

Report of the Personal Representatives of the OSCE Chair-in-Office on Tolerance and Non-Discrimination Issues

**Ambassador Adil Akhmetov, Rabbi Andrew Baker and
Judge Catherine McGuinness**

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Norway is an exemplary state that both espouses a commitment to human rights and equality and seeks to implement these goals in practice. Long a homogenous and cohesive society, it has in recent decades opened its borders to growing numbers of immigrants and asylum seekers. The country's oil wealth has shielded it from some of the economic constraints—and accompanying social woes—that beset other European countries, but that does not make it immune to the social and political turmoil that comes with managing cultural and ethnic diversity.

Our visit coincided with the trial of Anders Brejvik, the confessed mass murderer of 77 individuals including 69 young people at a political summer camp in July 2011. The physical and emotional scars of that terrorist act were quite visible in the still unrepaired government buildings that were bombed and in both formal and informal discussions with our Norwegian interlocutors. As one official put it, Brejvik was a “lone wolf” but he acted “in a context.” Norwegian society appears to be wrestling with how to manage a public discussion of its multi-cultural evolution and allow more space for airing these critical views, now aware that forcing it underground means that some of the most extreme examples such as Brejvik go undetected. At the same time there is concern that doing so might also raise the level of public prejudice.

Until now the largely positive climate of tolerance and more respectful debate (even on the part of right wing political parties) has had a mitigating effect on the country's minorities. Even though they confront tangible problems of prejudice and discrimination, they still speak admiringly of Norwegian society.

Muslim Community

While Norwegian census figures do not note religion, estimates can be drawn from data identifying residents who come from majority-Muslim countries. This suggests a Muslim population of about 95,000. Of this about 70,000 are represented by the Islamic Council of Norway. Leaders of the Council speak positively about their freedom to practice their religion and organize themselves. They are directly engaged in dialogue with other religious and civic groups and are in regular communication with government ministries and political parties.

However, they also report numerous examples of discrimination primarily in the areas of employment and housing. They believe that having a foreign (Muslim-sounding) name puts them at a disadvantage when seeking a job. (One government survey proved this to be so.) As a way to promote diversity in hiring, government agencies are obligated to interview minority candidates, but the Council representatives believe it more frequently means “checking a box” rather than giving serious consideration to these job seekers. Local laws and informal practice, they say, result in concentrating Muslims in certain neighborhoods. By way of example, they point to restrictions of some municipalities on the building of mosques or limiting them to certain geographic districts.

Legal restrictions on ritual slaughter—a problem for Jews as well as Muslims—is also a subject of concern for the Islamic Council. However, they are optimistic that they will find a solution.

Jewish Community

At the start of the Second World War there were 2100 Jews living in Norway. Following the German occupation and with the support of the puppet government of Vidkun Quisling, 775 Jews were deported to concentration camps where all but a handful were murdered. The remaining Jews survived by fleeing to neighboring (neutral) Sweden or finding refuge in other countries. Today’s Jewish community of approximately 2000 concentrated in Oslo and Trondheim are mostly their descendants.

In 1995 Norway was forced to confront its inadequate treatment of Jewish material and moral claims for losses during the Holocaust and established a commission to examine the situation and make recommendations. The commission itself was split and issued two reports. The minority report, chaired by a representative of the Jewish community, took into account the special nature of Nazi seizures and postwar bureaucratic negligence and also called for an official apology. In 1997, after public debate the government chose to accept and implement the minority report. Some of those funds were used in the establishment of the Center for the Study of the Holocaust and Religious Minorities, which is housed in the onetime Oslo residence of Vidkun Quisling.

Shortly before our visit to Oslo the Center for the Study of the Holocaust and Religious Minorities issued the results of a national attitude survey designed to measure the level of anti-Semitism in Norway, and this was already generating discussion. Two findings in particular were drawing special note: According to the Center’s researchers 12.5% of Norwegians harbor significant, anti-Jewish prejudice. This is a disturbing finding considering the small number of Jews in Norway, their successful integration into society and the general level of tolerance in the country.

A second question found that 38% of Norwegians believe that Israeli treatment of Palestinians was analogous to Nazi actions against Jews. Although Norwegian political leaders have been quite critical of Israel in their discussions of the Middle East conflict, they claim to be taken aback by this. It surely reflects a lack of knowledge about the Holocaust, but its implications go further. Anti-Israel animus can also become a form of anti-Semitism, and the EU Fundamental Rights Agency has cited describing Israelis as Nazis to be one such example. Norway’s small Jewish community must directly face the results of a larger society harboring strongly negative views of Israel that are frequently folded into their view of Jews.

That said, Jewish community leaders describe a generally positive picture of day to day to life, marked by good relations with government authorities and effective dialogues with other religious and ethnic communities. Still, there are concerns that need to be addressed.

The community conducted a survey of its own young people in Oslo and found that Jewish students faced a disturbingly high level of harassment in the public schools. Of particular concern was the seeming indifference of teachers and school officials and a reluctance to intervene. This has led to the development of an action plan (not yet implemented) by the Ministry of Education to combat anti-Semitism in the schools.

Since 1929, Norwegian law has forbidden the practice of ritual (kosher) slaughter, the legacy of an anti-Semitic era. Because of the small size of the community this may be viewed today as more of a symbolic than a real burden. However, Jewish leaders point out that the law already includes exceptions for the hunting practices of Norway's indigenous Sami people. Whatever its implications for Norway's Jews, the continued ban on kosher slaughter is surely a stain on the country's reputation for tolerance and inclusion.

As with other Jewish communities in Europe, security is a very real concern. In 2006 a dozen high caliber rifle shots were fired on the synagogue and community center in Oslo, and police determined that the perpetrator had conducted prior surveillance of the site. While the government has paid for some physical enhancements of the building, ongoing security remains the sole burden of the Jewish community, a significant financial obligation for such a small population.

Roma

The Roma and Traveler population in Norway is estimated to be small (about 10,000) and divided between transient and settled communities. They appear to encounter better treatment in Norway than in some other European countries, but still believe the government can do more in recognizing their special needs. One Roma leader argued that their social conditioning means normal employment paths may not work for them. Until recently there was a special government office that served as the main point of contact between state authorities and Roma. However, this is now closed and Roma are instead directed to municipal authorities. This is particularly problematic for Roma travelers who may leave Norway for extended periods. Schooling for Roma children may include books in the Roma language and teachers who focus on Roma culture, but this is not always the case. Many students will leave school at an early age, and providing the necessary schooling for children in transient communities has particular challenges.

Religious Groups and the Council for Religious and Life Stance Communities

The Council was originally established in 1996 as a vehicle for discussing the development of a curriculum on religion for the public schools. This itself reflected a change in education policy, which until then included only religious (Norwegian Lutheran) instruction. Education officials determined that students were largely ignorant about other religions. Today the Council is the central vehicle to bring together official representatives of major religious groups, including Jewish, Catholic, Baha'i, Muslim,

Lutheran, and Protestant Free Churches, along with several humanist organizations. Council participants pointed out that education about religious diversity is important in more than theoretical ways, as Norwegian society itself has come to reflect that same diversity.

Another sign of change—and topic for discussion—was the recent constitutional amendment that eliminated the designation of the Norwegian Lutheran Church as the country’s official religion. This was to be understood, we were told, as recognition of religious pluralism in Norway, and it may also result in some additional state support for other religious groups. Some participants noted that it would not have occurred had not Lutheran Church leaders also agreed. Presumably the law gives them greater freedom. By way of example, it was pointed out to us that no longer will the Norwegian king serve as the head of the Church with the authority to appoint its bishops.

Council participants expressed their belief that it was becoming increasingly more socially acceptable to be openly religious in Norwegian society.

By all accounts the interreligious Council with the active participation of the Muslim community played a significant role in defusing the tensions that arose with the publication of the “Mohammed cartoons” which first appeared in neighboring Denmark. Government officials also echoed this view.

Center for the Studies of Holocaust and Religious Minorities

The Center was created in 2005 and is housed in the former residence of Vidkun Quisling, the Prime Minister of the wartime Nazi puppet state. It is located in a leafy suburb of Oslo close by other attractions such as the Viking Museum. The Center includes in its basement floor a museum with a permanent exhibition on the Holocaust in Norway. The work of the Center focuses on research and education; about 5,000 students visit the Center yearly. Much attention is placed on engaging the student visitors (primarily 8th and 9th graders) and avoiding rote learning.

Several years earlier a Norwegian broadcast report revealed that teachers of the Holocaust were reluctant to discuss the subject with their Muslim students. The Center was engaged to help develop ways to work with teachers and address this problem as part of broader efforts to combat anti-Semitism. They are gearing up to work on a pilot project with five schools where student prejudice will be measured before and after the implementation of new teaching techniques.

The Center had also recently released the results of an extensive attitude survey with 1500 respondents. As noted, it revealed that 12.5% of the population harbored strong, anti-Jewish prejudices. Center researchers reported that those with anti-Jewish views are also likely to harbor negative views of other minorities. The survey also reflected the fact that the Norwegian public is more critical of Israel and largely “pro-Palestinian.” Much attention focused on the finding that 38% believe that Israeli treatment of the Palestinians is similar to the actions of the Nazis. They noted that people in this category were also more likely to share traditional anti-Semitic views of Jews. Among the Center’s recommendations are educational programs that not only deal with Jewish history and the Holocaust but also address anti-Semitism as a special phenomenon with its own history.

Foreign Ministry

Norway's oil wealth places it in an enviable position when compared with other European states. However, its economic success means that it is fully dependent on immigration. Officials believe that they have had a more "mature" public debate on multiculturalism than have their neighbors, and they note that Norway's conservative opposition party is more "responsible" on this issue than similar parties in other countries. In part for this reason, the Brejvik murders have had an even more powerful impact on Norwegian society and leads to questions about how it is managing this social transition.

Ministry of Children, Equality and Social Inclusion

Although the country's largest minority groups are Swedes and Poles for whom acculturation issues are not dramatic, there are also significant minorities from Pakistan, Iraq, Turkey, Vietnam and the Balkans. A strong focus is placed on integrating minorities in the labor market and society. To this end the government provides asylum seekers with stipends while they attend two year obligatory culture and language classes. Free language classes are also offered to most immigrants. Free kindergarten is also provided as a means to help encourage women to join the work force. The Ministry has established a goal of seeing women occupying 40 percent of public sector jobs and is keen on seeking immigrant women to fill some of these positions.

There are established mandates for government ministries to promote social inclusion, which include obligations to interview minority candidates and to report regularly on the results. A white paper on the integration of minorities will soon be published which will contain proposals relating to integration and combating discrimination.

Roma are classified as a national minority although their most visible presence appears to be begging in the streets of Oslo. Ministry officials note the absence of Roma children among these beggars, a common occurrence in other countries. They maintain that because of Norway's "zero tolerance" toward children not being in school, these Roma travelers do not bring their children with them.

Within the Ministry representatives of the Department of Integration and Diversity highlighted several developments. These included the change in status of the Norwegian Lutheran Church as no longer the official State religion, a national action plan soon to be adopted that will offer 66 measures to combat discrimination, and a Justice Ministry action plan on extremism and the importance of measuring hate crimes. These representatives also highlighted the recent survey that found 12.5% of the public harbor negative attitudes toward Jews—a surprising figure, they said, considering the strong economy.

Ministry of Education

There is a strong tradition in Norway of all students attending the same (public) schools, which provides the opportunity to promote shared values, including human rights, respect for diversity and citizenship. Early education is considered especially important for integrating immigrant children into Norwegian society.

About 35% of Norwegian students will attend universities, while the remainder is channeled into practical studies. A much higher percentage of second generation immigrants will attend universities than those of a first generation. There are relatively few Roma children in the education system, and those of settled Roma tend to leave school at a relatively early age (around 12). Very few reach higher levels. A new plan is being implemented to educate Roma parents and children together, but no results can yet be reported.

Media reports in 2010 on the harassment of Jewish students in the schools led the Minister to establish a working group to propose an action plan which calls for a three year pilot project. Due to technical delays it is only now being announced. More details about this were shared with us by the Holocaust Study Center, which has been involved in formulating the project.

Department of Sami and Minority Affairs

There are five official national minorities: Roma, Romany/Tater, Kvens, Forest Finns, and Jews. Annual funding of about 6 million Norwegian Kroner is provided by the state to organizations representing these groups. An additional 25-30 million Kroner is available for special projects. [Although Muslims are recognized as a minority in Norway, classification as an official national minority requires settlement in Norway for 100 years or more.]

The Sami, numbering about 100,000, are classified as an indigenous people. There has been a resurgence in the use of the Sami language in recent years, which is viewed positively after efforts in the 1950s and 1960s at forced assimilation. Surveys show that the Sami face a significant degree of prejudice in Norway, although the national minority groups facing the most prejudice are Roma and Jews.

Addressing the problems with Roma has been particularly difficult. In 2008 the Minister stated that government policies regarding Roma had “failed totally.” Limited education, disorganization and lack of trust contribute to the challenge.

Department officials note that Norway is a young state whose independence was established only in 1905. As a result in the search for a Norwegian identity, they said, it was a hard time for national minorities. Policies began to change in the postwar years, and Norway has issued a number of formal apologies for the mistreatment of them.

Office of Equality and Anti-Discrimination Ombudsman

The office was established in 2006 with responsibility to monitor compliance with anti-discrimination legislation adopted in the same year and with UN CERD commitments. It is the point of contact for public complaints about discrimination. It is hoped that it will serve to increase equality in society and promote ethnic diversity in the public and private sectors.

The Ombudsman has no authority to impose remedies or penalties. It can and does issue recommendations, and it can also wield some power by “naming and shaming” violators.

In 2011 the office received 350 complaints. Discrimination based on disability accounted for 57% of those complaints. Only 20 were cases of religious discrimination; one-third of which involved Muslims. At the same time the Institute for Labour and Social Research conducted a test on hiring practices of employers and determined that applicants with a Pakistani name are 25% less likely to be offered a job.

The office indicated that it would classify complaints by Muslim women who encountered discrimination because they wear the hijab as a gender issue as well as a religious one.

Because many private resolutions worked out with complainants are kept secret the Ombudsman's Office has no way of knowing how many of the 350 complaints have been positively resolved.

Still, the office can assist those who cannot afford to hire legal representation. Since it is a new agency they hope their visibility and reach will increase over time.

Officials also expressed some frustration, indicating that the laws are good but enforcement is an issue. They suggested that the police do not pay enough attention to discrimination and hate crime cases and believe that there are more cases than those registered.

National Police Directorate

When the doubts expressed in the Ombudsman Office were shared with representatives of the Police Directorate they were naturally defensive. At first they argued that hate crimes in Norway are low because crime in general is low. However, the most recent annual statistics available (2009) reported only 240 hate crimes (21 on religion, 183 on race and 33 on sexual orientation) a number dramatically lower than neighboring Sweden for example. Further discussion pointed to the need for a new and more reliable hate crime registration system.

Exact data on minority representation in the police force is not available, but officials estimate it to be only about 2.2%. A campaign is underway to recruit more minorities focusing on 18-26 year olds.

Police training on diversity is not focused on hate crime reporting but rather on addressing underlying personal prejudices they may hold and the need for professionalism in their work.

The police maintain a special section to monitor hate on the Internet. Officials noted a significant degree of anti-Jewish hate speech at the time of the 2009 war in Gaza, which they say came as a revelation.

Recommendations

1. The Police Directorate needs to complete and implement its plan for more comprehensive monitoring and reporting of hate crime incidents. Police officers should receive the proper training on how to recognize and respond to hate crimes. In these areas ODHIR's Department on Tolerance and Non-Discrimination can offer assistance.
2. The Foreign Ministry should promote a civil discussion of the Middle East conflict and admonish those who in the course of debate would demonize the State of Israel.

3. The Government should bolster support for the Islamic Council and for the Religious Council dialogue as important civil society contributors to combating discrimination and promoting tolerance.
4. The Government and Parliament should insure that Muslim communities face no barrier in providing for halal meat. As an important symbolic gesture it should repeal the 1929 ban on kosher slaughter.
5. Consideration should be given to provide additional financial support to the Jewish community to meet its security needs, as was done recently in neighboring Sweden.
6. The Holocaust Center and Ministry of Education experts might benefit from ODIHR's experience. ODIHR is ready to convene a regional roundtable to share information and exchange good practices on the development and implementation of teaching materials.

APPENDIX:

List of participants in meetings with the Personal Representatives

Meeting with civil society representatives

- Gunnar Gulbrandsen, Head of one of the Roma organizations in Norway
- Gunnar Stålsett, Moderator of the European Council of Religious Leaders, Bishop Emeritus of Oslo, Church of Norway
- Senaid Kobilica, President of the Council;
- Faruk Terzic, Chairman, Imam Committee;
- Shazia Mushtaq, IRN representative at STL.
- Guri Hjeltnes, Director of the Center for Studies of Holocaust and Religious Minorities;
- Peder Nustad, teaching assistant, Center for Studies of Holocaust and Religious Minorities;
- Vibeke Moe, Center for Studies of Holocaust and Religious Minorities;
- Mr Kjell Magne Bondevik, President of Oslo Center.
- Tore Torstad, Executive Director of Oslo Center;
- Einar Esteensnæs, Senior Advisor of Oslo Center;
- Anna Hushagen, Special Advisor of Oslo Center;
- Ervin Kohn, President and Chairman of the Board of the Jewish Community in Oslo.

Meeting with the Council for Religious and Life Stance Communities

- Britt Strandli Thoresen, the Bahá'í Community of Norway;
- Ingrid Rosendorf Joys, the Catholic Church in Norway;
- Dag Nygård, Christian Council of Norway;
- Camilla Aschjem, the Church of Norway;
- Anne Sender, the Jewish Communities in Norway;
- Lars-Petter Helgestad, the Council for Religious and Life Stance Communities;
- Lise Tørnby, the Council for Religious and Life Stance Communities.
- Shazia Mushtaq, IRN representative at STL.

Ministry of Children, Equality and Social Inclusion

- Inga Marthe Thorkildsen, Minister;
- Anne Folkvord, Deputy Director General, Department of Integration and Diversity;
- Thea Bull Skarstein, Deputy Director General, Department of Family Affairs and Equality;
- Tewasen Teshome, Senior Advisor.

Ministry of Foreign Affairs

- Torgeir Larsen, State Secretary;
- Halvor Saetre, Deputy Director General, Section for Human Rights and Democracy;
- Rune Resaland, Deputy Director General, Section for Security Policy and the High North;
- Stein Iversen, Assistant Director General, Section for Russia, Eurasia and Regional Cooperation;
- Geir Løkken, Assistant Director General in the Section for Human Rights and Democracy;
- Birgit A. Kleven, Senior Adviser, Section for Russia, Eurasia and Regional Cooperation;
- Monika P. Thowsen, Senior Adviser, Section for Human Rights and Democracy.

Ministry of Government Administration, Reform and Church Affairs, Department of Sami and Minority Affairs

- Raimo Valle, State Secretary for Sami and Minority Affairs;
- Bjørn Olav Megard, Director General, Department of Sami and Minority Affairs;
- Magnus Forberg Andersen, Adviser, Department of Sami and Minority Affairs.

Ministry of Education and Research, Department for Education and Training

- Eli Telhaug, Deputy Secretary General;
- Kari Brustad, Deputy Director General;
- Jørgen Haavardsholm, Senior Adviser.

Equality and Anti-Discrimination Ombud Office

- Bjorg Unstad, Head of Department, Department of Documentation and Policy Promotion;
- Margrethe Sobstad, Senior Adviser.
- Amna Velidar, officer.
- Ole-Fredrik Einarsen, officer.

National Police Directorate

- Senior Adviser Ingvild Hoel, Section for Crime Prevention and Combating;
- Senior Adviser Trine Hinna, Section for Human Resources.

Irish Chairmanship of OSCE

- Alan Owens, Senior Policy Adviser, Legal Affairs, Irish Mission to OSCE in Vienna;

Accompanied by OSCE/ODIHR

- Floriane Hohenberg, Head, Tolerance and Non-Discrimination Department;
- Timur Sultangozhin, Associate Programme Officer, Tolerance and Non-Discrimination Department;