norway reported on the conventions on the right to organise and collective bargaining (No. 87 Freedom of Association and Protection of the Right to Organise Convention and No. 98 Right to Organise and Collective Bargaining Convention).

In 2009, Norway reported on the conventions on equal pay for men and women (No. 100 Equal Remuneration Convention), non-discrimination (No. 111 Discrimination (Employment and Occupation) Convention) and indigenous and tribal peoples (No. 169 Indigenous and Tribal Peoples Convention). Norway will also report on the conventions relating to forced labour and child labour.

These reports are prepared by the Ministry of Labour and Social Inclusion with input from those bodies responsible for Norwegian legislation relating to the convention concerned.

Norway's reporting obligations to the Council of Europe

The Council of Europe has adopted several conventions and resolutions concerning member states' human rights obligations. The revised European Social Charter is one of them. The European Committee of Social Rights (ECSR), monitors countries' compliance with the Social Charter.

Norway is required to report to the ECSR each year on its compliance with the provisions of the revised European Social Charter. Effective from October 2007, the reporting procedures were changed so that countries report each year on articles that are thematically related.

In February 2008, Norway reported on articles relating to employment, training and equal opportunities (Articles 1, 9, 10, 15, 20, 24 and 25). In March 2009, Norway reported on articles relating to health, social security and social protection (Articles 3, 11, 12, 13, 14, 23 and 30). Norway is also to report on articles relating to labour rights (Articles 2, 4, 5, 6, 21, 22, 26, 28 and 29) by October 2009. These reports are prepared by the Ministry of Labour and Social Inclusion with input from relevant bodies.

On the basis of these reports, the ECSR presents its conclusions as to whether or not national law and practice in the respective countries are in conformity with the Social Charter. The report is based on a questionnaire drawn up by the Council of Europe and the conclusions from previous reports. If implementation is found to be deficient, the ECSR process may culminate in a recommendation to remedy the situation that is subsequently adopted by the Committee of Ministers, which comprises the ministers of foreign affairs of Council of Europe member states. The conclusions are available on the Council of Europe website.

In March 2006 the European Committee for the Prevention of Torture (CPT) presented its report on its most recent visit to Norway, which was in October 2005. Norway gives high priority to following up the CPT's recommendations and submitted its response to the CPT report in October 2006. The work of the CPT in other Council of Europe member states is also closely followed by Norway. In this connection Norway is seeking to promote the establishment of a practice whereby all member states request that the CPT's reports be published, a policy already pursued by Norway.

Norway's second report on implementation of the Council of Europe Framework Convention for the Protection of National Minorities was dealt with by the Council of Ministers on 20 June 2009. In its resolution on Norway's implementation, the Council of Ministers concluded that the protection of national minorities has improved, among other things through the strengthening of legislation and the institutional system for combating discrimination, and the authorities' support for preservation of identity and culture. However, the Council of Ministers noted the need for further measures and recommended, among other things, that the authorities acquire more data on the situation of minorities, strengthen the Kven language, improve the situation of the Roma people and increase the participation of minorities in the public arena. Information regarding the follow-up to the recommendations will initially be provided in the ongoing dialogue with the Advisory Committee and thereafter in Norway's third report, which is to be submitted in 2010.

Thematic priority areas in Norway's multilateral efforts

On 11 November 2008, Norwegian Minister of Foreign Affairs Jonas Gahr Støre introduced a debate at a meeting in Bergen entitled *Verdenserklæringen for menneskerettigheter 60 år: Dilemmaer for utenrikspolitikken* (60th anniversary of the Universal Declaration of Human Rights: Foreign policy dilemmas). In his speech, the Minister reviewed the areas that Norway has chosen to prioritise in its efforts to promote human rights. Further details of some of the key priority areas in Norway's multilateral human rights efforts are given below.

Human rights defenders

Human rights defenders are individuals, operating alone or working in groups or organisations, who stand up for the rights of others and often risk their own lives to promote other people's right to express their views freely without fear of imprisonment or torture. Norway has long been involved in measures to support and protect human rights defenders. Priority is given to this group because they play a fundamental role in efforts to document and expose human rights violations. Many human rights defenders also have a genuine need for protection due to their efforts to uncover abuse of power on the part of countries' authorities that is in breach of their human rights obligations.

Norway chaired the negotiations that culminated in the adoption of the UN Declaration on Human Rights Defenders in 1998. Norway is also the main sponsor of the resolution on human rights defenders in the UN, which the General Assembly debates every second year (most recently in 2007). This work has become increasingly important in recent years, not least because of the restrictions and abuses human rights defenders have been subjected to in the name of the international fight against terrorism.

During the seventh session of the UN Human Rights Council in spring 2008, which was chaired by Norway, a new three-year mandate for the UN Special Rapporteur for Human Rights Defenders was negotiated and adopted unanimously. Many countries wished to restrict the activities and freedom of action of human rights defenders. It was therefore extremely difficult to reach agreement on the text, which was unanimously adopted by the UN Human Rights Council. The Special Rapporteur conducts country visits and responds to a large number of applications from human rights defenders all over the world. The new Special Rapporteur, Margaret Sekaggya, took up her post on 1 May 2008. Ms Sekaggya comes from Uganda and has previously headed the Ugandan Human Rights Commission.

In 2007 and 2008 Norway also sought to strengthen the Council of Europe's efforts on behalf of human rights defenders. A working group chaired by Norway drew up a declaration on Council of Europe action to improve the protection of human rights defenders and promote their activities. The declaration was adopted by the Committee of Ministers on 6 February 2008.



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विज्ञापन
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In 2004–2005 the Ministry of Foreign Affairs prepared a guide for foreign missions in order to systematise and strengthen their support for human rights defenders. Norway's support for human rights defenders includes a variety of measures and illustrates how it works to support individuals who often put their own lives at risk to uphold fundamental democratic values and important principles of the rule of law. Norway's guide is currently being revised with a view to making it more practical.

In cooperation with the Norwegian Centre for Human Rights, in 2006 and 2007 the Ministry of Foreign Affairs revised its courses on human rights. Courses on the international human rights system and human rights defenders in particular are offered to employees of the Ministry of Foreign Affairs and Norad.

The private sector and human rights

Norway intends to play a leading role in international processes relating to corporate social responsibility, including companies' responsibility for respecting human rights. In recent years, important innovative work has been carried out at the UN under the leadership of the Special Representative of the Secretary-General on Human Rights and Transnational Corporations and other Business Enterprises, John Ruggie. Norway has supported his mandate, both politically and financially. He stresses the need for cooperation between different actors with different roles: states, businesses, international organisations and civil society. Norway headed the negotiations when his mandate was extended by the UN Human Rights Council in 2008. So far, he has suggested, among other things, that states should work towards a more coherent policy to ensure that consideration for human rights is taken into account in all public enterprises, whether as owner, investor, asset manager, purchaser or guarantor for export credits. Although this is not an easy task, Norway takes this challenge seriously. The Special Representative also focuses on improving victims' access to grievance mechanisms in connection with businesses' human rights violations. His recommendations and activities are central in the white paper on corporate social responsibility (Report No. 10 (2008–2009) to the Storting).

Discrimination on grounds of sexual orientation and gender identity

Many people today are imprisoned, killed, harassed, raped or discriminated against because their sexual orientation or gender identity differs from that of the majority. In many countries, there are also legal obstacles, such as prohibitions against homosexuality. These people belong to a group that is internationally known under the acronym LGBTI (Lesbian, Gay, Bisexual, Transgender and Intersex).

The Government raises the issue of gay and lesbian rights in relevant international contexts and supports organisations that are working to promote their rights. This priority area is emphasised both in the Action Plan for Women's Rights and Gender Equality in Development Cooperation (2007–2009) and in Proposition No. 1 (2006–2007) to the Storting. Norway is working on this issue both multilaterally, through the UN and the Council of Europe, and bilaterally.

In autumn 2006 Norway made a statement in the UN Human Rights Council on behalf of 54 countries on human rights abuses based on sexual orientation and gender identity. This was followed up in a statement by State Secretary Raymond Johansen in March 2007. The main message in the statements was threefold:

1. States must decriminalise homosexuality, and those that impose a death penalty for homosexuality must abolish it. Homosexuality is currently a criminal offence in more than 80 countries, and in several of them the penalty for homosexuality is death.

2. States must respect the absolute prohibition against torture and combat violence against LGBTI.
3. States must not discriminate on grounds of sexual orientation or gender identity.

This effort continued in December 2008, when Norway was one of 66 countries that backed a joint statement in support of LGBTI human rights in the UN General Assembly. It was the first time a statement on this issue had been delivered in this forum, and Norway was a member of the core group that drew up the statement. In the statement, countries were condemned for abusing homosexuals because of their sexual orientation and member states were asked to review their legislation in order to ensure that homosexual practice is not a criminal offence. Furthermore, the statement confirmed that the principles of universality and non-discrimination also apply to these groups. The text of the 2008 statement was more ambitious than that of the 2006 statement in the Human Rights Council and was supported by more countries. In connection with the reading of the statement in the UN General Assembly, the Norwegian Mission to the UN, in cooperation with several US NGOs, also arranged a seminar on this issue, where activists from the US, Peru, Nepal and Namibia told of their experiences.

With other Western countries, Norway helped to ensure that three NGOs representing gays and lesbians were accredited to the UN in December 2006.

Norway also endorsed the Yogyakarta Principles, which were launched in March 2007. The 29 principles address a number of human rights and consider how they should be implemented for people with different types of “sexual orientation” and “gender identity”, see www.yogyakartaprinciples.org.

On 15 May 2009 Norway was one of the co-organisers of an international conference in Paris on human rights, sexual orientation and gender identity, where the focus was on civil society participation. The aim was to promote good follow-up to the statement delivered at the 63rd session of the UN General Assembly.

At the conference, Norway presented new guidelines for systematising and strengthening the efforts of Norwegian foreign missions to promote the rights of persons who come under the LGBTI definition. The guidelines are available at regjeringen.no.

Combating violence against children

In 2001, the UN General Assembly recommended that the Secretary-General appoint an independent expert to investigate the extent of violence against children and present recommendations for prevention and response. Work began in 2003 and was completed in 2006 after a comprehensive global and inclusive process involving UN agencies, governments and civil society, and including children and young people from all regions. The study revealed extensive, worldwide use of violence against children. It showed that violence affects girls and boys of all ages from different social backgrounds and of all nationalities, and that it has serious short and long-term consequences for those who are affected. The report sets out recommendations for prevention and response to violence against children at home, at school, in other institutions, at the workplace and in society at large.

The independent expert was given an extended mandate until 2007 to initiate follow-up activities and, among other things, present proposals to the General Assembly as to how the follow-up could best be incorporated into the UN system. In autumn 2007, the UN General Assembly adopted a resolution requesting the Secretary-General to appoint a high-level special representative for three years to head international efforts to follow up the study. Marta

Santos Pais of Portugal was appointed Special Representative of the Secretary-General on violence against children on 1 May 2009.

Norway has supported the study and the follow-up by providing financial support and by lobbying activities that have put this issue high on the agenda in international forums. HRH Crown Prince Haakon took part in the launch of the report at the UN in New York. In 2006, the Ministry of Foreign Affairs and the Ministry of Children and Equality collaborated on a national launch of the UN study. Norway also supports the follow-up activities of NGOs at country level.

Better implementation of workers' rights

Decent working conditions and respect for workers' rights are essential for a just society. This applies at national, regional and global levels. In response to the globalisation of the labour market, the Government is now also working actively at the international level to improve protection of workers' rights. The UN and the International Labour Organisation (ILO) play an important role in this respect. Through cooperation in the OECD, Norway also participates actively in efforts to promote standards relating to employment, social security, trade union rights and social dialogue. These initiatives, which come under the OECD–DAC Poverty Network, constitute the four pillars of the ILO Decent Work Agenda.

In 2006, the Norwegian Prime Minister was the keynote speaker when labour rights were on the agenda at the UN Economic and Social Council (ECOSOC). In 2007, Norway managed to ensure that this issue is mainstreamed throughout the UN system through a decision of the Chief Executives Board, of which all senior managers of UN agencies, the World Bank, the International Monetary Fund (IMF) and the World Trade Organization (WTO) are members.

During the negotiations at ECOSOC in 2007, Norway gained acceptance for the proposal that the ILO's new *Toolkit for Mainstreaming Employment and Decent Work* should be used actively throughout the UN system, including in cooperation with developing countries. This was an important breakthrough. Norway is continuing its efforts to move the issue of decent working conditions and labour rights higher on the UN agenda, among other things in connection with the UN General Assembly. This is an important element of Norway's efforts to promote more equitable global governance.

A separate project for social globalisation, with emphasis on strengthening trade union rights, has been established at the Ministry of Foreign Affairs. Norway has intensified its cooperation with the ILO on trade union rights and in 2007 increased its financial support for the ILO's work on trade union rights by NOK 15 million. Norway has also strengthened its contacts with civil society, among other things through special contact meetings that include the social partners.

In September 2008, Norway, the Norwegian Confederation of Trade Unions (LO), the Confederation of Norwegian Enterprise (NHO) and the Financial Times arranged a conference entitled *Decent Work – A key to Social Justice for a Fair Globalisation*. The delegates discussed the complexities of a globalised labour market and the conference contributed to the international debate on how to ensure better financial management and promote full employment and decent working conditions in all parts of the world. One practical result of the conference was work on a resolution in the UN General Assembly the same autumn. Norway took this initiative in connection with the follow-up to the Government's strategy for improving the protection of labour rights globally. Resolution A763/L.29 supports the ILO declaration

Social Justice for a Fair Globalisation and urges all relevant actors to contribute to the implementation of the ILO declaration, not least by improving the protection of workers' rights.

The fight for trade union rights is also an important element of Norway's foreign and development policy towards individual countries. For example, trade union rights are an important topic in Norway's human rights dialogue with China.

In the revised national budget for 2009, the Government proposes allocating an additional NOK 30 million to the ILO in order to improve international labour standards. The international financial crisis has developed into an economic crisis and is on the way to becoming a social crisis in many countries. In the Government's view, employment, social protection and decent work criteria should be given a more prominent place in the international debate on how to deal with the financial crisis. Efforts to set international standards for decent work are an important part of efforts to combat poverty and ensure a more just world.

Follow-up to the World Conference against Racism

The UN World Conference against Racism took place in Durban, South Africa, in 2001. At the conference, UN member states agreed on a declaration and a programme of action to combat racism, the Durban Declaration and Programme of Action (DDPA). In December 2006, the UN General Assembly voted unanimously to arrange a review conference to examine the progress made by member states in their implementation of the 2001 outcome documents. The Durban Review Conference took place in Geneva on 20–24 April 2009.

The negotiations on a text on which states parties could agree posed a number of challenges. Several countries were critical of the preparatory work and took the view that the conference would be too heavily dominated by states that in reality wish to undermine human rights. For example, certain states wanted a text that was highly critical of the State of Israel and a text that would make defamation of religions a human rights violation. Some countries, including some African countries, argued that the review conference should be able to raise new issues, including proposals for additional standards, and re-open topics that had been discussed at Durban. The position of the Western countries was that the conference should focus on implementation of the resolutions that had been adopted in Durban. These differences affected the preparatory process.

The preparations took place within the framework of the UN Human Rights Council. In 2007–2009 Norway was represented in the bureau that headed the preparations for the conference. Norway chose to take on this responsibility because it hoped to be able to contribute towards finding compromise solutions and to help guide efforts to deal with this important issue onto a positive track. The text that was adopted in Geneva in April provides a good basis for the further efforts of the UN and the world community to combat racism.

Freedom of expression

Freedom of expression was on the agenda when the first annual Trygve Lie Symposium took place in connection with the UN General Assembly in New York on 25 September 2008. Norwegian Foreign Minister Jonas Gahr Støre and Swedish Foreign Minister Carl Bildt hosted the event, which also marked the 60th anniversary of the Universal Declaration of Human Rights. The aim was to put freedom of expression higher on the international agenda by bringing together countries across cultural and geographical divides. Several foreign ministers attended the event. A more detailed account of Norway's efforts to promote freedom of expression is to be found in the next chapter.



Democracy and the principles of the rule of law

The primary aim of the rule of law is to protect individuals from the abuse of power by public authorities. Fundamental principles of the rule of law include protection from arbitrary detention, ensuring a fair trial in independent courts of law, and respect for the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. In addition to these principles, freedom of expression and independent media, freedom of association and assembly and freedom of religion and belief are fundamental prerequisites for a vibrant, well-functioning democracy.

Norway supports and participates in efforts to combat international terrorism. Moreover, extensive anti-terrorist legislation, broad definitions of terrorism and unwillingness to respect prohibitions against human rights violations have brought to light and intensified some of the most important human rights challenges we face today.

There are dangerous signs of increased acceptance of torture and other forms of maltreatment in interrogations. Human rights defenders are subject to abuse and threats because they expose and document human rights violations. Freedom of association and assembly is being restricted in many countries. Freedom of movement across national borders is being curtailed. Simplistic pictures are often drawn of identity and affiliation, and minorities are subjected to stigmatisation and surveillance. Many countries use the threat of terrorism to justify tighter state control, stronger censorship and breaches of human rights. In Norway's view, efforts to combat terrorism are most effective when they are carried out in accordance with human rights standards and international humanitarian law.

In 2006 the Norwegian authorities faced a new type of challenge. Four months after cartoons depicting the prophet Mohammed were first published in the Danish newspaper *Jyllandsposten*, they attracted a great deal of attention when they were re-published in the Norwegian periodical *Magasinet*. The drawings gave rise to violent emotions, frightening incidents and long debates. The subsequent discussion focused on freedom of expression and freedom of religion. Should freedom of expression be restricted because some people feel insulted by certain utterances? Should a person be permitted to insult others under the guise of freedom of expression?



What has Norway said and done?

Freedom of expression and independent media

Freedom of expression is a core value in Norway's engagement and human rights policy. In 2008 Norway intensified its efforts to promote freedom of expression and independent media, particularly in countries where the media are under pressure. This means, among other things, that the Norwegian authorities will react when journalists are threatened and harassed.

In 2008 Norway allocated NOK 15 million for this effort, which is in addition to the approximately NOK 100 million that has already been used for measures to strengthen freedom of expression and independent media. Norway collaborates with various organisations in this area and actively uses the UN to address these issues. This was a central theme in the Minister of Foreign Affairs' speech when he launched an initiative entitled *Freedom of Expression – Missing in Action* on 7 April 2008.

Norwegian and international organisations concerned with freedom of expression and freedom of the media are important dialogue and cooperation partners for the Ministry. Initially, media under pressure will be a priority area, with emphasis on the importance of independent media in efforts to combat corruption and abuse and to promote democracy (see above).

The Global Intermedia Dialogue

In cooperation with the Indonesian Ministry of Foreign Affairs, the Norwegian authorities and editors and journalists from the two countries arranged a Global Intermedia Dialogue in Bali in September 2006. The cartoon controversy was the backdrop for the conference, where the agenda included freedom of expression, tolerance and the responsibility of the media. The conference was followed up by a similar event in Oslo in June 2007, called *Prime-time for Diversity: Journalism in a Troubled World*. The focus was on working and reporting conditions for journalists in conflict areas, with a focus on Russia and China. The third Intermedia Dialogue took place in Indonesia in May 2008.

The purpose of the three meetings has been to help increase awareness of freedom of expression and tolerance in a globalised world. A priority aim is to promote cooperation between media in Western countries and in countries with large Muslim populations. Several cooperation projects have been initiated.

Political messages and initiatives in response to the cartoon controversy

In the period following the cartoon controversy, the Norwegian authorities sought to convey a dual message. On the one hand, freedom of expression must not be restricted. Censorship is the hallmark of an authoritarian regime. The opportunity to express different views and room for critical thinking are important components of any democratic society. Freedom of expression is one of the prerequisites that enable Muslims or Buddhists to live freely in countries like Norway and express themselves in accordance with their convictions. Freedom of expression means that we are sometimes challenged by each other.

On the other hand, we know that freedom of expression is also intended to protect minorities and those who are not in power. Freedom of expression exists so that marginal and less popular views can also be expressed. We must seek to create a society that is characterised by respect for each other's lives and tolerance for each other's values and world views. We must facilitate meetings between people, for dialogue and interaction, so that we gain more knowledge about each other.

The Ministry of Foreign Affairs has taken the initiative to create meeting places for dialogue and the exchange of views between different cultures and religions. In 2007 a forum for religion and foreign policy was established, where experts from several disciplines have met to discuss areas in which there is an interplay between religion and politics. The Ministry of Foreign Affairs supports and facilitates religious and intercultural dialogue locally and nationally in Norway, as well as in the Middle East and other parts of the world.

Norway's human rights dialogues

High priority is given to Norway's human rights dialogues. Through these dialogues, Norway hopes to promote greater knowledge and understanding of democracy and the principles of the rule of law. International human rights standards provide the framework for these dialogues. Each dialogue is unique and adapted to the situation and needs of the countries taking part.

China

Since 1997, Norway has been engaged in a human rights dialogue with China, involving annual round-table conferences at the political level in which experts also take part. The Norwegian dialogue model is based on the Nordic social model, which is characterised by close cooperation between various partners. The experts who take part in the dialogue come from various ministries and a broad range of civil society organisations, including the Norwegian Confederation of Trade Unions (LO), the Confederation of Norwegian Enterprise (NHO), the Norwegian Medical Association, the Helsinki Committee and Amnesty International. The experts participate in working groups that focus on labour rights, minority rights and the rights of prisoners and detainees. In bilateral contacts with the Chinese authorities, there is special emphasis on the rule of law, the right to organise and freedom of association, freedom of expression, women's rights, freedom of religion, minority rights and efforts to abolish the death penalty.

In 2006 the round-table conference was held in Beijing. The official programme included a field trip to Xinjiang Province prior to the conference. The tenth round-table conference on human rights and the rule of law was held in Lillestrøm, Norway, in October 2007. There was record attendance, with more than 30 Norwegian and Chinese institutions and organisations taking part. In connection with the tenth anniversary, a summary of progress so far was produced in English. The summary is available at regjeringen.no. In October 2008, the conference was held in Beijing, preceded by two field trips, to Tibet and Guangzhou.

In connection with the human rights dialogue, a number of projects are supported at expert level:

- In the working group on labour rights, LO/NHO and the Ministry of Labour and Social Inclusion have run a project targeting specific enterprises in the Shanghai area for the purpose of increasing knowledge about the elimination of discrimination, collective bargaining and conflict resolution.
- The Norwegian Centre for Human Rights is working with a number of Chinese institutions on projects to promote the rule of law, women's rights, ethnic minority rights and education in the field of human rights legislation.
- The Office of the Parliamentary Ombudsman is in dialogue with the Chinese prosecuting authorities on several topics relating to the administration of criminal justice and the treatment of prisoners.
- NHO is working with the China Enterprise Confederation (CEC) and others on management training and organisational development in the private sector, and arranges regular seminars on topics such as collective bargaining.



- The Norwegian Confederation of Trade Unions (LO) and the All China Federation of Trade Unions (ACFTU) are engaged in similar cooperation on labour rights.
- The Norwegian Medical Association is working with the Chinese Psychiatry Association on human rights and ethics.
- The Norwegian Bar Association has established contact with the All China Lawyers' Association and the Beijing Lawyers' Association with a view to collaborating on promoting the rule of law.
- The Norwegian Higher Prosecuting Authority has established contact with its Chinese counterpart and taken the initiative for a project that will consider how human rights are safeguarded in the administration of criminal justice in Norway and China.
- In autumn 2006 the Institute for Applied Social Science (FAFO) completed a major survey of living conditions in Western China.

Indonesia

A human rights dialogue with Indonesia was formally initiated in Jakarta in April 2002. The dialogue is conducted at state-secretary/minister level and between Norwegian and Indonesian experts from public institutions and NGOs. Dialogue meetings are held annually.

In 2006, the dialogue meeting took place in Jakarta. Discussions were focused on specific challenges related to the work of the police, anti-terrorism activities and human rights, as well as the importance of interreligious dialogue. The Norwegian delegation was headed by State Secretary Kjetil Skogrand and comprised a number of representatives of the media, academia, the police, NGOs, the Office of the Director General of Public Prosecutions, the Equality and Anti-Discrimination Ombud, the Ministry of Justice and the Police, and the Ministry of Foreign Affairs. The Indonesian delegation consisted of over 160 people from corresponding agencies and institutions, and was headed by Dr Hamid Awaluddin, Minister of Justice and Human Rights.

In 2007, the dialogue meeting took place in Oslo in April. The topics discussed at the round-table conference were human rights training for the police and military forces, freedom of religion and belief and economic and social rights. The Norwegian delegation was led by State Secretary Raymond Johansen and consisted of representatives from the Indonesia Programme at the Norwegian Centre for Human Rights, the police, the defence forces and several ministries. Representatives of the Confederation of Norwegian Enterprise (NHO), the Norwegian Helsinki Committee, the Rainforest Foundation Norway, the Islamic Council of Norway, the Norwegian Humanist Association and the Oslo Coalition participated in the dialogue. Indonesia's delegation was led by Acting State Secretary Harikristuti Harkrisnowo and comprised representatives of the public authorities and several organisations. In addition to political consultations and an expert conference, a number of institution visits were carried out. In April 2008, the dialogue meeting took place in Jakarta, and in April 2009 in Oslo.

The human rights dialogue has paved the way for the development of a series of collaborative projects between Norwegian and Indonesian partners. In May 2002 the Norwegian Centre for Human Rights established an Indonesia Programme with focus on human rights education, judicial reform, human rights in conflict areas and enhancing knowledge of Indonesia in Norway. There is a close link between topics addressed at the official dialogue meetings and the areas in which the Indonesia Programme is engaged. The NHO and the Rainforest Foundation Norway are also engaged in joint projects with Indonesia.

Vietnam

Norway's human rights dialogue with Vietnam began in 2003. The fourth dialogue meeting took place in Oslo in January 2007, and the agenda featured criminology, human trafficking and violence against women and children. The programme also included visits to the Supreme Court of Norway, the Correctional Services, the Norwegian Centre for Human Rights, the Oslo Crisis Centre for Women and the ROSA project for women victims of human trafficking, and Oslo Police Headquarters, where their newly launched project to combat human trafficking and prostitution was presented.

There were also bilateral consultations at political level where the ratification of international human rights treaties, freedom of expression and human rights defenders were key topics of discussion.

The Norwegian delegation comprised a broad range of representatives from various courts of law, academic institutions, the Norwegian Bar Association and NGOs. The Vietnamese delegation consisted of representatives of the Vietnamese Ministry of Foreign Affairs, the Ministry of the Interior and Security, the Ministry of Justice, the Ministry of Work and Social Affairs, several research institutes and the Vietnamese women's movement.

However, human rights in Vietnam suffered several serious setbacks in the spring of 2007. Human rights defenders and political dissidents were arrested or placed under house arrest. Norway has deplored this trend on several occasions, on its own or together with other countries. Norwegian representatives have also attended a number of trials. The Minister of Foreign Affairs gave an account of Norway's view of the situation in the Storting on 1 June 2007 in response to an interpellation by Conservative Party leader Erna Solberg. The fifth round of dialogue on human rights was held in Hanoi in April 2008, and the sixth round was held in Oslo in May 2009.

The human rights dialogue project

In autumn 2006, a project group was appointed in the Ministry of Foreign Affairs to assess Norway's work on human rights dialogues. The backdrop to the project was that the dialogue process had become an increasingly visible element of Norwegian foreign policy in the field of human rights, and the Government had emphasised the importance of further developing these dialogues in its policy platform in 2005. The primary objective of the project was to further develop a framework for human rights dialogues that would make them more effective and advance progress in long-term priority areas in the dialogue process.

The project group has comprised representatives of the Ministry of Foreign Affairs (the Section for East Asia and Oceania and the Section for Human Rights and Democracy), and embassy secretaries in the three dialogue countries. In addition, an external group of experts consisting of representatives of civil society, public bodies, business and industry and special-interest groups has provided input and recommendations.

Round-table conference on democracy and diversity

In cooperation with the International Institute for Electoral Assistance and Democracy (IDEA), Norway invited 80 politicians, academics and activists from different parts of the world to a round-table conference on 12 June 2007. The topic of discussion was the role of democracy in dealing with cultural diversity.

IDEA is an intergovernmental organisation that seeks to strengthen democratic institutions and processes in new and weak democracies. IDEA strives to serve as a catalyst for the development of sustainable social structures by providing knowledge, expertise and a platform for debate on democratic issues. Norway held the chairmanship of IDEA in 2006 and 2007.

Efforts to combat the death penalty

In its policy platform, the Government affirms that it will “make active efforts to promote the abolition of the death penalty in all countries”. The second Optional Protocol to the International Covenant on Civil and Political Rights aims at the universal abolition of the death penalty. Moreover, both the International Covenant on Civil and Political Rights and the UN Convention on the Rights of the Child prohibit application of the death penalty in respect of minors or persons convicted of offences committed when they were minors.

Norway raises the issue of the death penalty in its bilateral cooperation with countries such as the US, Iran, Saudi Arabia and Russia, and through its human rights dialogues with China, Vietnam and Indonesia. Besides lodging specific protests in cases where the method of execution is particularly inhumane, Norway has given priority to individual cases involving persons who were minors at the time the crime was committed or who are pregnant or mentally ill.

Moreover, over the years Norway has actively supported international efforts to abolish the death penalty, within the framework of the UN, the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE). Norwegian senior officials attended the Third World Congress against the Death Penalty held in Paris in February 2007.

Norway has actively supported the resolutions against the death penalty that have been adopted over the years by the UN Human Rights Commission and the UN General Assembly. An important resolution calling for a moratorium on the use of the death penalty (Res. 62/149 of 18 December 2007) was adopted in autumn 2007 by the UN General Assembly. The resolution was highly controversial. A total of 18 draft amendments were proposed prior to its adoption, all of which were defeated. This must be seen as an important victory for the states that were in favour of a text opposing the death penalty with the strongest possible wording.

The resolution calls on all states that still maintain the death penalty as a formal penal sanction to impose a moratorium on executions, with a view to abolishing the death penalty in the long term. The resolution further calls on the UN Secretary General to provide an annual update on the extent to which the death penalty is used, and on whether the countries that apply this penalty respect international standards guaranteeing protection of the rights of those facing the death penalty.

When a new resolution on the death penalty was debated by the UN General Assembly in 2008, it was endorsed by yet more countries. The resolution will strengthen the focus on capital punishment in the United Nations, and will hopefully be instrumental in increasing political pressure to establish a moratorium on the death penalty.

The work of the OSCE to promote democracy and human rights

Election observation and election standards

The Organization for Cooperation and Security in Europe (OSCE) works to protect human rights, promote democracy and strengthen the rule of law. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE missions play an important role in this work.

The ODIHR seeks to ensure that OSCE countries maintain high election observation and democratic standards. In December 2006, in response to requests from several member states, the OSCE Ministerial Council adopted a decision to ensure greater geographical diversity in the composition of the missions and greater transparency with regard to the selection of the heads of missions. Norway is pleased that the autonomy of the ODIHR has been preserved. In Norway's view, it is essential that the OSCE works closely with other international organisations, primarily the Council of Europe.

Norway contributed 18 short-term and three long-term observers to the OSCE's election observation activities in 2006, 15 short-term and six long-term observers in 2007, and 26 short-term and 13 long-term observers in 2008. The OSCE observed ten elections in 2006, 16 in 2007 and 12 in 2008. More information on Norway's contributions to OSCE election observation may be found in NORDEM's annual reports, which are available on the website of the Norwegian Centre for Human Rights.

Human trafficking and sexual exploitation of children

The most widespread form of human trafficking in the OSCE area is the exploitation of women and children for prostitution and other sexual purposes. The fact that more and more victims are forced to work under slave-like conditions is also a growing problem. The OSCE works closely with other international organisations and stakeholders in combating human trafficking.

A decision was made at the Ministerial Council in Brussels in December 2006 to strengthen the OSCE's efforts to combat the sexual exploitation of children. In connection with this, the OSCE will consider the possibilities of increasing its cooperation with Internet service providers, credit card companies, banks and other financial institutions, and of eliminating restrictions on the prosecution of perpetrators of serious sex crimes committed in other countries.

Gender equality and security

Gender equality is both a democracy issue and a human rights issue, and the participation and experience of women are crucial to conflict resolution and peacebuilding. The OSCE, through the ODIHR and the OSCE missions, carries out specific projects designed to promote women's rights and participation in public life. The OSCE also serves as a forum for focusing greater political attention on the challenges related to gender equality.

In accordance with its Strategy for Women and Gender Equality in Development Cooperation (1997–2005), Norway has actively sought to raise the awareness of participating states and the OSCE Secretariat of the importance of gender equality in connection with nominations to positions in the OSCE. It also played a key role in negotiating the OSCE Action Plan for the Promotion of Gender Equality, which was adopted at the Ministerial Council in Sofia in 2004. The action plan focuses on training, leadership and recruitment and includes clear references to the implementation of Security Council resolution 1325 (2000) on Women, Peace and Security, which addresses the role of women in conflict resolution, conflict prevention and reconstruction.



Tolerance and non-discrimination

On 4 July 2007 Ambassador Knut Vollebæk was appointed OSCE High Commissioner on National Minorities. The High Commissioner is responsible for monitoring the problems faced by national minorities in OSCE member states. Another task of the High Commissioner is to help prevent conflict by means of quiet diplomacy and project work. The Balkans, Central Asia and the Caucasus were regional priorities in 2007. Work also began in 2007 on a study of the situation of the Roma people in Europe.

As part of the OSCE's efforts to promote tolerance, two conferences were held in 2006, in Almaty and Dubrovnik, at which it was recommended that the OSCE should target its efforts towards youth, education and the media, as well as towards developing the organisation's role in facilitating partnerships between cultural and religious groups. In addition to this work, an important ODIHR objective has been to assist local authorities and civil society in combating hate-motivated incidents. An information base has been developed for this purpose, which provides an overview of racially motivated incidents in participating states, national legislation in this field and concrete examples of anti-racism measures. The ODIHR also has a number of projects that target the school sector, including projects to develop teaching material on the Holocaust and other types of racism. Educational programmes specially designed for the police and the judiciary have also been developed.

Norway considers it important that the work of the OSCE to address tolerance issues is seen in conjunction with the intercultural and interreligious dialogue that is taking place in the United Nations and the Council of Europe.

Focal point for human rights defenders

In 2007, the OSCE established a Focal Point for Human Rights Defenders and National Human Rights Institutions. The Focal Point monitors the situation of human rights defenders and works to promote and protect their interests. It also seeks to increase their knowledge of international human rights systems and ways of using these systems to strategic advantage in their work. The Focal Point works closely with the Council of Europe Commissioner for Human Rights, the UN High Commissioner for Human Rights and the UN Special Rapporteur on the situation of human rights defenders and other bodies.

Grants for Norwegian and international human rights organisations

Providing grants for Norwegian and international human rights organisations is an important part of Norway's international efforts to promote human rights. Our aim is to use the funds for activities that underpin Norway's priorities in the field of human rights. We are also concerned to ensure that the funds are used as cost-effectively as possible.

As well as national and international NGOs, Norway gives priority to providing support for the UN High Commissioner for Human Rights.

The grants are subject to the reporting and auditing requirements of the Regulations on Financial Management in Central Government and other rules. Guidelines for grant recipients may be found at regjeringen.no on the Ministry of Foreign Affairs' webpages on human rights.

Support for good governance provided through development cooperation

Support for efforts to improve governance is a key element of the assistance provided to most of Norway's partner countries. Many of the countries have democratic systems of government with multi-party elections, but in many cases the systems were established relatively recently and are insufficiently developed. In several of these countries, the separation of powers is poorly developed and central government oversight institutions such as the national audit system, the electoral commission and anti-corruption institutions are weak. These factors clearly increase the risk of human rights violations.

Efforts to develop central government oversight functions in the executive, the judiciary and the legislature are supported within the framework of governance reforms and capacity development. Civil society organisations and the media's monitoring and control activities are encouraged and supported at both national and local government level. This often takes place through cooperation between bilateral and multilateral donors. Support is provided through Norwegian NGOs for activities to raise political awareness, and Norwegian political parties may use development funds to strengthen political parties in developing countries. Dialogue with national leaders is used to encourage transparency and accountability in the government and the public administration. By financing funds administered by UN agencies and development banks, Norway supports research that raises public awareness of complex and deep-rooted governance problems, for instance through political and financial analyses of the distribution of power and the way the country's political or financial elite control the use of the state's finances to their own advantage.

The Norwegian Centre for Democracy Support

The Norwegian Centre for Democracy Support was established for the purpose of supporting the democratisation process and fledgling democracies in developing countries, drawing on the expertise of Norwegian political parties. Efforts focused on helping to strengthen party organisations in these countries. The centre was established on a trial basis in 2002 with an appropriation of NOK 5 million. In both 2007 and 2008, the Storting allocated NOK 7 million to the centre. Following a review in 2006, the centre was made a separate, independent legal entity.

In Africa, AUF (Labour Youth Norway) has worked with the Uganda Young Democrats to strengthen the organisation's grass-roots activities. The Christian Democratic Party has collaborated with Ford Kenya, and in 2007 worked on developing a plan for election and coalition activities. The Centre Party worked with the CCM, CHADEMA and CUF political parties in Tanzania, where the target group was grass-roots leaders in the party organisations, and youth and women's organisations in the Magu district. The Liberal Party of Norway also initiated a pilot project in Tanzania. In addition, activities have been carried out in the Middle East and Asia. In the Palestinian Territory, the Norwegian Labour Party's women's organisation worked with Fatah's women's network and several dozen seminars were held in 2007. In Kazakhstan, the Party of Progress was engaged in a pilot project in 2007, while the Socialist Left Party further developed its cooperation with the Communist Party in Nepal, with focus on multi-party democracy and central government and local elections. In Latin America, the Conservative Party was engaged in activities in Nicaragua, Guatemala and Bolivia.

Political party support is a complex and politically sensitive field, and this work is currently being evaluated. In spring 2009, it was decided to shut down the Norwegian Centre for Democracy Support. Efforts are now being made to find alternative solutions with a view to involving political parties in an even more constructive, effective manner in the democratisation process in developing countries and new democracies.





Peace, reconciliation and transitional justice

Norway pursues an active peace and reconciliation policy. We become involved because we wish to help ensure that violent conflicts are settled, and because we recognise that conflicts, even those far from Norway, pose challenges that affect Norwegian interests. Freedom from fear and persecution is a fundamental prerequisite for human dignity. If people are denied the right to live in dignity, the road to violence and oppression is short.

Peace-building and reconciliation processes raise important questions regarding the way past abuses are to be dealt with in order to promote lasting peace. Under international law, those responsible for the most serious international crimes must be held criminally responsible for their crimes. This poses a challenge in relation to demands from perpetrators for impunity as a condition for ceasing their violent activities. The way in which different reconciliation mechanisms can interact and complement each other also raises questions. There is also the question of how those who have borne the brunt of the war, the civilian victims, are to be included in the process of creating a durable peace. There are no simple answers to these questions. Achieving reconciliation in societies torn by violent conflict, injustice and oppression requires knowledge, patience, integrity and the ability to balance fundamental values with acute political needs. Above all, it takes time. And yet we must be impatient on behalf of the victims of injustice.

How does Norway view these issues?

Norway has actively supported global efforts to combat impunity for genocide, crimes against humanity and war crimes for many years. By acceding to various international legal instruments, including the Geneva Conventions and the Rome Statute of the International Criminal Court, we have also undertaken international legal obligations in this respect. In order to combat impunity, the UN has determined that no UN-appointed peace mediator may contribute to the conclusion of a peace agreement that grants amnesty for serious international crimes. This decision also serves as a guideline for Norwegian peace efforts.

It is important to emphasise that granting amnesty for serious international crimes is not in accordance with international law and thus not a viable option.

Norway sees transitional justice as an important component in developing the rule of law, democratisation and peacebuilding. On the other hand, international criminal prosecutions do not preclude the establishment of truth commissions, local mechanisms for tradition-based reconciliation and the integration of such systems into peacemaking. Such processes will often play an important role in paving the way for reconciliation.

Due to political realities, victims are often not included in peace negotiations between the warring factions. The paradox of peace negotiations lies in the very fact that it is the belligerents themselves who must, in a sense, produce peace. But peace is more than the absence of war. When building a society where conflicts can be resolved without violence, it is essential that all segments of the population share a fundamental common perception of past injustices, of history and of the meaning of justice. To ensure this, it is crucial that the victims themselves are heard and are given an opportunity to participate actively in peace and reconciliation processes that concern them and those closest to them.

Questions concerning the nature and substance of transitional justice, the dismissal of those guilty of injustices from key positions in the power structure, the demobilisation of soldiers and the building of memorials must also be answered in a way that safeguards the needs and interests of the population. In this process all parties must be aware of the distinction between short-term and long-term goals. Not all goals can be achieved within the same time frame, but many of them can be achieved in the long term.

Norway's priorities

Meetings on reconciliation processes and transitional justice in post-conflict situations

Good foreign policy is knowledge-based. In view of Norway's engagement for peace in various parts of the world, we wish to further deepen our knowledge of how to tackle challenges related to peace and justice in post-conflict situations. At the same time, we wish to help enable experts working in war zones and in post-conflict situations on a day-to-day basis to share their experiences with one another. Although peace can only be achieved and consolidated at the local level, experience gained in different parts of the world can help us to move forward.

On 13–15 September 2006, the Ministry of Foreign Affairs arranged a seminar on conflict, conflict sensitivity and peacebuilding for personnel employed at Norwegian embassies in South Asia. One of the topics covered at the seminar was transitional justice, including accountability for past abuses.

In April 2007, Norway and the International Center for Transitional Justice (ICTJ) invited people who had experience of conflicts in Asia, Africa and Latin America to an international meeting of experts in Norway. These people had participated in truth commissions, judicial processes, peace negotiations and efforts to promote human rights. The purpose of the meeting was to take a closer look at how peace efforts can be combined with efforts to promote justice in post-conflict situations.

The Ministry of Foreign Affairs also arranged an internal seminar on transitional justice in May 2008 for Norwegian representatives participating in peace processes and other people in the Ministry who are interested in this field. Staff members of the International Center for Transitional Justice presented their programmes and reported on their experience in the field, after which there was a round-table conference where participants had an opportunity to exchange views. Later that day, an external seminar was held in cooperation with the Refleks project and the International Peace Research Institute, Oslo (PRIO).

UN Security Council resolution 1325

In October 2000 the UN Security Council adopted resolution 1325 on women, peace and security (hereinafter called resolution 1325). For the first time in the history of the United Nations, the Security Council addressed issues related to the role and experience of women in armed conflict. Resolution 1325 points to the need to integrate a gender perspective into conflict prevention and peacebuilding. Norway plays a proactive role in efforts to promote the implementation of resolution 1325 in the UN system, at both central and national level. In March 2006, the Government launched an action plan for implementing resolution 1325, which focuses on three main areas:

- 1) international efforts and peace operations
- 2) conflict prevention, peace mediation and peacebuilding
- 3) protection and human rights

Through this action plan we aim to strengthen our efforts to promote global security, peace and justice. We will intensify our focus on increasing the participation of women in civil and military peace operations, peace mediation and peacebuilding, and strengthen the protection of women's rights in areas affected by conflict.

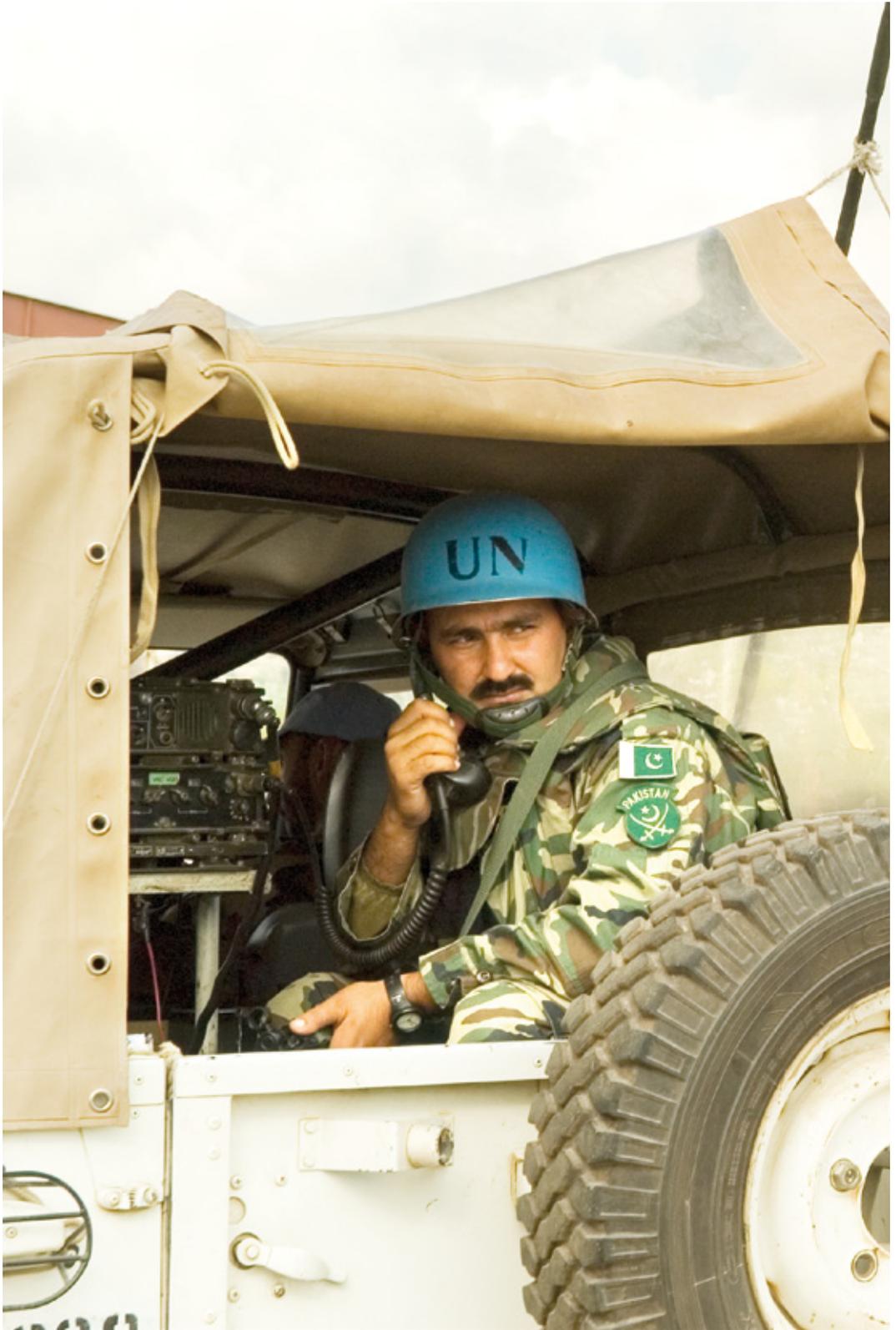
Children in war and conflict

Under Norway's development strategy for children and young people in the South, presented by the previous government in 2005, children in war and conflict and children's participation in peace and reconciliation processes are priority areas. The strategy may be found at www.regjeringen.no.

In August 2006, it was ten years since the UN report on children in armed conflict was launched. The report, *The Impact of Armed Conflict on Children*, prepared under the leadership of Graça Machel and called the Machel study, is one of the most important international reports on children in recent years and has had a far-reaching impact. The report contains an action plan for member countries and the international community for improving the protection of children in conflict situations. In April 2006, Radhika Coomaraswamy was appointed the UN Secretary-General's Special Representative for Children and Armed Conflict. Her mandate was renewed in March 2009.

In 2007–2008, the Special Representative and UNICEF completed a joint strategic review of the Machel study to assess the progress made and identify challenges and priorities for future efforts. Norway provided support for the review. The UN Security Council has established a Working Group on Children and Armed Conflict (CAAC) and put forward a number of resolutions relating to this issue.

Norway has chosen to focus its efforts in particular on implementing Security Council resolution 1612, which provides guidance on measures and mechanisms to protect children in war and armed conflict. In this connection, Norway took part in the launching of the Paris Principles, a set of international principles and guidelines on children associated with armed forces or armed groups. The support provided for the NGO Coalition to Stop the Use of Child Soldiers was increased. The Ministry has provided substantial support for the Save the Children Alliance's multi-year Rewrite the Future programme. The purpose of the programme is to intensify efforts to provide education for children in war zones and conflict situations.



Another priority topic that is closely related to peace and reconciliation is the inclusion of children and young people and their right to participation. In order to protect children in conflict situations effectively and to lay an optimal foundation for peace and reconciliation processes, account must be taken of the needs and rights of children and young people. The principle of inclusion and participation should be integrated into all measures that concern children and young people, but this issue should also be addressed separately. Norway sought to ensure that problems related to this issue were examined in the Machel study. Norway has also supported the Save the Children formative research project on children in war and peace, which is aimed at developing tools for policy and programme work. In 2006, a seminar was held on this topic, which was attended by external Norwegian partners and UN representatives. A seminar on children's empowerment was also held in 2007 for Norwegian child and youth professionals and actors in the international community in Norway, with a view to providing input for international processes in which Norway participates.

A commemorative high-level plenary meeting devoted to the follow-up to the UN special session held in 2002, "A World Fit for Children", was held in December 2007. Norway sought to ensure that there was special focus on protecting children from violence and armed conflict and on promoting the participation of children.

The issue of children and armed conflict was also discussed at a meeting arranged by the Ministry of Foreign Affairs within the framework of its Refleks project at the House of Literature in Oslo on 23 June 2008. The topics discussed included ways to progress from standard-setting to implementation in situations of deprivation and brutality, and ways to reintegrate children who have participated in armed conflict into the local community and prevent them from being re-recruited to new movements. Former State Secretary Raymond Johansen opened the meeting, in which Radhika Coomaraswamy, UN Under-Secretary-General and Special Representative for Children and Armed Conflict, and civil society representatives also participated.

Norway's support for international legal processes and criminal prosecution

Norway is an active supporter of international criminal prosecution, and makes use of a range of means and forums to express its support. In the period 2006–2008 Norway made several statements to the UN General Assembly in support of the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda and the International Criminal Court.

In addition to expressing political support, Norway also provides financial support for various international tribunals. Funding has also been granted for efforts to increase awareness of international legal processes and international criminal law in countries and areas that are directly affected by such processes. For instance, the International Criminal Court's legal tools programme is partly financed by Norway. The purpose of the programme is to rationalise efforts relating to serious human rights violations and international crimes by improving access to good, accurate international criminal law sources. The programme is linked to the Norwegian Centre for Human Rights.

Norway will continue its efforts to safeguard the integrity of international tribunals and courts.





Economic and social development

“World poverty is an affront to human dignity, a violation of human rights and a threat to global security and the global environment. The fight against poverty and for the right to economic development, democracy, human rights and sustainable development are the greatest challenges facing the international community, and one of the Government’s major tasks.”

(From the Government’s policy platform)

Norway’s development cooperation is to be grounded in human rights, cf. the debate on the white paper *Action Plan for Human Rights* (Report No. 21 (1999–2000) to the Storting). This was reconfirmed in the white paper *Fighting Poverty Together* (Report No. 35 (2003–2004) to the Storting) and the white paper *Climate, Conflict and Capital* (Report No. 13 (2008–2009) to the Storting).

This human rights-based approach has also been a key element of Norway’s cooperation with relevant international organisations such as the UN Development Programme (UNDP), UNICEF and UN-Habitat. Norway has contributed to the UN’s Action 2 programme, which is aimed at strengthening the implementation of human rights in all UN agencies and their activities. Norway was also among the initiators behind the establishment of a Nordic human rights fund in the World Bank.

However, a rights-based approach has often proved to be of limited value when dealing with everyday dilemmas in development cooperation. Even though political steering documents have affirmed the importance and value of mainstreaming human rights in development cooperation, less progress has been made in developing and communicating clear expectations of how the rights-based approach is to be implemented at country level. There has been limited knowledge of the international human rights system among development cooperation professionals, and knowledge of the working methods and challenges in development cooperation has also been limited in the human rights community.

Certain countries have perceived a human rights agenda in development cooperation to be a form of conditionality, and thus contrary to the fundamental prerequisite of “local” ownership. In this connection, it is important to emphasise

that human rights instruments constitute a common, normative framework for donors and recipients alike. Development cooperation is intended to be used to strengthen developing countries' ability to fulfil the human rights obligations they have undertaken.

What does a rights-based approach in development cooperation mean in practice?

In rights-based development cooperation, systematic use should be made of human rights treaties to identify the rights of individuals and groups and the obligations of the state. Development cooperation must be designed to facilitate the observance of human rights. The implementation of human rights treaties should be both a goal in itself and an integrated tool that must be taken into account in all development cooperation.

The UN human rights treaties should be used as a normative framework in development cooperation, and account should be taken of relevant recommendations from the treaty bodies that monitor implementation of the conventions and of reports from other parts of the UN human rights system. This also includes independent experts who report to the UN Human Rights Council and the UN General Assembly in their capacity as special rapporteurs.

Norway has traditionally focused on ensuring empowerment, participation, non-discrimination and accountability in development cooperation. In spring 2007, a survey was conducted of the experience of Norwegian foreign missions of rights-based development cooperation, which revealed a need to strengthen the rights perspective in development cooperation. The development of suitable competence-building measures is an important part of this work.

Does a rights-based approach to development cooperation have added value?

1. The human rights instruments provide a value base and a normative framework for development cooperation that are common to donors and partner countries alike. Since all UN member states have legally undertaken to fulfil the obligations set out in one or more international human rights treaties, it is in everyone's interest to respect and protect human rights in the best possible way. The process of realising human rights should unite UN member states, not divide them. Even though their starting point is often very different, both Norway and the partner country must fulfil their international obligations and submit reports to the treaty bodies. This makes them equal partners, and provides a good basis for identifying human rights challenges and discussing alternative solutions.
2. A rights-based approach can enhance the quality of development cooperation, particularly at a time when donors and recipients are focusing considerable attention on achieving general Millennium Development Goals (MDGs). Unlike human rights, these goals are not primarily focused on the individual. By realigning cooperation towards realising the rights of the poor and states' ability to fulfil their human rights obligations, it is easier to avoid social investments that are unsustainable. A rights-based approach can thus help to raise the awareness of states and prevent discriminatory service provision. In this way, focusing on human rights also helps to highlight the political and legal frameworks for realising the MDGs, not just the more socio-economic indicators of progress.
3. By actively applying human rights rules as a framework for development cooperation, the population will also be better informed about their rights and better able to put forward their demands. Human rights give the population, NGOs and donors objective grounds for holding states accountable.

What is the link between the Millennium Development Goals and human rights?

In 2000 the global community adopted the Millennium Development Goals (MDGs) as a common set of goals for development cooperation. It was agreed that the purpose of development cooperation is to combat poverty. Almost everyone involved in international development work has adopted the MDGs as their own, and the Government bases Norway's efforts to combat poverty on these goals. The United Nations Millennium Campaign focuses on promoting increased efforts to achieve eight specific goals, the overriding aim of which is to halve the proportion of people living in extreme poverty by 2015.

The MDGs have been criticised for not taking sufficient account of the human rights perspective. The MDGs are global goals that must be achieved at macro-level, but that do not take into account the process of attaining the goals, the long-term quality of the measures implemented or the condition of non-discrimination. A one-sided focus on quantitative targets may, for instance, result in development cooperation being used to support educational institutions in central areas because it is the least expensive strategy and the quickest way of improving statistics, while the needs of minority populations or marginalised groups in outlying districts are not met. This type of support is not in keeping with the protection afforded by the human rights instruments for minorities and vulnerable groups.

In practical efforts to achieve the MDGs, it is therefore important to integrate human rights principles that call for non-discrimination, popular participation through freedom of expression, association and assembly, and transparency in the elaboration of plans for achieving the goals. At the UN summit in 2005, all the UN member states undertook to mainstream human rights considerations in their national policies, and several key UN documents have established that in rights-based development, poor people themselves must be key stakeholders in the development process.

In 2008–2009, Norway and the United Kingdom supported a project under the auspices of the UN Office of the High Commissioner for Human Rights to strengthen the integration of human rights into efforts to implement the MDGs at country level.

What is being done to strengthen the integration of human rights into the work of the UN?

There are currently several initiatives within the UN system to strengthen the integration of human rights into UN development cooperation. The work that has been carried out under the UN's Action 2 programme, which was mentioned at the start of this chapter, is presented on the programme's website under the United Nations Development Group (UNDG). Moreover, important work is being done in this field by the UN Development Programme (UNDP), the UN Office of the High Commissioner for Human Rights (OHCHR) and UNICEF.

In its human rights work, the UNDP focuses primarily on capacity development to assist programme countries in fulfilling their international obligations under the human rights treaties, for instance by providing assistance to establish national human rights commissions or national human rights dialogues. According to its annual report for 2008, the UNDP is engaged in human rights work in 79 countries, at the request of the programme countries. Norway provides NOK 10 million per year (2008–2009) in support for the UNDP global programme to strengthen human rights. The programme focuses mainly on promoting a human rights-based approach to development activities and programmes.

In publishing *A Primer: Human Rights and the Millennium Development Goals – Making the Link* in 2006–2007, the UNDP has done an important job of conceptualising the connection between human rights and the MDGs. The publication is based in part on practical experience gained in development cooperation and is primarily a useful guide for development practitioners. The UNDP's Oslo Governance Centre has also created a database to provide access to relevant experience gained from efforts to integrate human rights into UN activities at country level. This information has been collected through the UNDP's virtual network HuriTALK. The publication and the database are accessible on HuriTALK's website under the UNDP's Oslo Governance Centre.

In the past few years, the Office of the High Commissioner for Human Rights (OHCHR) has strengthened its collaboration with development organisations with a view to improving the contact between human rights communities and development aid communities, while at the same time improving the expertise of both groups and facilitating cooperation between the two. In its publication, *Claiming the MDGs: A Human Rights Approach*, the OHCHR discusses how human rights can be integrated into efforts to achieve the individual Millennium Development Goals.

The OHCHR also seeks to strengthen the integration of human rights into national poverty reduction strategy papers (PRSPs). In 2006, the OHCHR published guidelines for such integration, which emphasise that the first step is to define the opportunities of the poor to have their rights fulfilled, after which any structural obstacles can be analysed. On this basis, in the OHCHR's opinion, it will be possible to identify the population groups that are not given these opportunities. The rights-based approach could thus be instrumental in identifying particularly marginalised groups, such as HIV/AIDS victims, because in the priorities set by states these groups must be given special attention. The guidelines also point out the importance of incorporating mechanisms into the PRSPs to ensure that states are in fact accountable to their own citizens. The keywords here are human rights principles such as transparency, freedom and good access to information, which can protect citizens from the destructive effects of corruption. The two human rights principles equality and non-discrimination are absolutely fundamental in this perspective. Against this background, the OHCHR considers it important to help reorient PRSPs from addressing narrow economic issues to dealing with broader socio-cultural and judicial-political structures that maintain discriminatory structures.

The work of UNICEF is based on the Convention on the Rights of the Child. UNICEF's mandate is to promote the fundamental rights of the child to survival, protection, participation and education. The agency has traditionally pioneered the efforts of the UN family to apply a rights-based approach to development. Norway has attached importance to the fact that UNICEF is strengthening its role as a global leader in advocating the rights of the child, and has followed this up at executive committee meetings, joint consultative meetings with like-minded countries, and in bilateral talks at senior-official and political levels.

Norway's priority areas and initiatives

The rights of women and gender equality

The Government's aim is that Norway should be an advocate of women's rights and gender equality. This means that women's rights, empowerment and influence must be a pivotal element in Norwegian development cooperation. The goal is to fulfil women's rights in accordance with international human rights treaties. This is also essential to achieving the UN Millennium Development Goal of eradicating poverty. The rights approach is key to the Action Plan for Women's Rights and Gender Equality, 2007–2009, which reflects the Government's

strong commitment in this field. Norway will promote increased recognition and fulfilment of women's rights, economic opportunities, influence on social development and, not least, control of their own lives. It is a question of women's right and opportunity to participate on an equal footing in national and local government, and their legal, financial and social autonomy and independence.

Efforts are concentrated on four main areas:

- Women's political empowerment
- Women's economic empowerment
- Sexual and reproductive health and rights
- Violence against women

Norway aims to play an active role in promoting rights that may be controversial, such as women's sexual and reproductive rights, including the right to control their own bodies, freedom from violence and sexual abuse within and outside the family, and access to safe abortion on demand. Norway will also work to combat female genital mutilation, trafficking in women and children for the purpose of sexual exploitation, and all forms of discrimination and stigmatisation of individuals on the basis of sexual orientation.

The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) establishes women's right to make free and independent choices, without discrimination, on issues relating to family formation and dissolution, education, health and political and economic participation. Most of Norway's partner countries have acceded to CEDAW, and must report to the CEDAW Committee every four years. The Committee's analysis of each national report and the subsequent dialogue with the authorities culminate in recommendations for follow-up in individual countries. These recommendations provide a good starting point in government-to-government cooperation.

Norway provides support for partner countries' reporting to the CEDAW Committee, including civil society's submission of shadow reports and participation in the Committee's hearing of states party to the convention. Norway supports CEDAW-related projects in several countries and regions, including projects under the auspices of the UN Development Fund for Women (UNIFEM). Activities consist of education in women's rights and initiatives to secure women's formal rights to own land, houses and other property. In this respect, the activities coincide with what is known as the "formalisation agenda", the Commission for Legal Empowerment of the Poor. Efforts to combat female genital mutilation were stepped up in 2007, through contributions to a joint UNICEF-UNFPA fund to reduce this type of violence, which is estimated to affect 6000 girls and young women every day. The Government's Action Plan to Combat Human Trafficking (2006–2009) sets out measures for intensifying Norway's efforts to combat this type of human rights violation.

In January 2008, the Government presented a white paper entitled *On equal terms: Women's rights and gender equality in development policy* (Report No. 11 (2007–2008) to the Storting). In the report the Government affirms that promoting women's rights is paramount in efforts to achieve the Millennium Development Goals. According to the report, Norway intends to increase the effectiveness of measures in these areas by attaching greater importance to women as a resource for poverty alleviation and development. The issues of women's rights and gender equality are to be prioritised and raised in political dialogues with partner countries and in donor cooperation. The topic is to be taken up in the main development policy arenas and in relevant international processes, multilaterally, regionally and at country level. All of Norway's activities are to be assessed in terms of their impact on both women and men. The aim is to ensure coherence and consistency in development assistance policy.



The report thus reinforces the message presented in the Action Plan for Women's Rights and Gender Equality in Development Cooperation (2007–2009) and the Action Plan for the Implementation of UN Security Council resolution 1325 on Women, Peace and Security.

Appendix on human rights in Norad's *Aid Manual*

As a supplement to Norad's *Aid Manual*, a guide has been drawn up for assessing sustainability and risk factors in connection with the planning and implementation of development projects. Among the sustainability elements/risk factors that the guide recommends assessing are the principles of human rights and equality. The guide suggests a number of critical questions that should be asked at all stages of the project cycle regarding observance of human rights, and can therefore help to maintain the focus on this issue and ensure that preventive action is taken if necessary. The guide, *Assessment of Sustainability Elements/Key Risk Factors Practical Guide*, is available at www.norad.no.

The right to education

Education for all is a human right. All assistance provided by Norway for education is based on this principle. The rights-based approach is rooted in the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the UN Convention on the Rights of the Child, the UN Convention to Eliminate All Forms of Discrimination against Women and the UN Convention on the Elimination of All Forms of Racial Discrimination. This means that ethnicity, gender, language, religion, political views, national or social origin, property or other status must not preclude the right to education. It is particularly important to ensure that the right to education becomes a reality for discriminated, marginalised and vulnerable groups.

Nevertheless, over 70 million children in the world currently have no possibility of attending school. One in every four people in the world is illiterate, and many people never have the opportunity to complete their basic schooling. At the same time, schooling is of fundamental importance for individuals and for society as a whole. Norway therefore works to ensure that every child in the world has a chance to go to school. Schooling gives them vital knowledge that will enable them to earn a living as adults and, not least, to prevent sickness and early death. The education sector is also an important arena for promoting a gender perspective and the empowerment of girls, as well as for the inclusion of ethnic minorities and children with disabilities. A good education is instrumental in raising the awareness of local communities of their rights and enabling them to claim them. Education for all is therefore crucial to reducing poverty.

Norway has fully endorsed the UN Millennium Development Goals. Goal 2 concerns education: "Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling." The objectives of Norwegian assistance for the education sector are also based on the six main goals adopted at the Dakar conference on education for all (EFA) in 2000. The second EFA goal is "to ensure that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete, free and compulsory primary education of good quality".

The assistance provided for education has increased in recent years, both in absolute figures and as a percentage of total development assistance. In 2007, support for education, including vocational and professional training, accounted for ten per cent of total bilateral assistance. By way of comparison, support for education accounted for only eight per cent in 1998. This support is provided either as government-to-government assistance directly to the recipient country's authorities, through projects run by NGOs or through UN agencies or multilateral financial institutions.

Bilateral government-to-government assistance is largely managed by the Norwegian embassies. Support is provided either for individual programmes or as sector support in partnership with other donors. Norway supports sector programmes in the basic education sector in Zambia, Tanzania, Nepal, Bangladesh, Vietnam, Madagascar and other countries. Some support is also provided for individual programmes, such as educational projects in Angola, the Palestinian Territory and Eritrea.

NGOs are also an important channel of support for education. In 2005, one fourth of all assistance for education was provided through NGOs, such as Save the Children Norway (Redd Barna), the Norwegian Refugee Council and Norwegian Church Aid.

A growing proportion of support for education is channelled through multilateral organisations. As regards the UN agencies, Norway's support for the education sector has primarily been channelled through UNICEF. Norway has been a main donor to the United Nations Girls Education Initiative network for several years. Substantial support for education is also channelled through funds run by multilateral organisations, such as the Afghanistan Reconstruction Trust Fund in Afghanistan and the Multi-Donor Trust Fund in Sudan. Furthermore, support for education is provided as general budget support, which is bilateral support not earmarked for particular sectors. One example of such assistance is budget support for Tanzania.

Important elements of the technical support provided by Norway are Norwegian and international dialogues and expertise on education in emergencies, as well as the work of the Interagency Network for Education in Emergencies (INEE) to promote minimum standards of education. This has helped to put education on the international humanitarian agenda, and has led to a substantial increase in funding earmarked for education in crisis situations. It is now internationally recognised that education must be seen on a par with food, medicine and shelter when providing emergency relief.

Norway also provides support for higher education and research in our partner countries, based on a human rights approach, as in the case of support for basic education. Norway's position is that the public authorities in our partner countries must assume the main responsibility for higher education and help to ensure that such education is available to everyone, regardless of gender, ethnic affiliation, religion or financial situation. Support for higher education and research is important, both to prevent human rights violations and to help ensure that states respect, protect and implement human rights standards. An example of this is the Nepalese research fund established with support from Norway, which is a tool for strengthening the rights and social status of marginalised and excluded groups.

Financial support for higher education and research has been relatively stable in recent years. Among other things, Norway provides funding for extensive development cooperation between universities and colleges in Norway and low-income countries. In 2007, Norway granted NOK 333 million in development cooperation funding for capacity-building in higher education and research institutions through Norad's programme for master studies (NOMA) and the Norwegian Centre for International Cooperation in Higher Education (NUFU). In 2007, a five-year joint programme for higher education institutions in Sudan and Norway was established with a view to strengthening institutions that are important for poverty reduction and peacebuilding in South Sudan.

UNESCO

The UN Educational, Scientific and Cultural Organization (UNESCO) has been given the main responsibility for coordinating global efforts to ensure free, compulsory primary education of good quality for all, with particular emphasis on girls, children living in difficult circumstances and children from ethnic minorities, in accordance with Millennium Development Goal No. 2.

Norway is closely involved in UNESCO's efforts to ensure education for all (EFA), both by providing funding and through participation in the organisation's decision-making bodies. Through the provision of additional voluntary funding, Norway particularly supports human resource development measures that target local authorities and teachers in partner countries.

In December 2008, a High-Level Meeting on Education for All was arranged for the eighth time. It took place in Oslo, the first time the meeting was held in a donor country. The meeting sent a strong signal to the international community on the need for sustainable, effective support for education. It focused on four topics:

1. **Education as a catalyst for development.** Education is a right and a driver of development. Affirming the prominent role played by education in responding to global challenges is of fundamental importance. Thus, we ensure stronger political commitment to education. The link between education and health is also emphasised.
2. **Overcoming inequality.** Equality and quality must be the core of all education strategies. There is an increasing risk that the Millennium Development Goal for education for children, young people and adults may not be achieved because of the failure of the authorities and the international community to deal with unfair differences.
3. **Teachers.** The goal of education for all will not be achieved without a massive effort to recruit and train teachers, and improve their status and recognition.
4. **Respect for partnerships.** Most of the funding for education is provided by national authorities. However, donors have a responsibility to fulfil their pledges of support by providing increased, predictable and effective assistance.

In addition to improving coordination of UNESCO's activities at the global level, Norway seeks to ensure that UNESCO finds its place at national and local levels. This requires close cooperation with local authorities, other multilateral and bilateral stakeholders and NGOs in order to ensure optimal use of resources and expertise. Good partnership relations at all levels will also enable UNESCO to make better use of its own normative and operational role to strengthen implementation of the right to education at country level.

UNICEF

UNICEF champions children's right to education. In connection with the preparation of UNICEF's strategic long-term plan (2006–2009), Norway actively promoted wording that emphasises the need for UNICEF to give priority to providing support in situations where children's right to education is jeopardised as a result of discrimination, natural disasters or conflict. When drafting UNICEF's education strategy, Norway and like-minded countries made active efforts to ensure that the strategy was grounded in a rights-based approach. UNICEF and UNESCO have jointly prepared a publication that provides a good overview of how a rights-based approach to education should be carried out in practice.

In 2006, Norway was the biggest contributor to UNICEF's thematic funds, the largest amount (USD 72.13 million) being provided for basic education and gender equality (BEGE). UNICEF and the Norwegian Refugee Council are partners in a programme in Burundi to provide intensive and accelerated education to young people who have not completed primary school.

The right to health

The right to health is a human right enshrined in the Universal Declaration of Human Rights of 1948, the International Covenant on Economic, Social and Cultural Rights, the UN Convention on the Rights of the Child, the UN Convention to Eliminate All Forms of Discrimination against Women and the UN Convention on the Elimination of All Forms of Racial Discrimination. The position of UN Special Rapporteur on health was established in 2002.

There is growing understanding of the connection between health and human rights. However, effective implementation is hampered by a number of legal, structural and political factors. This applies in particular to aspects related to gender equality and sexual and reproductive health and rights (SRHR). But there are also more general challenges related to ascertaining the extent and consequences of states' responsibility in this field, such as providing access to medicines and health services, or protection against discrimination. The HIV/AIDS epidemic raises a number of issues. UNAIDS has had a Global Reference Group on HIV/AIDS and Human Rights since 2002.

The UN Special Rapporteur emphasises that the right to health extends not only to the right to health care, but also to the underlying determinants of poor health. Examples include the right to clean water, protection of sexual minorities against discrimination and measures to prevent the marketing of unhealthy food. The Special Rapporteur also points out that in order to successfully operationalise the right to health, health personnel must be trained and involved more actively. Human rights institutions are also urged to intensify their efforts in the health sector, for instance in relation to maternal mortality. In both poor and rich countries, there is growing focus on how the right to health will affect political decision-making processes, priorities and the distribution of resources.

The Government's Action Plan for Women's Rights and Gender Equality in Development Cooperation (March 2007) and the Ministry of Foreign Affairs' position paper on Norway's HIV and AIDS policy (December 2006) lay down clear guiding principles for further efforts, with greater focus on securing the rights of women and girls, HIV-positive persons and sexual minorities, eradicating female genital mutilation and promoting safe abortions on demand. The Government's initiative in relation to Millennium Development Goals 4 and 5, which is aimed at strengthening accountability with regard to child and maternal mortality, may become an important platform for implementing the right to health for women and children. Efforts to ensure that poor countries have access to medicines is another area that is the focus of increasing attention.

The right to food

Norway supports the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the context of National Food Security drawn up by the member states of the Food and Agriculture Organization and adopted in 2004. Food as a human right means that the authorities of countries where people suffer from hunger must show a willingness to fulfil their obligations, and should receive international support for this purpose, so that they can ensure food security for their country's population.



Health care for children who have escaped from LRA captivity, North Uganda.

The heads of the three UN agencies the World Food Programme (WFP), the Food and Agriculture Organization (FAO) and the Fund for Agricultural Development (IFAD) have agreed to establish food security teams at country level. This initiative is an important follow-up to the work on UN reform, a process which Norway actively supports. The importance of the right to food became abundantly clear in 2008 when food prices rose dramatically.

In August 2007, a project group on food security and hunger, appointed by the Minister of International Development, presented a proposal for a strategic platform for action. In its report, the project group recommends that the right to food should serve as the normative framework for work in this field. A follow-up plan is currently being prepared by the Ministry of Foreign Affairs. The report provides input for ongoing discussions on key issues such as national responsibility, distribution of food, food as emergency relief, trade in food, the concept of food sovereignty, increased use of biofuel and the impact of climate change on food security.

The countries that have ratified the International Covenant on Economic, Social and Cultural Rights have committed themselves to ensuring concrete solutions designed to secure the livelihoods of vulnerable population groups and their access to adequate food. A satisfactory standard of living, which includes freedom from hunger and the right to adequate food, is a fundamental human right for all. Food security strategies must be based on the objective of securing every person's right to food. Strategies and measures must therefore be based on a policy of non-discrimination, accountability (of national leaders), human dignity, popular participation, equality before the law, transparency and empowerment of stigmatised and vulnerable groups.

The right to food is realised when every man, woman and child, alone or with others, has physical and economic access at all times to adequate food or the means for its procurement. This means that the authorities must respect the resources and possibilities that each individual has of securing food for him- or herself, protect them from obstacles that can prevent them from doing so, improve conditions for those who cannot manage on their own, and – when absolutely necessary – provide them with the necessary food.

Norway supports the efforts of UN agencies, NGOs and academia to promote the right to food as a human right. Among the UN agencies, the Food and Agriculture Organization (FAO) and the World Food Programme (WFP) are the main recipients of support.

Among NGOs, the human rights organisation FIAN International, whose mandate includes promoting the right to food, receives support for its work in Uttar Pradesh, India. FIAN has in various ways and in various international forums participated in efforts to develop international policies on the right to food, and has played an active role in the development of an authoritative legal interpretation of the right to food in the past few years. The organisation has also helped to improve child nutrition by calling on the Indian authorities to implement a statutory school meals programme in the state of Uttar Pradesh.

As regards academia, the Ministry of Foreign Affairs supports the International Project on the Right to Food in Development (IPRFD). The IPRFD is a collaborative endeavour between two units at the University of Oslo, the Department of Nutritional Science in the Faculty of Medicine and the Norwegian Centre for Human Rights in the Faculty of Law, and Akershus University College. It has developed a broad international network of contacts and is involved in extensive cooperation with other actors. The IPRFD published a two-volume book on the right to food in development in autumn 2005 and spring 2007, which was also

partly financed by the Ministry of Foreign Affairs. The books are the first of their kind internationally.

The Ministry of Foreign Affairs has also helped to finance an international seminar on monitoring the right to food. The seminar was part of a larger collaborative project between the FAO and the IPRFD in 2005–2006.

In 2006–2007, Asbjørn Eide, former Special Rapporteur on the right to food in the UN Sub-Commission on the Promotion and Protection of Human Rights, chaired the FAO's Panel of Eminent Experts on Ethics in Food and Agriculture and explicitly mentioned the relationship between this and the right to food in the panel's final report, which focused on bioenergy.

The right to water

The right to water is a key focus of Norway's development cooperation. It is the Government's declared objective to intensify efforts to secure access to clean water for everyone. A number of international conventions establish that the right to water must entail access to sufficient clean water at an affordable price. Norway will work actively at the international level to achieve this goal, both politically and through the use of development funds. This is a priority topic in the Norwegian Action Plan for Environment in Development Cooperation (2006–2015), which states:

“Effective and sustainable management of water resources is essential for economic growth and for efforts to achieve the other MDGs, particularly those related to health, education, equality, food production and the environment. Improved water supplies, sanitary conditions and hygiene are crucial in the fight against poverty.”

To follow up the Action Plan, Norway intends to:

- support the development and implementation of plans for integrated water resources management, including for transboundary watercourses. Particular emphasis will be placed on promoting the ecosystem approach and supporting institutions that are mandated to ensure sustainable management and use of water resources;
- promote efficient water use, particularly in agriculture;
- focus more attention on the importance of sanitation and hygiene, and of reducing contamination of water resources;
- support the improvement of water supply and sanitation conditions in other sectors, for example by supporting the installation of satisfactory water supplies and sanitary and hygiene facilities in schools and health institutions;
- assist priority countries in achieving water and sanitation targets, focusing particularly on sanitation;
- promote community-based management of catchment areas, including support for rain-water harvesting and other small-scale water projects;
- increase awareness of and promote research on how water resources are affected by climate change;
- work to secure the right to water for all people and promote acceptance of the principle that water resources are a common good.

The principles set out in the Action Plan are now being followed up through the implementation of specific measures.



With the financial support of the Ministry of Foreign Affairs, the Norwegian Centre for Human Rights hosted an international conference on the right to water in theory and practice, in cooperation with the University of Oxford and the UN Development Programme (UNDP). Participants included the UN Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation. During the conference, participants were reminded of the growing international concern about the lack of access to water, and the implications of this for national decision-makers and the international community. The conference was followed by a gathering at which UNDP experts took a closer look at ways in which the right to water could be implemented in their day-to-day work.

UN-Habitat and the right to shelter

The UN Human Settlements Programme, UN-HABITAT, works closely with the OHCHR to establish programmes and guidelines for the realisation of the right to adequate shelter. Norway supports this work through its role in UN-HABITAT.

Through UN-HABITAT, Norway has worked for many years to ensure that women enjoy the same rights as men in the field of human settlements. Among other things, Norway has successfully promoted the adoption of a number of resolutions affirming women's right to own property, land and housing, their right to have access to credit, education, basic services, empowerment, involvement and authority, etc.

Norway participated actively in the preparation of UN-HABITAT's new Gender Equality Action Plan (2008–2013).

Millennium Development Goal 7, target 11, is to have achieved a significant improvement in the lives of at least 100 million slum dwellers by 2020, while Goal 7, target 10, is to halve, by 2015, the proportion of people without sustainable access to safe drinking water and sanitation. UN-HABITAT works in partnership with other international agencies to reach these targets. Norway provides substantial annual allocations for this work.

UN-HABITAT also works to prevent forced (unlawful) evictions from housing as part of its efforts to fulfil the right of disadvantaged groups to adequate shelter.

Through UN-HABITAT, Norway has sought to promote the rights of children, including their right to adequate shelter and other components of the right to an adequate standard of living, and their right to empowerment, involvement and security. Norway has successfully promoted the adoption of two resolutions to this effect, one in 2005 and one in 2007, which will be included in the organisation's work programme.

Research on international development issues and human rights

To increase knowledge of international development issues and human rights in Norway, NOK 8 million was provided through Norad in 2007 for 96 Norwegian projects under the Research Council of Norway's Development Paths in the South programme. A further NOK 18 million was granted for eight projects under the Poverty and Peace programme. Support was also provided for several smaller projects, including the Human Rights and Extreme Poverty programme (NOK 850 000 in 2007) and an annual anthology addressing topics related to human rights and development.

Efforts to combat corruption

Corruption poses a threat to the rule of law, democracy, human rights and social justice. Corruption is harmful to all states, but it has particularly adverse effects in the poorest countries where public authorities are weak and the population is vulnerable. Misuse of funds drain

poor countries of resources that are needed to combat poverty, and corruption is therefore a serious threat to achieving the Millennium Development Goals for eradicating global poverty. Proposition No. 1 (2006–2007) to the Storting on the government budget emphasised the fight against corruption as one of Norway’s five priority areas for the period 2006–2007.

The UN Convention against Corruption, adopted in 2003, is the first global treaty on combating corruption and forms the cornerstone of Norway’s anti-corruption activities. Norway ratified the convention on 29 June 2006, and participates actively in international efforts to implement it. This includes emphasising the importance of returning funds derived from acts of corruption. In September 2007, Norway was elected to head a new international working group mandated to examine the role of tax havens in relation to capital flight from developing countries, including funds derived from acts of corruption. These are sorely needed assets that could be put to better use than the enrichment of a few individuals. The main problem with tax havens is the lack of transparency, and Norway will take advantage of its leadership position to seek to ensure that the issue of the role played by tax havens is included on the UN agenda. We will work closely with the World Bank and other agencies to produce relevant data and analyses.

The Norwegian embassies and Norad play a pivotal role in Norway’s efforts to combat corruption, and in 2007 a majority of the Norwegian embassies that have development cooperation responsibilities had plans to implement specific anti-corruption measures. In several countries, Norwegian embassies have led the way in the fight against corruption by providing support for anti-corruption agencies, strategy development and information campaigns. Efforts to improve government institutions and strengthen civil society are also important means of combating corruption. Tackling corruption is a priority objective that is also integrated into country programmes, including those funded under the Oil for Development programme.

In December 2006, the Ministry of Foreign Affairs launched an anti-corruption project aimed at intensifying the efforts of the Norwegian foreign service to combat corruption in Norway and abroad. A project group submitted reports on subsidiary goals in June 2007, and the initiatives are now being followed up in a number of quarters.

The Extractive Industries Transparency Initiative (EITI)

From the outset, Norway has actively supported the Extractive Industries Transparency Initiative (EITI), an international initiative aimed at promoting transparency with regard to revenue flows generated by the oil, gas and mining industries. The initiative was launched by the then British Prime Minister Tony Blair in 2002. Such transparency can reduce opportunities for corruption and enable a country’s population to make informed demands for fair use of the revenues derived from their country’s natural resources. This can improve the human rights situation, foster development and reduce poverty in the countries concerned. Governments, civil society actors, investors and international petroleum and mining companies, including StatoilHydro, are participants in this process.

In October 2006, Norway hosted the EITI’s third international conference, which was attended by participants from around 50 countries. The conference adopted a structure for the initiative, including the establishment of an international Board and a Secretariat. Norway participated in the Board as an observer in 2007–2008. In 2007, the EITI’s new international Secretariat was set up in Oslo, and Norway contributes substantially to its funding. Norway also contributes to a World Bank multi-donor trust fund that provides support for candidate countries’ implementation of the EITI. The Board held its third meeting in Oslo in

September 2007. At the meeting, Norway announced that it would fully implement the EITI's transparency criteria by carrying out the process prescribed by the EITI for publication and verification of the revenues from operations on the Norwegian continental shelf. This process made good headway in 2008, under the management of the Ministry of Petroleum and Energy. The Ministry aims to advance EITI implementation with a view to international validation by the end of 2009.

As of mid-June 2009, 30 countries rich in natural resources were implementing the EITI's transparency criteria. Several other countries are considering joining the initiative, which has attracted favourable international attention.

Voluntary Principles on Security and Human Rights

Norway participates in a voluntary initiative called the Voluntary Principles on Security and Human Rights. The initiative is an informal process that brings together governments, human rights organisations and companies operating in the extractive industries, with particular emphasis on companies operating in countries in conflict. These companies often have to use security forces to protect their employees and installations, and the Voluntary Principles aim to make sure that this is done within an operating framework that ensures respect for human rights. The initiative was launched by the USA and the UK in 2000, and later joined by Norway and the Netherlands. The company pillar comprises 18 participants, including the Norwegian companies StatoilHydro and Norsk Hydro, while eight NGOs, including Amnesty International and Human Rights Watch, constitute the civil society pillar.

At the plenary meeting in 2006, it was decided to open the process to new members, and in 2007 Norway took part in the negotiation process to define new participation criteria. These criteria concern details relating to the acceptance of new members, reporting requirements, confidentiality, a complaints mechanism and possible sanctions. The purpose of the initiative is to improve the situation at country level, and in-country processes have been established whereby the Voluntary Principles are implemented with the participation of the host authorities. This process is currently being carried out in Colombia and, to some extent, in Indonesia. During the period 2006–2008, the participants prepared an in-country process in Nigeria, and the Norwegian embassy in Abuja took part in this work. Norway served as Informal Chairman in 2008 and up until the plenary meeting in Oslo in March 2009.



Useful Internet addresses

United Nations

United Nations Human Rights Council:

<http://www2.ohchr.org/english/bodies/hrcouncil/>

Office of the United Nations High Commissioner for Human Rights:

<http://www.ohchr.org/EN/Pages/WelcomePage.aspx>

The human rights situation in specific countries:

<http://www.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx>

United Nations human rights treaties and declarations:

<http://www2.ohchr.org/english/law/index.htm>

United Nations human rights treaty bodies:

<http://www2.ohchr.org/english/bodies/treaty/index.htm>

Universal periodic review:

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx>

Human Rights Council's Special Rapporteurs:

<http://www2.ohchr.org/english/bodies/chr/special/index.htm>

Council of Europe

European Court of Human Rights:

<http://www.echr.coe.int/echr/>

Council of Europe's human rights activities:

http://www.coe.int/t/dghl/default_en.asp

Organization for Cooperation and Security in Europe (OSCE)

OSCE's human rights activities:

<http://www.osce.org/activities/18805.html>

Integration of human rights in development cooperation

United Nations Development Group's Action 2 program:

<http://www.undg.org/index.cfm?P=74>

UNDP's HuriTALK (Human Rights Policy Network):

<http://www.undp.org/governance/programmes/huritalk.htm>

UNDP's publication on the Millennium Development Goals:

<http://hurilink.org/Primer-HR-MDGs.pdf>

OHCHR's publication on the Millennium Development Goals:

http://www.ohchr.org/Documents/Publications/Claiming_MDGs_en.pdf

OHCHR's publications on poverty reduction strategies

<http://www.ohchr.org/Documents/Publications/PovertyStrategienesen.pdf>

http://www.ohchr.org/Documents/Publications/HHR_PovertyReductionsStrategies_WHO_EN.pdf

Nordic processes

Nordic Sami Convention:

http://www.regjeringen.no/nb/dep/aid/tema/andre/Nordisk_samisk_samarbeid/Nordisk-samekonvensjon.html?id=86937

(in Norwegian only)

Human rights in Norway

Norway's obligations and reporting under the UN, ILO and Council of Europe human rights treaties:

<http://www.regjeringen.no/nb/dep/ud/tema/Menneskerettigheter/Internasjonale-menneskerettighetssysteme/Norges-MR-forpliktelse-regelverkog-t.html?id=449992>

(in Norwegian only)

Annual report prepared by the Norwegian Centre for Human Rights on the human rights situation in Norway:

<http://www.jus.uio.no/smr/om/nasjonal-institusjon/publikasjoner/arbok/>

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