



General Assembly

Distr.
GENERAL

A/HRC/WG.6/6/NOR/3
21 July 2009

Original: ENGLISH/SPANISH

HUMAN RIGHTS COUNCIL
Working Group on the Universal Periodic Review
Sixth session
Geneva, 30 November -11 December 2009

SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF THE
ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1

Norway*

The present report is a summary of eight stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

* The present document was not edited before being sent to the United Nations translation services.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. The Norwegian Centre for Human Rights (NCHR) recommended that Norway ratify OP-CAT, CRPD, OP-CRPD and CED² as soon as possible. The Norwegian NGO Forum for Human Rights (NNGOFHR)³ and the Norwegian Forum on the Rights of the Child (NFRC)⁴ strongly recommended that Norway, inter alia, sign and ratify the OP-ICESCR.
2. NFRC noted that reservations to article 10, paragraph 2 (b) of the ICCPR are highly contrary to art 37 of the CRC, which is incorporated into Norwegian legislation, and recommended that the Government withdraw its reservations to the ICCPR.⁵

B. Constitutional and legislative framework

3. NCHR noted that there is an ongoing public debate on the need to further revise the constitution and recommended that Norway ensure an inclusive consultative process in a review of the constitutional protection of human rights.⁶ NCHR⁷ and NNGOFHR⁸ explained that the Human Rights Act of 1999 incorporates four treaties: European Convention of Human Rights, ICCPR, ICESCR and CRC and that treaties incorporated in this law are given statutory precedence over other Norwegian legislation. They recommended the incorporation of both CEDAW and ICERD in the Human Rights Act.⁹
4. NFRC noted the need for all human rights, including economic, social and cultural rights, to be justiciable and the urgent need to ensure, inter alia, that all are given effect by domestic courts.¹⁰ It recommended that Norway strengthen national legislation to ensure the justiciability of the CRC, e.g. by ensuring the provisions in the Child Welfare Act are rights for the child, and not only obligations on the State.¹¹

C. Institutional and human rights infrastructure

5. NCHR recommended that Norway develop a new National Plan of Action for human rights,¹² which, according to the NNGOFHR, should be long term, comprehensive and with a five years cycle.¹³ NCHR recommended that work on the plan should be led by a high-level committee – a national coordinating and monitoring body - either at the Government or Parliament level.¹⁴
6. NCHR found that the time was ripe for an evaluation, an assessment of the extent to which NCHR as a national institution for human rights has the desired effect and sufficient capacity and resources to fulfil its role.¹⁵ NFRC reported that the Ombudsman for Children is administratively under the jurisdiction of the Ministry of Children and Equality and recommended that the Government initiate an assessment of the current appointment procedure and funding of this institution, in order to strengthen its true independence. The principle of the child's right to be heard must also be secured in the appointment procedure.¹⁶
7. With reference to the setting up of a national preventive mechanism required under OP-CAT, and with a view to ensuring the independence, integrity and credibility of such a body, NNGOFHR recommended that the design and the method of appointment of

the members of this body should be open, including to human rights organizations and other stakeholders.¹⁷

D. Policy measures

8. Regarding the effective follow-up of recommendations from international monitoring mechanisms, NNGOFHR recommended that Norway establish procedures to ensure systematic identification of the nature and specific content of each recommendation and the creation of strategies to fulfil them.¹⁸ NCHR made a similar recommendation for follow-up at the national and local levels.¹⁹

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

9. With reference to the request for interim measures by CAT, NNGOFHR recommended the introduction of legislative changes to bring domestic law in line with international requirements.²⁰

B. Implementation of international human rights obligations

1. Equality and non discrimination

10. NNGOFHR stated that Norway has taken important steps to improve the legal framework against racism and racial discrimination and its implementation and some steps towards better monitoring.²¹ However, according to NNGOFHR²² and the European Commission against Racism and Intolerance (ECRI)²³ there are causes of concern, including that, for young people of immigrant background, there is an unemployment rate twice that of their age group total, as well as a disproportionately high drop-out rate from secondary education; and the rate of homelessness is six times higher among persons of immigrant background. They indicated that racial discrimination is reported to be a central cause of these differences and recommended that the Government: generate data on actual manifestations of racial discrimination and on the position of minority groups in practical life, that could help identify patterns of direct and indirect racial discrimination; take measures to improve the participation of persons of immigrant background, especially young people, in the labour market; and undertake a comprehensive set of measures to tackle racial discrimination in the field of housing.

11. Norwegian Ombudsman for Children (NOC) reported that adolescents from ethnic minority backgrounds feel stigmatised by and lack trust in the police. It regarded this as a worrying trend and recommended that the Government take action to reverse it.²⁴

12. NOC recommended that the Government secure immediate mainstreamed sector-responsibility in the municipalities for children with disabilities to receive the full range of services they need; and all municipality sectors must have nationwide minimum standards to ensure equal fulfilment of rights.²⁵

2. Right to life, liberty and security of the person

13. Amnesty International (AI) called on the Government to stop the transfer of asylum-seekers to any State where there are inadequate asylum procedures or otherwise a risk of non-compliance with international refugee law or human rights law, particularly the principle of non-refoulement.²⁶

14. AI indicated receiving disturbing information concerning the situation of mentally ill prisoners at both Ila Prison and Oslo Prison and that mentally-ill persons continue to be detained in prisons and in 'isolation cells'²⁷ without access to appropriate health care.²⁸ NCHR²⁹ and NNGOFHR³⁰ also referred to concerns expressed by the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment (CPT) regarding the detention of mentally-ill individuals serving penal sentences in Norwegian prisons. CPT recommended that the authorities take steps to ensure that prisoners suffering from a mental illness are transferred when necessary to an appropriate hospital establishment.³¹ The Norwegian Government commented on this recommendation.³²

15. NNGOFHR said that Norway has a high incidence of involuntary admissions, with major and unexplainable regional variations in the use of involuntary hospitalisations, which could indicate arbitrariness related to the practice and/or legislation. NNGOFHR recommended that Norway undertake measures to ensure that involuntary hospitalisations are used only in accordance with international human rights obligations and amend the mode of registration so that all incidents of involuntary hospitalisations are registered as such.³³

16. The CPT indicated receiving a number of complaints that it was not unusual for police officers to place handcuffs on the wrists or even ankles of persons having to be escorted from home to a psychiatric clinic, even where they put up no resistance. It considered that such a practice, which criminalises and stigmatises patients, should cease.³⁴ The Government of Norway responded to the comments of the CPT.³⁵ NCHR called on the authorities to strengthen the awareness and knowledge of human rights among professionals who face situations where force might be used against individuals in need of special care.³⁶

17. NNGOFHR referred to violations of the rule that persons held on remand shall have regular prison accommodation available within 48 hours of being apprehended and that prior to this, such persons are held in isolation in police cells.³⁷ NCHR recommended that the Government reinforce the regulation and practice of pre-trial detention and establish registration routines as soon as possible.³⁸ NNGOFHR added that the Government should produce statistics on the use of pre trial detention in police cells.³⁹ CPT welcomed the efforts made by the authorities to reduce the time of detention in police establishments for remand prisoners. It nonetheless emphasised that the objective should be to put an end, except in exceptional circumstances, to the practice of accommodating remand prisoners in police establishments.⁴⁰ The Government of Norway provided information regarding this request.⁴¹

18. AI stated that although the authorities and justice system in Norway claim to give high priority to combating gender-based violence, including rape, the victims' right to justice is in practice often hampered. AI noted that the number of reported rapes has steadily increased in recent years and that around 84 percent of rape cases reported to the

police are dismissed by the public prosecutor, and never reach the court.⁴² AI referred to stereotypical notions and societal attitudes, which pave the way for gender-based violence against women, including rape. It considered that until gender-based sexual violence against women is effectively prevented, investigated and punished in accordance with international obligations, women in Norway will be unable to exercise and enjoy their rights on the basis of full equality with men.⁴³

19. AI called on the Government to: conduct regular national surveys on the incidence of sexual violence and rape to obtain reliable information on the most effective policies and practices to prevent and address sexual violence and rape; adopt a legal definition of rape based on international human rights principles on sexual integrity and autonomy, including by linking the question of guilt in rape cases to the lack of genuine and freely-given consent, and to the exercise of sexual autonomy, rather than to the presence of violence; establish sexual offences teams, with technical, tactical and legal expertise in relation to sexual offences, in every police district; establish an autonomous central unit for sexual violence within the police, which should be open and accessible 24 hours per day, seven days per week; provide and fund specialized training and guidelines for police, judges, prosecutors, defence lawyers, legal counsellors and others involved in dealing with women exposed to rape and other sexual crimes; reinforce and develop preventive work against rape and sexual violence in society at large.⁴⁴

20. La Organización Nacional de Inmigrantes de Noruega (INLO) dijo que el gobierno actual y otros anteriores han tratado el tema de matrimonios forzados en diversos planes y recomendó que el gobierno haga permanente los proyectos que hasta ahora han recibido apoyo temporal.⁴⁵

21. NCHR indicated that thousands of families experience domestic violence and recommended that the Norwegian authorities maintain a high focus on this issue.⁴⁶ NOC recommended more research on as well as the establishment and implementation of improved routines to identify and protect children that are exposed to domestic violence.⁴⁷ NFRC recommended that the Government: guarantee the right to rehabilitation measures and secure abused children immediate psychological support and treatment; include the need for special protection of children against all forms of violence - physical and psychological- in the current revision of the Penal Code to correspond with the current revision of the Children's Act; secure educated staff in all sectors dealing with children and include mandatory learning about sexual abuse and violence in all vocational training and education of staff; provide training for child protection professionals including victim identification; ensure political commitment and prioritisation of victim identification and allocation of resources and staff.⁴⁸

22. NOC mentioned that children from ethnic minority backgrounds are more exposed to domestic violence and recommended that the Government increase awareness and knowledge about this issue within the support system; and provide parents with adequate alternatives to using physical punishment.⁴⁹

23. NCHR noted that Norway has a plan of action against trafficking of women and children for 2006-2009 and new legislation as of 1 January 2009 criminalizing the purchase of sexual services. NCHR recommended that the authorities follow up with an evaluation to determine the impact of these measures and make adjustments to maximize their effectiveness.⁵⁰ NNGOFHR recommended that: the legal assistance offered to

victims of trafficking be strengthened; stable, long-term residence permits be afforded to victims of trafficking who break out of their situation; the state carefully consider the risk of being reintroduced to forced prostitution before returning victims of trafficking to a Dublin II-country.⁵¹ NFRC recommended that the Government: secure information about children who are victims of trafficking and make this information transparent; adapt more child friendly measures to secure children who are victims of trafficking; and initiate more appropriate measures for victim identification and close follow-up of vulnerable children at risk.⁵²

3. Administration of justice and the rule of law

24. NNGOFHR provided information that the Government launched in 2005 a new and formally independent institution in charge of investigating acts committed by members of the police and prosecuting authority. It noted that the integrity of this unit has been questioned as a number of its members have been recruited directly from the police and that it has been criticized due to the very low number of cases reacted upon. An assessment of the unit was initiated by the Government in 2008, and a report is expected in May 2009.⁵³

25. CPT recommended that the authorities take the necessary steps to ensure that all persons detained by the police are informed in writing of their rights at the very outset of their deprivation of liberty and that the persons concerned should sign a statement attesting that they have been informed of their rights in a language which they understand.⁵⁴ The Norwegian Government provided comments on these recommendations.⁵⁵

26. NOC expressed deep concern about the follow-up of children who commit serious and repeated crimes, particularly those in prison or police cells and regarded the situation of children in prison to be in breach of the CRC.⁵⁶ NCHR⁵⁷ and NNGOFHR reported on concerns raised over the treatment of juvenile prisoners in Norwegian prisons by the Norwegian Bar Association. NNGOFHR recommended that the government increase its efforts to secure basic human rights for juveniles in detention and, as a minimum, ensure separate prison cells for minors and regular contact with their family.⁵⁸ NOC recommended that the Government take urgent action to prioritize alternatives to detention and compile national statistics on children in police detention.⁵⁹

27. NFRC reported that investigations have revealed that as many as 7 out of 10 imprisoned children have been kept isolated for an extended period of time, some up to 3 months or more without other “breaks” than one hour “airing” per day.⁶⁰ NFRC recommended that the government: urgently realize its obligation under article 37 (b) of CRC to use deprivation of liberty only as a measure of last resort; urgently elaborate a national legislation prohibiting isolation; prohibit placements of children in high-security prisons and in cells with adults; eliminate discriminatory practices of children in prison who do not speak Norwegian and secure sufficient provision of translators; ensure education suited to the child’s needs and abilities, and designed to prepare him/her for return to society; ensure that every child, when appropriate, receive vocational training in occupations likely to prepare him/her for future employment; promote and facilitate regular contacts between the child and the wider community, including the opportunity to visit his/her home and family.⁶¹

28. NNGOFHR said that public legal aid in civil cases is as a main rule offered only within a limited area of legal issues, and only when the gross income of the applicant or his or her family falls below a set maximum. It considered that both requirements have been widely criticized.⁶²

29. According to NCHR, in Norway, more competence and capacity building is needed in the area of international criminal law and international humanitarian law. A special challenge is to improve coordination between the National Authority for Prosecution of Organised and Other Serious Crimes and the Directorate of Immigration. It recommended that Norway continue strengthening the capacity to investigate and to prosecute cases of core international crimes, including through the allocation of resources and institutional cooperation.⁶³

4. Right to privacy, marriage and family life

30. NCHR⁶⁴ and NNGOFHR⁶⁵ reported that the political debate in Norway regarding police methods, in particular with regard to counter-terrorism, indicates a tendency towards a lesser degree of respect for the private sphere of individuals. They recommended that all legislative processes concerning the use of surveillance in countering criminality is based on thorough considerations of the right to privacy, including private communication. NNGOFHR also recommended that Norway take diplomatic measures to ensure the right to privacy and freedom of speech of its citizens with regards to the Swedish FRA Act (which authorizes en masse surveillance of Norwegian telecommunications passing through Sweden).⁶⁶

31. Concerned about the distribution of sensitive information on children, NFRC recommended that the government give the Data Inspectorate the mandate, through revision of legislation, to regulate and hinder distribution of information violating children's rights to privacy, respect and reputation.⁶⁷

32. NFRC also recommended that the Government render appropriate assistance to the child in order to secure the child's right to maintain contact with both parents, if separated from one of them, unless this is deemed to be incompatible with the child's best interests.⁶⁸

33. Grimstad MPAT- Institute, Norway and the Sexual Rights Initiative recommended, inter alia, that the Norwegian State: allow transsexuals the same access to a second medical opinion that is currently enjoyed by all others in the Norwegian health system; establish centres of competence where people with transtalents can meet skilled therapists who can meet their needs. It added that they must also fund and support the various needs of other transpeople; the options of identification must be made varied enough to encompass all genders; identification options must be based on self-perception and gender expressions, and not require any bodily changes; the offers to children who do not perform gender in accordance with the one assigned to them at birth, must be decentralised in order for these children to be met by networks that have the knowledge and capacity not to be disturbed by the children's gendered expressions and; the offers of treatment to all transtalented must be a right enforceable by law.⁶⁹

34. NOC strongly urged that greater resources be allocated to the Child Welfare Service as soon as possible so that children exposed to violence or neglect in the home can receive the follow-up and assistance to which they are entitled. It also recommended

that the government take urgent action to ensure that all children in foster care have a supervisor.⁷⁰

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

35. NCHR recommended that the authorities reconsider whether there is a need for explicitly highlighting the Christian belief in the constitutional values and in the statement of objectives in the laws on schools and kindergartens.⁷¹

36. ECRI indicated that political speech has sometimes taken on racist and xenophobic overtones, especially in connection with security concerns and that as a result, the association of Muslims on the one hand, and terrorism and violence on the other, and generalisations and stereotypes concerning persons of Muslim background have been on the rise in public debate. ECRI added that media portrayal of persons of immigrant background has also not always been conducive to challenging stereotypes and generalisations concerning this group of persons and that on the internet, where the exponents of racist extreme right-wing groups organise their activities, racist material targeting among others Jews, Muslims and Sami is commonly found. ECRI recommended that the Norwegian authorities: promote awareness among judges of international standards concerning racist expression, and remain open to the possibility of fine-tuning legislation in this field; strengthen their efforts to counter instances of racist expression committed through the internet; and monitor the situation and address all manifestations of Islamophobia, antisemitism and racism and discrimination against members of the indigenous Sami population.⁷²

37. NFRC recommended that the government: take urgent actions to enforce the child's right to be heard stipulated in the Child Welfare Act, as this right is massively neglected, due to incompetence and lack of education of staff; and initiate nationwide guidelines for involvement of the child in all phases of the different decisions according to the Child Welfare Act; and accordingly revise para. 6-3 of the Child Welfare Act to include all decisions affecting the child.⁷³

7. Right to work and to just and favourable conditions of work

38. NCHR stated that Norway is to be commended for having adopted laws which impose a duty on employers and public authorities to proactively promote gender equality, ethnic equality and the equality of disabled persons. These positive duties have, however, been criticized for being too vague and lacking in specificity. It recommended that the Government specify in greater detail the obligations to be carried out by employers in the promotion of equality and that the Equality and Anti-Discrimination Ombud be given the ability to sanction those who breach their obligations.⁷⁴

39. Right to social security and to an adequate standard of living

40. According to NCHR, although the Norwegian welfare state provides social security, those who are disadvantaged in the labour market or not entitled to adequate benefits are exposed to poverty. NCHR recommended that the authorities make strong efforts to fulfil all persons' right to social security.⁷⁵ NNGOFHR strongly recommended

the introduction of a right to a minimum income, at an adequate level, for those who are dependent on social welfare.⁷⁶

41. NNGOFHR reported that housing prices are generally determined by market forces, which negatively affect economically weaker groups. It believed that the right to adequate housing should be implemented by spelling out more clearly in statutory law that municipalities are obliged to provide adequate housing to all citizens.⁷⁷

42. NOC considered that the authorities do not give sufficient priority to health services for children and adolescents and recommended that the School Health Service be seriously strengthened with necessary allocations.⁷⁸ A similar recommendation was made by NFRC.⁷⁹

9. Right to education and to participate in the cultural life of the community

43. NOC indicated that Norway should implement measures which ensure that effective sanctions are imposed on school authorities who break the law.⁸⁰

44. According to NFRC, pupils with disabilities are according to the Education Act entitled to special education. Municipalities are however not fulfilling these nationwide obligations to secure equal rights to education.⁸¹

45. INLO señaló que la política de las autoridades noruegas relativa al idioma materno podría dar lugar a discriminación, y sugirió que se reintroduzca la enseñanza del idioma materno como un derecho básico de los menores que tienen otro idioma materno que no sea el noruego o el samisk (lapón).⁸²

46. NFRC noted that leisure and cultural activities offered to children are costly, which excludes children from families with financial difficulties from participating and that the proportion of ethnic minorities participating in organized spare time activities is far lower than ethnic Norwegian children.⁸³

10. Minorities and indigenous peoples

47. The COE Council of Ministers stated that although efforts have been made to improve the situation of persons belonging to national minorities in different areas, the impact of these efforts remains limited.⁸⁴ It invited the authorities to: take the necessary steps, including from a financial standpoint, to enable the new institutions designed to strengthen the fight against discrimination to perform their tasks adequately; enhance information and awareness-raising measures on minority issues and the growing diversity of Norwegian society; pursue with greater determination, in co-operation with the groups concerned and in accordance with personal data protection requirements, the initiatives to obtain reliable data on the situation of minorities in various sectors; pursue and develop measures in support of national minority cultures, adapting initiatives and resources to the specific needs identified in consultation with the groups concerned, not least as regards the minorities' museums; identify, in co-operation with minority representatives, the most effective means of enhancing minority participation in public affairs, including social and economic life, both at the central and local levels and; maintain and reinforce

the measures of support of persons belonging to various minorities, so as to foster successful integration in Norway.⁸⁵

48. NCHR said that the Sami, the indigenous people of Norway with a population of around 45 000, still experience discrimination.⁸⁶ NOC was very concerned about the insufficient Sami teaching materials, lack of teaching personnel and a generally poor organisation of Sami language instruction in schools. NOC recommended that the government increase expertise in Sami language and culture in all of the country's municipalities to ensure Sami children a proper support service.⁸⁷

49. NNGOFHR reported that the Travellers in Norway have been victims of extensive and systematic violations of human rights and that as a vulnerable minority group, the Travellers were exposed to an assimilation policy with a final aim to completely eradicate their culture and language. It indicated that the government has expressed official apologies to the Travellers and recommended that the protection against discrimination of the Travellers as a group should be strengthened. NNGOFHR noted that the Equality and Anti-Discrimination Ombud should establish a high-profile project that addresses the Travellers' situation and that this could be done in cooperation with the Parliamentary Ombudsman and the Ombudsman for children. Additionally, language training in Romani, the Travellers own language, should be offered to children of Traveller origin in public schools, according to NNGOFHR.⁸⁸

50. The COE Council of Ministers recommended, inter alia, that Norway implement more resolute measures to eliminate the difficulties and discrimination encountered by the Roma and the Romani/Tatars in various fields, such as employment and housing and, in particular, education; pay due heed to the Roma request concerning the establishment of a Roma community centre in Oslo.⁸⁹

11. Migrants, refugees and asylum-seekers

51. NCHR reported that researchers have estimated the number of illegal immigrants in Norway at around 18 000 and that the media describes this group as the country's new underclass. It reported that economic support through public social services is not provided to persons without legal status, and with no legal right to work they are vulnerable to exploitation. NCHR recommended that Norway strengthens its efforts to secure the basic human rights for persons without legal status.⁹⁰ With NOC also recommending that the authorities obtain an overview of the situation of children without legal status⁹¹ NNGOFHR recommended that Norway give priority to establishing a clear legal status for people who remain indefinitely in Norway after their applications for permission to stay have been rejected and make resources available for their individual cases to be resolved.⁹²

52. INLO indicó que el derecho a la reunificación ha empeorado. Por ejemplo, se necesita un ingreso de 215.000 NOK por año para poder traer a su cónyuge/familia, suma que para muchos inmigrantes y refugiados es imposible de obtener en las condiciones de mercado que discriminan al extranjero. INLO señaló también que el límite de edad, 23 años, introducido para casarse con un extranjero produce discriminación entre los grupos de ciudadanos ya que en el país, la edad para casarse a propia voluntad es 18 años. INLO informó que la situación de las personas a quienes se les ha negado el asilo e internadas en centros de espera, es en muchos casos deplorable; y recomendó una visita al centro

ubicado en Lier (Lier ventemottak). Recomendó además que estas personas vivan en centros comunes y no internados en campos de retorno en condiciones inhumanas.⁹³

53. NNGOFHR reported that in September 2008, the government presented thirteen changes in the immigration law and regulations, aimed at reducing the number of unfounded asylum applications. It noted that several of these draft changes have been subject to severe critique and recommended that Norway reconsider these legislative changes and ensure that international human rights and refugee law obligations are respected.⁹⁴

54. NNGOFHR recommended that Norway: ensure that the right to seek asylum is fulfilled by adopting measures to ensure that people in need of international protection are not denied access to its territory;⁹⁵ practice the Dublin II regulation in a manner that ensures that refugees are not returned to other European countries if their legal safety is not guaranteed; and that the practice of the Dublin II must be in full compliance with the 1951 Refugee Convention.⁹⁶ AI made similar recommendations.⁹⁷

55. NNGOFHR said that Norway does not on a regular basis assess signs of torture in asylum seekers reporting being subject to torture prior to arrival in Norway and that therefore, important information is missed that could strengthen their application for asylum; form a basis for necessary treatment; and provide information for possible criminal cases against their perpetrators. It recommended that the Istanbul Protocol on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is included as a default procedure in all asylum cases where torture is reported.⁹⁸

56. NNGOFHR indicated that with a statute amendment, the Child Welfare Services took over the legal care for unaccompanied minor asylum seekers under 15 years of age as of December 2007. It added that the responsibility for those between 15 and 18 years of age remained with the immigration authorities.⁹⁹ NOC mentioned that the follow-up given by the immigration authorities is considerably poorer than that provided by the Child Welfare Service.¹⁰⁰ NFRC reported similar information and recommended that the government take urgent action to ensure that no groups of children are exempted from the obligations of the State under the Child Welfare Act and that immigration limitation regulations do not discriminate against certain groups of children nor compromise the best interest of the child.¹⁰¹

57. According to NNGOFHR, Norway provides unaccompanied minor asylum seekers with legal guardians who are meant to act in the interest of the children and safeguard their rights. However, there is great variation in the recruitment and training of legal guardians, resulting in arbitrary differences in representation. It recommended, inter alia, that identified shortcomings be dealt with as a matter of priority and in the interim, that funds be allocated for training, payment, translation services and the monitoring of all legal guardians.¹⁰² A similar recommendation was made by NFRC.¹⁰³ NOC recommended the speeding up of the work on a new guardianship act and the implementation of a national guardianship model that could contribute to creating a more uniform service for unaccompanied asylum-seeking children.¹⁰⁴

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

58. For NCHR the implementation of human rights at the local level, where most human rights are implemented, is a challenge. NCHR recommended that the government gives priority to offering quality training programmes in human rights implementation to local authority employees.¹⁰⁵

59. NCHR said that non-discrimination and the integration of Sami, Roma and other minority groups in the Norwegian society is a challenge that needs continuous attention.¹⁰⁶

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

60. NCHR indicated that, in 2009, Norway reached the goal of one percent of GDP allocated to international development work. It encouraged Norway to keep the funding at this level and recommended that it secure a human rights-based approach to all development work.¹⁰⁷

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

61. NCHR recommended that the authorities develop a national action plan for human rights education¹⁰⁸ which should cover implementation, teaching methods, content, clear objectives as well as evaluation.¹⁰⁹

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council. Two asterisks denote a national human rights institution with “A” status)

Civil society

| | |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AI | Amnesty International, London, United Kingdom.* |
| Grimstad | |
| MPAT-Institute and Sexual Rights Initiative | Grimstad MPAT- Institute, Grimstad, Norway and the Sexual Rights Initiative. |
| INLO | La Organización Nacional de Inmigrantes de Noruega |
| NFRC | The Norwegian Forum on the Rights of the Child, Oslo, Norway. |
| NNGOFHR | The Norwegian NGO-Forum for Human Rights made its submission on behalf of the following organisations (in alphabetical order): Antirasistisk Senter; FIAN Norway; Human Rights House Foundation; International Commission of Jurists Norway; Norwegian Bar Association, Human Rights Committee; Norwegian Helsinki Committee; Norwegian Organisation for Asylum Seekers; Norwegian Peoples Aid ; Norwegian Psychological Association; Norwegian Refugee Council; Norwegian Tibet Committee; Norwegian Youth Council; Save the Children Norway, Norway. |

National human rights institution

| | |
|------|---------------------------------------------------|
| NCHR | Norwegian Centre for Human Rights, Oslo, Norway** |
| NOC | Norwegian Ombudsman for Children, Oslo, Norway |

Regional intergovernmental organization

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| COE | Council of Europe, Strasbourg, France. <ul style="list-style-type: none">- Report to the Norwegian Government on the visit to Norway carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 3 to 10 October 2005 CPT/Inf (2006) 14- Response of the Norwegian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Norway from 3 to 10 October 2005 CPT/Inf (2006) 34- Resolution CM/Res CMN(2007)11 on the implementation of the Framework Convention for the Protection of National Minorities by Norway (Adopted by the Committee of Ministers on 20 June 2007 at the 999bis meeting of the Ministers' Deputies)- European Committee of Social Rights, Conclusions 2008 (Norway), Articles 1, 9, 10, 15, 20, 24 and 25 of the European Social Charter (revised), published November 2008- European Commission against Racism and Intolerance(ECRI); Report on Norway (fourth monitoring cycle) Adopted on 20 June 2008, Published on 24 February 2009; CRI (2009)4 |
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² NCHR, paras. 1, 3 and 4.

³ NNGOFHR, P.1

⁴ NFRC, P.1, Para.I.A

⁵ NFRC, P.1, Para.I.A

⁶ NCHR, para. 6.

⁷ NCHR, Para.8.

⁸ NNGOFHR, P.1,2

⁹ NCHR, para. 7 and NNGOFHR, P.2

¹⁰ NFRC, P, 1, Para.I.B

¹¹ NFRC, P, 2, Para.I.B

¹² NCHR, para.8.

- 13 NNGOFHR, P.2
- 14 NCHR, para.8.
- 15 NCHR, para. 9.
- 16 NFCR, P.2, Para.C
- 17 NNGOFHR, P.1
- 18 NNGOFHR, P.3,4
- 19 NCHR, para.10.
- 20 NNGOFHR, P.4
- 21 NNGOFHR, P.4, 5
- 22 NNGOFHR, P.4, 5
- 23 ECRI, P.8, 9
- 24 NOC, P.3, Para.2
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- 36 NCHR, para.13.
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- 39 NNGOFHR, P.5
- 40 CPT, P.12,Para, 10
- 41 Response by the Norwegian government to CPT. P,3, 4
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- 48 NFRC, P.6, 7, Para. II A.2
- 49 NOC, P.1, Para.1 a
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- 52 NFRC, P.7, Para. II A.2
- 53 NNGOFHR, P.6, 7
- 54 CPT, P.17, Para.24
- 55 Response by the Norwegian government to CPT. P,6, 7, 8
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- 58 NNGOFHR, P.5
- 59 NOC, para. 3.
- 60 NFRC, P.7, Para. II A.2
- 61 NFRC, P.7, 8, Para. II A.2
- 62 NNGOFHR, P. 7
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- 68 NFRC, P.9, Para. II A.3
- 69 Joint submission, P.4
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- 71 NCHR, Para.20

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⁷⁴ NCHR, Para.11
⁷⁵ NCHR, Para.22
⁷⁶ NNGOFHR, P. 78
⁷⁷ NNGOFHR, P. 7, 8
⁷⁸ NOC, P.2, Para. b ii
⁷⁹ NFRC, P.4, Para. II A.2
⁸⁰ NOC, P.5, Para.6
⁸¹ NFRC, P.9, Para. II A.4
⁸² INLO, P.3
⁸³ NFRC, P.4, Para. II A.1
⁸⁴ COE Council of Ministers, P.1
⁸⁵ COE Council of Ministers, P.2,3
⁸⁶ NCHR, Para.24.
⁸⁷ NOC, P.4, Para.5a
⁸⁸ NNGOFHR, P. 8
⁸⁹ COE Council of Ministers, P.2
⁹⁰ NCHR, P.5, Para.25
⁹¹ NOC, P.5, Para.7b
⁹² NNGOFHR, P. 9
⁹³ INLO, P.2, 3
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⁹⁵ NNGOFHR, P. 8
⁹⁶ NNGOFHR, P. 9
⁹⁷ AI, P. 7, 8
⁹⁸ NNGOFHR, P. 9,10
⁹⁹ NNGOFHR, P. 10
¹⁰⁰ NOC, P.5, Para.7a
¹⁰¹ NFRC, P.3,4, Para.II A.1
¹⁰² NNGOFHR, P. 10
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¹⁰⁵ NCHR, Para.26
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