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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Norway

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its sixth session from 30 November to 11 December 2009. The review of Norway was held at the 5th meeting, on 2 December 2009. The delegation of Norway was headed by H.E. Mr. Jonas Gahr Støre, Minister for Foreign Affairs. At its meeting held on 4 December 2009, the Working Group adopted the present report on Norway.
2. On 7 September 2009, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Norway: Nigeria, Pakistan and Ukraine.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Norway:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/6/NOR/1);
 - (b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/6/NOR/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/6/NOR/3).
4. A list of questions prepared in advance by Argentina, the Czech Republic, Denmark, Hungary, the Netherlands, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Norway through the troika. These questions are available on the extranet of the Working Group.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Jonas Gahr Støre, Minister for Foreign Affairs, recalled that the advancement of universal human rights is a core value and a principal objective for the Norwegian Government.
6. Norway highlighted the substantial role of civil society, non-governmental organizations, the national institution for human rights, indigenous people and other stakeholders in the universal review process. Comments from civil society were reflected in the national report, and a website on the process had been launched. The process was an occasion for the authorities to undertake a critical examination of the human rights situation in Norway.
7. The Norwegian State is established on the territory of two peoples, the Norwegians and Sámi. Five national minorities are represented in Norway: Kven, Jews, Forest Finns, Roma and Romani. Throughout history, the Sámi people and national minorities have been victims of assimilation policies and injustices.
8. The establishment of the Sámi Parliament, Sámediggi, in 1989 was recognized as a leap forward. The Government seeks to maintain a close dialogue with the Sámi people and the national minorities to ensure participation and prevent discrimination and exclusion.
9. Due to migration, Norway's composition has changed considerably during the last 20 years. Diversity has added value to Norway's society, but prejudice, xenophobia and

racism needs to be countered. Norway welcomes an exchange of experience and best practices with countries with a longer history of diversity.

10. Norway addressed the advance questions. Norway's national human rights institution monitored and conducted research, education and information-sharing concerning Norway's human rights situation.

11. Ratification of the Optional Protocol to the Convention against Torture (OP-CAT) was being considered as a matter of priority.

12. Domestic violence and violence against women and children was not a private matter and the Action Plan 2008-2011 targeted police, educational institutions and support services. From January 2010 all local authorities would have a statutory duty to provide shelter and coordinated assistance to victims.

13. Measures to protect victims of human trafficking include temporary residence permits, residence permits for victims who witness in court cases, safe housing, safe repatriation and resettlement and a prohibition on purchasing sexual services.

14. Equal pay for work of equal value was a priority for the Government. Norwegian women participated in the work force almost at the same level as men (79 per cent). Norway also had one of the highest birth rates in industrialized countries. The Norwegian Cabinet consisted of 50 per cent women, the Parliament 40 per cent women and Sámediggi 49 per cent women.

15. An Action Plan for Equality in Early Childhood Education and Primary Education was recently issued.

16. Inmates have the same right to health services as other inhabitants. Concrete measures have been taken to prevent delays in admission in acute situations, but challenges remain concerning prisoners' mental health.

17. The Government aimed at ratifying the Convention on the Rights of Persons with Disabilities in 2010. The Anti-Discrimination and Accessibility Act came into effect in 2009 and means are being implemented to improve awareness of and compliance with the new legislation.

18. The Government was working on legal amendments and has recently increased funds to ensure the recruitment of a sufficient number of competent legal guardians for unaccompanied asylum seeking children.

19. All crimes that currently fall within the jurisdiction of the International Criminal Court can be prosecuted in Norway. To fight impunity Norway had recently strengthened the National Authority for Prosecution of Organized and Serious Crimes.

20. In order to avoid detention of juveniles, local projects introducing restorative justice measures had been launched and new legislation with regard to alternative sanctions was under consideration. Norway still had 13 juveniles in prison. To avoid juveniles serving their sentences together with adults or in total isolation, Norway was establishing two separate prison units for young offenders.

21. Fighting global poverty was a major human rights challenge. Norway will uphold the policy of allocating a minimum of 1 per cent of its GDP for development assistance.

22. The Vice-President of Sámediggi, Laila Susanne Vars, referred to the positive dialogue with the Government regarding the periodic review. UNESCO had categorized all the Sámi dialects as being among the world's threatened languages. Sámediggi commended the Government's action plan for the safeguarding and development of the Sámi language. The closure of local schools and the lack of knowledge of Sámi culture and language in the public health care and prison system represented a threat to the Sámi cultures.

23. Sámediggi referred to the follow-up to the report on rights to sea fisheries in the northernmost Sámi areas of Norway and the urgent need for acceptance of the Sámi rights to marine resources.

24. The procedures for consultations gave Sámediggi a better influence on the Government's policies in Sámi issues. Experiences with the consultation agreement were mixed. There were still challenges regarding traditional Sámi ways of living and industrial developments.

25. Sámediggi expect speedy progress with Sámi rights in the areas south of Finnmark to avoid further loss of lands and resources.

26. Sámediggi are concerned that indigenous peoples be heard at the Copenhagen climate conference. Indigenous peoples are particularly vulnerable in a climate change context.

B. Interactive dialogue and responses by the State under review

27. During the interactive dialogue, 54 delegations made statements. A number of delegations commended Norway for its constructive and self-critical approach and the consultative manner in which the national report was prepared. The recommendations made during the dialogue appear in section II below.

28. Belgium stated that the issue of human rights was undeniably one of the constant pillars of Norwegian policy. Belgium emphasized two inter-related phenomena qualified by Norway as alarming: domestic violence and rape. Belgium asked if Norway could specify the measures it intends to take, the data used by the authorities to develop the national action plan against domestic violence (2008-2011) and the timetable for proposed reforms, and if similar measures were planned for addressing rape. It made a recommendation.

29. Egypt appreciated Norway's commitment to promote sustainable development, global efforts on human rights and official development assistance. Egypt noted with interest the establishment of institutions in the areas of equality and anti-discrimination. Egypt welcomed the importance attached to the follow-up on United Nations conferences on racism issues and Norway's role in reaching consensus on the outcome document of the Durban Review Conference. It noted challenges in connection with hate crime, hateful expressions, and discrimination targeting certain minority groups and migrants and made recommendations.

30. Algeria commended Norway on the commitment and particular attention towards development assistance, to which currently one per cent of the GDP is earmarked. It applauded Norway's decision to cancel the debt of five countries. Algeria congratulated Norway on its ranking in the United Nations human development index and made a number of recommendations.

31. Canada welcomed Norway's efforts to address ethnic discrimination and domestic violence. However, it noted that some challenges remained and made recommendations to address them. Canada referred to the youth unemployment rate, the secondary school dropout rate and the homelessness rate for persons of an immigrant background.

32. Belarus noted Norway's very advanced experience in the area of the ombudsman. It welcomed Norway's efforts to ensure equality of opportunity for women and men and resolve problems of domestic violence. It noted with satisfaction actions to counter trafficking in human beings, particularly the prohibition on purchase of sexual services. Belarus noted that the national action plan will eliminate gaps in providing assistance to victims of trafficking. Belarus shared the opinion in the national report that punishment for sexual crimes, rape and child abuse are not harsh enough. It made recommendations.

33. France applauded Norway's resolve and success in promoting gender equality and women's rights. It noted, however, that violence against women is alarming, particularly the increase in rape over the last five years and whether it is related to the increase of reported cases. France asked what measures are taken to remedy this situation as well as more information about the institutional factor related to Norway's culture and explain that gender equality is not yet achieved. It enquired about the status regarding Norway's intention to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

34. Turkey noted that Norway's national report provided a sincere account of the challenges facing the country in combating racial discrimination. It welcomed measures taken to improve the living conditions of immigrants, while noting concerns expressed in recent reports. Turkey, while understanding the priority given to Norwegian language education for children with an immigrant background, encouraged Norway to put an emphasis on mother-tongue education by competent language teachers.

35. Pakistan took due note of the strong role played by an independent judiciary, the A-status accreditation of the Centre for Human Rights and an active civil society. It asked how the action plan for integration for immigrants caters to ensuring preservation of the cultural and religious identities of diverse migrant groups. It appreciated the strengthening of provisions in the Penal Code concerning hateful expressions. However, the removal of the provision concerning prosecution for blasphemy represented a selective and hierarchical approach. With religious intolerance and discrimination on the increase, Pakistan asked how Norway would respond to a withdrawal of this provision. Pakistan asked about Norway's reasons for not signing ICRMW.

36. Brazil commended Norway for establishing, as early as in 1981, an Ombudsperson for Children and, more recently, an Equality and Anti-Discrimination Ombudsman. Brazil commented on Norway's recognition that there are challenges in a number of areas such as hate crimes targeting minority groups and discriminatory police stops of persons and made a number of recommendations.

37. The Russian Federation stated that documents submitted confirmed its thorough conviction that Norway has an exceedingly high level of protection of human rights and fundamental freedoms. It noted difficulties faced by migrants, particularly relating to access to education and the labour and housing markets and made a recommendation in that regard. It noted that Norway answered to only four of the 15 thematic questionnaires received from special procedures, and made a recommendation in that regard.

38. Chile congratulated Norway on the legislation on equality and anti-discrimination, particularly in enforcing equality of rights and opportunities for all and the creation of the Equality and Anti-Discrimination Ombudsman and the Gender Equality Board of Appeals. Chile commended Norway's leadership in the pursuit of effective equality between men and women. Chile referred to Norway's 1978 law that explicitly prohibits gender-based discrimination and underscored Norway's active role in the Human Rights Council on different issues, particularly gender equality. Chile made a number of recommendations.

39. Denmark welcomed efforts to recognize Sámi rights in legislation and was concerned about the practical implementation of the action plan for the Sámi languages. It enquired about measures taken concerning the special situation of the East Sámi in consultations with the community. It asked about Sámi teaching materials, personnel and institutions. Denmark made a related recommendation.

40. The United States of America noted the actions taken to confront the problem of ethnic discrimination and racism. It referred to the reports of the Norwegian Ombudsman for Children that adolescents from ethnic minority backgrounds feel stigmatized by and lack trust in the police and made a recommendation to address this issue. Note was also

taken of continuing allegations of nationality-based discrimination in Norway's labour market and a recommendation was made in that regard.

41. Italy noted that, according to the national report, a nationwide survey conducted in 2005 showed that approximately 9 per cent of women from the age of 15 had been the victims of serious violence perpetrated by their present or former partner. Italy asked how Norway envisaged addressing this serious problem and what concrete measures are included in its Action Plan 2008-2011. Italy referred to reports of alleged cases of individuals apparently suffering from serious mental illness serving long prison sentences, in some cases including prolonged periods spent in isolation cells. Italy made a number of recommendations.

42. India welcomed Norway's rank at the top of the human development index. India appreciated Norway's efforts to support the exploration of an internationally accepted definition of illegitimate debt. It echoed the concerns of the Committee on the Elimination of Racial Discrimination concerning the high prevalence of discrimination and violence against women, and particularly the increase of rape. India noted efforts to combat female genital mutilation and asked if Norway had put in place systems to ascertain whether such acts were performed before or after the entry into the country of the individuals concerned.. India welcomed that Norway's intention to ratify the European Convention for the Prevention of Torture in 2010.

43. The Islamic Republic of Iran appreciated Norway's commitments for the promotion and protection of internationally recognized human rights. It expressed concern over a number of issues including discrimination of people with a migrant background and discriminatory treatment based on ethnicity; discrimination against indigenous people and national minorities; the use of solitary confinement, pre-trial detention and prolonged police custody; human trafficking; the broad definition of terrorism in the Penal Code; the high and increasing number of cases of domestic violence and rape ; and increasing racist and xenophobic overtones in political speech and public debate as well as generalizations and stereotypes concerning persons of Muslim background. It made a number of recommendations.

44. Uzbekistan welcomed the adoption of new legislation in the area of equality and non-discrimination, including the law to counter discrimination and the law on gender equality. It noted as important the adoption of article 224 of the Penal Code prohibiting trafficking in human beings. Uzbekistan welcomed the amendments to the Criminal Code to protect against racial discrimination. Uzbekistan noted the concerns of the Committee on Economic, Social and Cultural Rights about discrimination faced by immigrants, in particular in the labour and housing markets, and made recommendations.

45. Mexico noted that Norway has an impressive legislative and institutional structure in place as well as good practices in the promotion and protection of human rights. Nevertheless, some challenges continue, especially in the area of non-discrimination and the inclusion of ethnic minorities. Mexico asked what measures Norway envisaged to strengthen its struggle against discrimination against the most vulnerable people, especially minorities, ethnic groups and those with special needs. It made a number of recommendations.

46. The Philippines commended the Government for its role in peace initiatives and for devoting 1 per cent of its GDP to international development assistance. It congratulated Norway for including information on human rights education in its national report. It asked about the work of the Parliamentary committee mandated to propose human rights provisions in the Constitution and whether Norway would consider withdrawing its reservations to article 10 of ICCPR. It made recommendations.

47. South Africa noted Norway's efforts to promote gender equality and wanted to know to what extent the measures aimed at addressing domestic violence contribute to the prevention of gender-based violence and the elimination of negative societal attitudes towards women. South Africa asked about plans for the prohibition of racial discrimination in the Anti-Discrimination Act. It asked about measures to ensure that legislation adopted in the fight against terrorism does not affect the full and effective enjoyment of human rights. South Africa made a recommendation.

48. Spain highlighted Norway's effective application of all international instruments in the area of human rights. Spain made several recommendations. It asked if Norway intended to ratify OP-CAT, CED and CRPD and whether the Government intended to sign and ratify OP-ICESCR. It enquired how Norway would respond to the request of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment that it change its legislation regarding the amount of time a person can be held in preventive detention.

49. Australia commended the representation of women in key positions in the Government and encouraged Norway to share details of specific measures taken to achieve this. Australia recognized that particular challenges exist in ensuring that the human rights of indigenous people are respected and asked about any formal framework to ensure that the East Sámi people are consulted on indigenous policy matters.

50. Serbia encouraged Norway to continue its efforts aimed at ratification of OP-CAT. It noted with interest Norway's approach to resolving the problem of domestic violence. Serbia asked for more information about the measures proposed by the Committee on Rape in 2008 to improve the reporting, investigation and follow-up of rape cases,

51. Sweden welcomed Norway's 1981 initiative to establish the world's first Ombudsman for Children. Sweden referred to reported concerns that children in detention are kept in isolation for extended periods and that alternatives to detention are not pursued efficiently. Sweden made a related recommendation. Sweden noted that that UNHCR and the Committee on the Elimination of Racial Discrimination indicated that persons with an immigrant background and persons belonging to minorities, such as the Roma, often face discrimination in areas such as employment, housing and education. Sweden made a related recommendation.

52. Germany stated that Norway is one of the countries with a very good human rights record. It asked about the situation of women, particularly their position in the labour market and their educational choices, and about further measures planned to address those concerns. Noting the absence of a national guardian system for unaccompanied asylum-seeking and refugee children, Germany asked about responses to meet the needs of such children.

53. Bosnia and Herzegovina noted the important role of civil society in Norway and the participation of more than half the adult population in such organizations. It asked Norway about the steps taken to address the problems faced by persons with an immigrant background in the labour market and the dropout rate of immigrant children in upper secondary education. It welcomed the amendments to the Penal Code aimed at strengthening protection against expressions of racial hatred. Bosnia and Herzegovina made a recommendation.

54. Cuba noted that the Committee on the Elimination of Racial Discrimination had welcomed the innovative activities in Norway to address the social issues of men and women and related stereotypes, but echoed its concern at the persistence of cultural stereotypes which affect the position of women in the labour market and their access to higher education. Cuba asked Norway to provide more information on measures to address the above-mentioned issues. Cuba made several recommendations.

55. The Netherlands thanked Norway for its important contribution to the protection and promotion of human rights. The Netherlands referred to the situation of detainees in pre-trial detention, human trafficking and the rights of minorities and made recommendations.

56. Portugal attached great importance to the promotion of economic and social rights and made a related recommendation. Regarding the situation of juveniles serving prison sentences along with adults, Portugal welcomed Norway's intention to establish separate prison units for young offenders and made a recommendation. Portugal stated that the enactment of parity laws, the creation of an enabling environment for men's participation in family life and the 2003 Act regarding gender balance on company boards, are but a few of the best practices Norway has given the world.

57. Norway noted that hate crimes must be handled with great seriousness. Crimes will be considered as attended by aggravating circumstances if the offence is motivated by religion, national or ethnic origin, homosexual orientation, reduced physical or psychological ability or other circumstances. The police have since 2006 registered reports on hate crimes, resulting in better monitoring. In 2009, the parliament decided that the provision that criminalizes blasphemy will not be included in the penal code. Simultaneously, it was decided to strengthen the protection of individuals against being insulted or exposed to hatred or so-called hate speech because of religious belief. Norway added that more than 600 different religious and life stance communities received financial grants in 2008.

58. Norway aims to prevent and eradicate homelessness and new groups are now eligible for housing allowances. Families with children are in a better situation. Special attention is given to persons released from prison or discharged from an institution and measures include young people with immigrant background.

59. An introduction programme for newly arrived immigrants is offered in all municipalities, with Norwegian language training a key part thereof. Measures are being implemented to recruit young people of immigrant origin to upper secondary education and to prevent them from dropping out. Norway also promotes the inclusion of the immigrant population, including young people, into the labour market. The Government stressed its commitment to a close dialogue with the immigrant population.

60. Norway indicated that discrimination based on ethnicity, national origin, descent, skin colour, language or religious belief is prohibited in all areas of the society. It also referred to the role of the anti-discrimination ombudsman and the action plan to promote equality and prevent discrimination.

61. Norway will introduce measures regarding pre-trial detention and indicated that the courts are stricter than before with regard to progress in investigations and court hearings where the accused is on remand. Norway has introduced an improved tool for recording statistics on the use of police custody and the results of a survey on remanded detainees will be presented by end 2009.

62. Norway stated that the 34 per cent increase of rape reports in five years does not indicate that the actual number of cases of rape increased, but that more victims are contacting the police.

63. Regarding the legal definition of rape, Norway stressed that Norwegian law criminalizes sexual activity with any person who is unable to resist the act and that gross negligence also constitutes rape. Similarly, engaging in sexual activity with children below the age of 14 will always constitute rape.

64. Norway noted that the act relating to the Ombudsperson for Children clearly states that the work shall be conducted independent of the Government and all national authorities.

65. With regard to counter-terrorism legislation, Norway indicated that a new provision was recently introduced criminalizing public incitement to commit a terrorist offence and recruitment and training for terrorism. In the new penal code, the definition of terrorism is more restricted than in the penal code of 1902.

66. Norway noted that in its national legal system, it has incorporated ICESCR in the Human Rights Act on equal footing with ICCPR. Before deciding whether to accede to OP-ICESCR, Norway will conduct a national survey to examine probable implications, to be concluded in 2010.

67. Israel noted that human rights and democracy are key elements underlying Norwegian society and Norway's endeavours to lessen the gap found between national legislation and the situation on the ground. It also noted the strong role of civil society in Norway. Israel made a number of recommendations.

68. Japan commended Norway for the prioritization of human rights in its policy and its various efforts to further advance human rights. Japan asked about achievements in the integration and social inclusion of the immigrant population and made a recommendation on that matter. It also asked about the effects of a change of lead ministry dealing with the implementation of Norway's immigration policy.

69. Viet Nam appreciated Norway's efforts to protect and promote human rights through the process of ratification of the major human rights conventions. While Viet Nam acknowledged Norway's ongoing efforts to ensure equality and combat discrimination, it expressed concern on the reported high incidence of discriminatory police actions toward ethnic and foreign persons and made a related recommendation. Viet Nam stated that it highly appreciated the support from Norway for Vietnamese officials participating in human rights education and training during the past years, and made a recommendation on this issue.

70. New Zealand noted Norway's considerable efforts to achieve gender equality and asked about measures to address the gender pay gap. It also enquired about measures taken to counter the negative impacts of the financial crisis on working conditions and the rights of workers. It asked if Norway has implemented its 2008 Autumn Action Plan against Social Dumping. New Zealand was pleased that Norway signed CRPD and made a related recommendation.

71. China noted that Norway has been ranking at the top of the United Nations human development index and faced some challenges including in the area of protecting the rights of indigenous people and the fight against discrimination. China appreciated Norway's unique understanding of development and poverty reduction and its commitment to development aid and asked about measures to improve the situation of families from an immigrant background. China noted efforts to protect the rights of persons with disabilities and made a related recommendation.

72. Colombia underscored Norway's commitment to non-discrimination and its leadership on the issue of sexual orientation, Colombia asked Norway to provide more information on the equality and anti-discrimination ombudsman. It made a recommendation on this issue. Colombia congratulated Norway for putting in place the 2009-2012 action plan to promote equality and prevent discrimination, and in that context made a recommendation.

73. Finland, referring to the concern expressed by the Committee on the Elimination of Discrimination against Women in 2007 about the lack of statistics and data on trafficking in women and girls, made a recommendation on the issue. Finland asked about Norway's experience in implementing the law relating to legal relations and the management of land and natural resources in the Finnmark County, adopted in 2005. It also asked whether

Norway has taken any measures to address the specific situation of the East Sámi, which the Committee had raised in 2006.

74. Ukraine stated that respect for human rights is a cornerstone of Norwegian internal and foreign policy and that Norway is among the leaders in implementing systematic legislation to secure respect for human rights. It noted that some topics appeared to need closer study and better solutions, among them social dumping with Norwegian employers benefitting from extensive labour immigration. It made a related recommendation. Ukraine asked about the human rights projects supported through Norway's development assistance.

75. Morocco welcomed that human rights education is incorporated into the curriculum in Norway and made a recommendation in that regard. Morocco took note of Norway's efforts to combat racism and related phenomena, despite elements of concern noted by the European Commission against Racism and Intolerance. It asked about the measures taken to ensure the inclusion of migrants in society to allow them to maintain their identity and their culture of origin, and to modify cultural stereotypes reflected in the labour market and education. Morocco welcomed Norway's development aid policy and made a recommendation on that issue.

76. Slovenia commended Norway as exemplary democracy with a well developed and functional legal and institutional system and high standards of human rights. It referred to the outstanding financial contributions in development aid, peacebuilding and post-conflict assistance. It asked how the Sámi indigenous minority is protected in practice, especially its language, culture, way of life and self-organization. Slovenia made a recommendation.

77. The United Kingdom of Great Britain and Northern Ireland commended Norway's outstanding commitment to international assistance and cooperation. It welcomed the introduction of the act prohibiting discrimination on the basis of disability and noted the introduction of 600 hours of language classes to help integrate new immigrants into society and asked related questions. It welcomed Norway's efforts to raise awareness of domestic violence regionally and planned measures to protect victims of violence. It made a number of recommendations.

78. The Congo commended Norway's progress in fighting racial discrimination and protecting minority groups, women and children. However, people from ethnic minorities and migrant groups still face difficulties in access to housing, education, health care and work. It asked about the measures to ensure effective inclusion of these people and particularly of children. It also asked Norway to pay close attention to protecting the rights of migrant workers, and called upon Norway to respect the rights of refugees, freedom of expression and religion and the non-stigmatization of some sectors of society in fighting terrorism.

79. Nigeria noted that Norway is a leader in the observance of human rights. As far as the promotion and protection of human rights on the ground is concerned, Norway is exerting its utmost efforts to comply with the highest international standards. It requested that Norway share its perspectives in addressing critical issues such as gender-based violence, racial discrimination and certain other human rights concerns. It inquired if Norway could share some of its best practices, achievements and challenges in particular through support for the exploration of an internationally accepted definition of illegitimate debt. Nigeria made a recommendation.

80. Switzerland welcomed the efforts made by Norway to develop and bolster the institutions and mechanisms aiming at improving compliance with human rights. Switzerland welcomed the excellent cooperation with Norway in the multilateral domain. Switzerland referred to its questions relating to the situation of rejected asylum-seekers who cannot be sent home, the length of preventive detention, the methods used by police in

countering terrorism and a trend towards lesser respect for privacy, and made related recommendations.

81. Ghana commended Norway for best practices including the establishment of several ombudsmen, the allocation of 1 per cent of GDP for development assistance and the policy of one year of paid parental leave. Ghana welcomed the intensifying activities on promoting equality and preventing discrimination including through a 2009-2012 Action Plan. Ghana asked about women earning only 85 per cent of their male counterparts. Ghana looked forward to a strengthened human rights protection in the Constitution. It made a number of recommendations.

82. Singapore wished to record its appreciation for the constructive role Norway played in the Durban Review Conference. Singapore understood that one challenge facing Norway related to the Roma and Romani people and wished to know the status of the request for the establishment of a Roma community centre in Oslo. Singapore asked about the results of a pilot project in 2006 to provide free hours in kindergarten for children in areas with a large proportion of residents with a minority language background.

83. Mauritius asked for the views of Norway on the recommendations made by the Special Rapporteur on the right to food in his report following his mission to WTO. While welcoming Norway's efforts, Mauritius noted that CEDAW continues to express concern over the persistence of stereotypical cultural attitudes, as reflected for example in the predominance of women in part-time work and significant job segregation. It expressed concern over the high prevalence of domestic violence and its effects on children. It noted reports highlighting that since children serve prison sentences alongside convicted adults and remand inmates, these children spend extended periods of time in isolation. Mauritius made recommendations.

84. Azerbaijan noted the adoption of different action plans as well as the Human Rights Act of 1999, incorporating some core international human rights norms into national legislation and, in that regard, made two recommendations. Azerbaijan requested clarification on the role of the Equality and Anti-Discrimination Ombudsperson and Tribunal in combating domestic violence and discrimination against women and the measures being implemented to combat discrimination against children on the basis of their religious and ethnic backgrounds.

85. Bangladesh applauded Norway's laudable role at the national and international level for the promotion and protection of human rights. However, it noted that some concerns expressed by treaty bodies and mandate-holders require serious reflection. Bangladesh stated that in its view, many of the social ills can be remedied by promoting family as a fundamental and natural unit of society and nurturing traditional family values. Bangladesh encouraged Norway to look into this matter. Bangladesh made a number of recommendations.

86. Argentina highlighted the progress achieved in Norway's legislation to guarantee equality and non-discrimination, and the criminalization and punishing of torture and trafficking of persons. It noted the measures to guarantee the participation of the Sámi population in all decisions that might affect them. It welcomed the ongoing ratification process for a number of instruments. It noted treaty bodies' concerns of unnecessary and excessive use of police force on ethnic groups. It drew attention to the 48 hours procedure based on which there is an automatic rejection of refugee petitions. Argentina made a number of recommendations.

87. Malaysia expressed its appreciation for Norway's positive and constructive role in the promotion and protection of human rights. It asked whether in the reported rise on domestic violence, especially with regard to women and children, if the delegation could elaborate on the likely sources of such violence and to indicate whether there is any

structural or underlying cause for those incidents. It also asked whether Norway could elaborate on the relationship between the various Ombudsmen and the Government, specifically on the implementation of the Ombudsman's recommendations. Malaysia made a number of recommendations.

88. Burundi stated that Norway has ceaselessly worked to promote human rights at the national and international levels and that Burundi benefited from Norway's experience and expertise. Burundi welcomed Norway's efforts to punish all female genital mutilation and forced marriages. It noted that the new Criminal Code decriminalized blasphemy. Burundi complimented Norway on its new legislation protecting victims of trafficking.

89. Jordan noted that it is encouraged that Norway is strengthening its legislative and institutional framework, including the establishment of the Norwegian Centre for Human Rights. Jordan commended Norway's appointment of a human rights committee charged with preparing a draft revision to enhance the human rights aspects in the Constitution. Jordan made a number of recommendations.

90. Qatar applauded Norway's efforts to develop its national human rights institutions. It commended the preparation of a revised draft of the Constitution that will enhance human rights protection. It also referred to reforms to combat racial discrimination through comprehensive legislation. Qatar made several recommendations related to these issues.

91. Norway stated that assistance is offered to cover the basic humanitarian needs of immigrants without legal status.

92. On alleged discriminatory practices by the police, Norway referred to the 2009-2012 National Action Plan for equality and against ethnic discrimination, which includes a number of measures targeting the police. Visible registration numbers on police uniforms made it easier to file complaints against the police.

93. The gender pay gap issue will be addressed by raising awareness, Government initiatives and through tripartite cooperation between the social partners.

94. Norway was addressing the low level of income for immigrant workers and unemployment in times of crises. An action plan against social dumping, active surveillance of respect for the laws and regulations at the labour market, and effective policies against financial crises were being implemented.

95. Regarding official development assistance earmarked for human rights, Norway noted that human rights are an important component in many projects.

96. According to the Government, the Finnmark Act was working according to its purpose. The East Sámi language and culture had to be addressed in cooperation with the Russian Federation and Finland, in consultations with the Sámediggi and in dialogue with the East Sámi people. The Finnmark Act established the Finnmark Commission to investigate and map existing rights in Finnmark. Its work will include East Sámi areas.

97. Aware of the challenges regarding Sámi teaching materials, Norway had taken steps to improve the situation.

98. Full-time domestic violence coordinators were employed in all police districts. Domestic violence alarms had been deployed, and there was a free helpline for all victims of crime. Legal aid was provided to victims of domestic violence also before any complaint was made to the police. Rape and violence crisis centres were established across the country. Domestic violence was unconditionally prosecuted.

99. Norway noted that the practice of female genital mutilation conflicted with fundamental human rights and was prohibited and punishable by law. The action plan 2008-2011 focused on changing attitudes through dialogue involving the groups concerned.

100. Norway stated that when removing children from their families it was vital that this decision was in the best interest of the child and only in the most needed situations.

101. Among the main measures in the plan of action for improving the situation of the Roma, Norway referred to a service centre to provide information and guidance about the various public offices and institutions regarding access to housing, welfare, work and health.

102. On debt relief, Norway, together with UNCTAD, and other countries were working towards establishing criteria for responsible lending and illegitimate debt to prepare the conditions for considering cancelling such debt.

103. The Government intended to undertake a study to define any need for improved coordination and further reinforcement of human rights education in Norway.

104. Norway thanked and ensured that the Government will shoulder its part of the responsibility of implementing Norway's obligations. In the follow up, Norway will seek a comprehensive inclusive approach and include civil society and relevant stakeholders.

II. Conclusions and/or recommendations

105. The recommendations formulated during the interactive dialogue have been examined by Norway and the recommendations listed below enjoy the support of Norway:

1. Consider the possibility of ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (Argentina);

2. Consider the possibility of signing and/or ratifying (Argentina)/consider (New Zealand, Slovenia, Chile,¹ China,² Mexico³), with priority, (Italy)⁴ ratifying the Convention on the Rights of Persons with Disabilities, and ensuring its full implementation in domestic law (New Zealand);

3. Consider the possibility of signing and/or ratifying (Argentina)/consider (Chile); ratifying (Chile,⁵ Mexico⁶) the International Convention for the Protection of all Persons from Enforced Disappearance (CED);

4. Continue its efforts with regard to the gender policy and, more concretely, specialize in programmes in the area of education against gender violence for professionals in law enforcement and the judiciary (Spain);

5. Further strengthen human rights education and training for police officers (Viet Nam);

¹ The recommendation as read during the interactive dialogue: ratify the Convention on the Rights of Persons with Disabilities and its Protocol (Chile).

² The recommendation as read during the interactive dialogue: live up to the commitment and join the CRPD at an early date (China).

³ The recommendation as read during the interactive dialogue: ratify the Convention on the Rights of Persons with Disabilities (Mexico).

⁴ The recommendation as read during the interactive dialogue: give priority to the ratification process of the CRPD (Italy).

⁵ The recommendation as read during the interactive dialogue: ratify CED (Chile).

⁶ The recommendation as read during the interactive dialogue: ratify CED (Mexico).

6. Pursue the integration of human rights education and training in school programmes and other sectors such as the administration of justice and the police (Morocco);
7. Consider implementing, as appropriate, the recommendations of the Office of the United Nations High Commissioner for Refugees (UNHCR), human rights treaty bodies and special procedures with respect to asylum-seekers and irregular immigrants, especially children (Jordan);
8. Step up its efforts to adequately address the issues of gender inequality and gender-based violence through appropriate and concrete institutional, structural, cultural and awareness-raising measures (Mauritius);
9. Consider stepping up efforts to combat persisting stereotypical cultural attitudes on the role of men and women and continue improving access to the labour market and education for women (Malaysia);
10. Continue in the advancement of empowering women, particularly to ensure that the representation of women in political and public organs fully reflects the diversity of people in Norway, including migrant workers, migrant women and women who belong to minorities (Cuba);
11. Take steps to address pay gaps between men and women and other forms of discrimination against women (Ghana);
12. Continue paying special attention to the situation of women migrant workers (Colombia);
13. Implement all necessary measures to eliminate discrimination faced by persons belonging to minorities and persons with an immigrant background (Sweden);
14. Continue and intensify its efforts to prevent and eliminate all forms of de facto discrimination against immigrants based on ethnicity (Canada);
15. Adopt appropriate measures to comprehensively counter any type of discrimination against migrants (Uzbekistan);
16. Improve the collection of hate-crime data by law enforcement authorities and encourage victims to report hate crimes and incidents (Egypt);
17. Continue efforts to collect and generate disaggregated data on actual manifestations of racism and discrimination with a view to evaluating the situation regarding racial, ethnic and minority groups in Norway (Brazil);
18. Consider continuing to ensure that children are not discriminated against on the basis of their religion or ethnic backgrounds (Malaysia);
19. Strengthen its policies to protect the rights of migrants and minority groups and ensure the integration of those groups into Norwegian society (Netherlands);
20. Continue its process of supporting integration for newly arrived immigrants, particularly those from ethnic minority backgrounds (United Kingdom);
21. Improve, with more in-depth efforts, the conditions of young gays and lesbians who live outside large cities and for those who live in multicultural communities (Colombia);

22. Consider to continue addressing allegations of discriminatory treatment, including on the grounds of ethnicity, by law enforcement officials (Malaysia);
23. Strengthen its efforts to ensure that the necessary capacity is provided to make sure that pre-trial detention is dealt with according to international standards (Netherlands);
24. Look into the need for concrete measures, on the basis of detailed statistical data, to reduce the duration of preventive detention (Switzerland);
25. Ensure that all detainees and prisoners, including those who are mentally ill, are given access to appropriate care, including where necessary by being transferred to specialized health institutions (Italy);
26. Strengthen measures to improve the welfare and conditions of detention of children in conflict with the law (Philippines);
27. Take further measures to ensure that rights of children deprived of their liberty are fully protected, including by ensuring that children shall be deprived of their liberty only as a measure of last resort and for the shortest appropriate period of time (Sweden);
28. Face up to the challenges and establish appropriate measures to deal with the situation of children in the juvenile justice system, taking fully into account the best interest of the children concerned and ensuring their smooth reintegration into society (Mauritius);
29. Take measures to control domestic violence, specifically for the rights of women (Argentina);
30. Strengthen its preventative measures in the areas of rape and domestic violence, looking more deeply into the statistical data to better understand the causes, developing effective policies and targeted prevention campaigns, education and awareness-raising among young people and adopting measures that are geared to changing the models and patterns that result in stereotyping of women (Belgium);
31. Maintain a strong focus on the issue of domestic violence and implement systematic measures to protect the victims of domestic violence (Italy); strengthen efforts to combat domestic violence and violence against women (Ghana);
32. Pursue efforts to counter trafficking in women and children (Belarus);
33. Evaluate its 2006-2009 national plan of action against trafficking of women and children to determine which actions were effective and should be continued in the future (France); evaluate the measures taken with regard to the action plan concerning combating human trafficking and strengthen its efforts in this regard through follow-up measures (Netherlands);
34. Ensure that foreign students are not being arbitrarily deprived of the right to education in universities on their own free choice and interest (Islamic Republic of Iran);
35. Take further steps to adopt special and concrete measures to ensure the adequate development and protection of the Sámi people (Denmark);
36. Implement effectively the United Nations Declaration on the Rights of Indigenous Peoples (Islamic Republic of Iran);

37. Respect the rights of refugees, especially the principle of non-refoulement (Congo);
 38. Take measures to guarantee proper and genuine analysis of each refugee petition on a case-by-case basis (Argentina);
 39. Respect freedom of expression and religion and non-stigmatization of some sectors of society in combating terrorism (Congo);
 40. In the context of measures taken to counter terrorism, pay closer attention to the right to privacy in the legislative process (Switzerland);
 41. Continue its efforts in the domain of development aid, in particular in favour of the least developed countries (Morocco);
 42. Continue to support developing countries in fighting poverty through its development assistance (Bangladesh);
 43. Continue providing assistance and sharing its experiences with other countries in the area of human rights education and training (Viet Nam);
 44. Continue to engage with human rights civil society groups in the follow-up to the universal periodic review (United Kingdom);
106. The following recommendations will be examined by Norway which will provide responses in due time. The response of Norway to these recommendations will be included in the outcome report to be adopted by the Human Rights Council at its thirteenth session:
1. Sign and ratify the newly adopted Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-CESCR); consider the possibility of signing and/or ratifying (Argentina)/sign and ratify (Portugal) OP-CESCR (Argentina), allowing individual complaints of alleged violations of these rights to be heard by the Committee (Portugal);
 2. Ratify (Chile, Mexico) as soon as possible (France) the Optional Protocol to the Convention on Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment, and create an independent national mechanism for monitoring detention centres (France);
 3. Consider adhering to the principles of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Mexico);
 4. Engage in national consultations with relevant stakeholders to consider the possible ratification of the ICRMW (Philippines);
 5. Consider the possibility of signing and/or ratifying (Argentina)/ratify (Chile) the Optional Protocol to the Convention on the Rights of Persons with Disabilities;
 6. Withdraw reservations to the International Covenant on Civil and Political Rights (ICCPR), within the context of Human Rights Council resolution 9/12(Brazil); consider lifting its reservations in respect of article 10 (2) (b) and (3) of ICCPR (South Africa); reconsider its reservations to ICCPR, especially with regard to article 10(2) (b) and its compatibility with article 37(c) of the Convention of Rights of the Child with regard to the separation of children from adults in detention centres (Spain); withdraw the reservations to ICCPR (Portugal);

7. Incorporate the content of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in the Human Rights Act of 1999 (Islamic Republic of Iran) and ensure that its provisions prevail over inconsistent domestic legislation as highlighted by the relevant treaty bodies (Islamic Republic of Iran); incorporate both CEDAW and ICERD in the Human Rights Act (Azerbaijan);
8. Give due attention, in the welcome and trend-setting constitutional revision exercise, to the need to ensure maximum coherence, in conformity with international law, between the human rights obligations of Norway and its other international obligations, such as trade obligations undertaken at the level of the World Trade Organization (Mauritius);
9. Further incorporate, as appropriate, its international obligations under human rights instruments into domestic law (Jordan);
10. Incorporate anti-discrimination provisions in its Constitution, especially relating to race, ethnicity or religion, to ensure the necessary protection for persons who would be mostly affected by those discriminatory practices (Qatar);
11. Strengthen legislation and improve understanding within society of the issues relating to disability discrimination (United Kingdom);
12. Amend the Action Plan to Promote Equality and Prevent Ethnic Discrimination (2009-2012) and the Action Plan to Improve Standards for Roma People (June 2009) to contain policies that specifically address labour market inequalities based on ethnic origin (United States);
13. Work with the Ombudsman for Children and relevant civil society organizations to create programmes to educate law enforcement officials on how to proactively address the problem of adolescents from ethnic minority backgrounds feeling stigmatized by and lacking trust in the police (United States);
14. In the future, ensure the timely provision of replies to thematic questionnaires received from special procedures (Russian Federation);
15. Further address challenges related to the position of women in the labour market and gender representation at all levels of society, in addressing discrimination against persons with an immigrant background (Bosnia and Herzegovina);
16. Ensure that women are proportionately represented in all aspects of Norwegian political and public life, including migrant and minority women, as recommended by the Committee on the Elimination of Discrimination against Women (Israel);
17. Ensure that racial discrimination does not take place by including the criterion of race in the law against discrimination to ensure that victims of such discrimination, especially migrants, are covered (Cuba);
18. Undertake a comprehensive set of measures to tackle racial discrimination and to combat resolutely all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance (Islamic Republic of Iran);
19. Strengthen the 2009-2012 action plan put in place by the Government to promote equality and prevent ethnic discrimination against immigrants, their

children and national minorities, by supplementary measures to remedy the causes of social disparities of those affected (Algeria);

20. Take extra measures to support migrants and implement the recommendations of the Committee on the Rights of Child with regard to migrants (Kyrgyzstan);

21. Set up a monitoring system to ensure the rights of migrants and members of their families, especially rights to housing, employment and education (Uzbekistan);

22. Take more effective measures to eliminate discrimination against non-citizens in relation to working conditions and work requirements, adopt legislation prohibiting discrimination in employment and take further measures to reduce unemployment among immigrants (Egypt);

23. Strengthen efforts to secure human rights for immigrants in irregular situations (Brazil);

24. Increase its efforts to ensure respect for the fundamental human rights for people without legal status (Switzerland);

25. Redouble its efforts to combat discrimination against those of foreign origin in education and employment (Qatar);

26. Accord particular attention to the protection of the rights of migrant workers (Congo);

27. Generate data on manifestations of racial discrimination and on the position of minority groups in society, which could help identify patterns of direct and indirect racial discrimination (Canada);

28. Take effective measures for integration of migrants in Norway through, among others, non-discriminatory access to education, housing and employment (Bangladesh); take measures to improve the participation of persons of immigrant background, especially young people, in the labour market, and to improve their access to education and housing (Canada); pursue its efforts to overcome the problems faced by migrants, particularly in having access to education and to the labour and housing markets (Russian Federation); take further measures to address the problems faced in the areas of employment, education and housing by persons with immigrant background (Japan); strengthen action to improve the situation of national minorities and immigrants, especially in the areas of education, housing and employment (Ghana);

29. Take necessary measures to curb the use of violence by the police force against ethnic groups (Argentina)⁷;

30. Take necessary measures to separate incarcerated minors from adults (Algeria);

31. Undertake comprehensive reporting and statistical analysis of the scale and character of violence against women and children to determine if Norway's

⁷ The recommendation as read during the interactive dialogue: take necessary measures to curb the use of violence by the police force against ethnic groups and specifically to mitigate the use of discrimination by public forces (Argentina).

Action Plan to Combat Domestic Violence 2008-2011 is curbing the severity of the phenomenon (Canada);

32. Assess the additional measures required to eradicate domestic violence as a serious problem in Norway by developing and maintaining a comprehensive database containing information on the victims and perpetrators of domestic violence (Israel);

33. Toughen liability for sexual crimes, rape and child abuse and enhance the training of those working for the protection of children's rights (Belarus);

34. Continue efforts to provide appropriate assistance to victims of human trafficking and utilize the OHCHR recommended Principles and Guidelines on Human Rights and Human Trafficking as a reference (Philippines);

35. Take even further measures to continue to address issues of data on trafficking in women and girls in line with recommendations of the Committee on the Elimination of Discrimination against Women (Finland);

36. Strengthen the capacity of the criminal police to deal with crimes related to child pornography on the Internet and inform children and their parents about the safe use of the Internet (Islamic Republic of Iran);

37. Continue efforts to counter corruption and particularly to look into the opportunity to adopt legislation on corruption in line with the United Nations Convention against Corruption (Kyrgyzstan);

38. Launch, with the participation of all media, a process of reflection on the role and responsibility of the media to combat racism, xenophobia and related intolerance (Egypt);

39. Considering the high number of rape cases, take all necessary measures with a view to strengthening the foundation of family and avoid resorting to measures and legislation which endanger the very foundation of the family in society (Islamic Republic of Iran);

40. Review its practices concerning the removal of children from the family environment and seek alternative solutions, as stipulated by the Committee on the Rights of the Child and the Committee on Economic, Social, and Cultural Rights, and ensure that all children in foster care have a legal guardian, as well as establishing a unified national guardian system for unaccompanied asylum-seeking and refugee children, as recommended by the Committee on the Rights of the Child and UNHCR (Israel);

41. Introduce more efficient legal regulations obliging employers to respect immigrants' right to decent working conditions or establish a special monitoring body to support the Decent Work Agenda (Ukraine);

42. Take effective measures to provide housing units in sufficient numbers for the disadvantaged and marginalized groups (Ghana);

43. Show understanding and flexibility for refugees and asylum-seekers who are often in an irregular situation and face possible expulsion (Algeria);

44. Continue to help the least developed countries affected by the world economic and financial crisis, and modify its development assistance to continue to increase the amount allocated for agriculture and stabilize populations in their countries of origin (Algeria);

45. Intensify its solidarity efforts for the rights to food and education in countries that cannot afford to ensure this due to a lack of financial resources (Algeria);

46. Take a lead role in generating global opinion in favour of “promoting human rights through fighting poverty” (Bangladesh);

107. The following recommendation did not enjoy the support of Norway:

1. Consider the possibility of signing and/or ratifying (Argentina)/consider the ratification of (Azerbaijan)/consider acceding to (Algeria)/consider positively acceding to (Mexico)/ratify ICRMW (Chile, Nigeria), as recommended by the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women (Mexico, Nigeria).

108. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of Norway was headed by H.E. Mr. Jonas Gahr Støre, Foreign Minister, Ministry of Foreign Affairs and composed of 25 members:

- H.E. Ms. Bente Angell-Hansen, UN-Ambassador, Permanent Mission of Norway
- Ms. Láilá Susanne Vars, Vice President, Sámediggi/Norwegian Sámi Parliament
- Mr. Geir O. Pedersen, Director General, Ministry of Foreign Affairs
- Ms. Barbro A. Bakken, Director General, Ministry of Labour and Social Inclusion
- Ms. Marianne Vollan, Director General, Ministry of Justice and the Police
- Mr. Thor Arne Aass, Director General, Ministry of Labour and Social Inclusion
- Mr. Petter J. Drefvelin, Director General, Ministry of Labour and Social Inclusion
- Ms. Beate Stiroe, Minister Counsellor, Permanent Mission of Norway
- Mr. Torgeir Larsen, Deputy Director General, Ministry of Foreign Affairs
- Mr. Thor Rogan, Deputy Director General, Ministry of Health and Care Services
- Ms. Hege Nygård Wetland, Deputy Director General, Ministry of Children and Equality
- Ms. Helga Fastrup Ervik, Assistant Director General, Ministry of Foreign Affairs
- Ms. Cecilie Willoch, Senior Adviser, Ministry of Foreign Affairs
- Ms. Juliet Namuli Birabwa Haveland, Senior Adviser, Ministry of Children and Equality
- Mr. Jan Austad, Senior Adviser Ministry of Justice and the Police
- Mr. Tomas Øvergaard, Senior Adviser, Ministry of Education and Research
- Ms. Tjaarke Hopen, Senior Adviser, Ministry of Health and Care Services
- Mr. Leif Dunfjell, Senior Adviser, Sámediggi/Norwegian Sámi Parliament
- Ms. Kristin Ryan, Acting Legal Adviser, Ministry of Justice and the Police
- Ms. Idun Tvedt, Adviser, Ministry of Foreign Affairs
- Ms. Leila Erdis, Adviser, Ministry of Labour and Social Inclusion
- Ms. Anne-Li Norderhaug Ferguson, Adviser, Ministry of Justice and the Police
- Ms. Gunhild Bolstad, Adviser, Ministry of Labour and Social Inclusion
- Ms. Ingrid Aamodt, Adviser, Ministry of Labour and Social Inclusion
- Ms. Anne Schive Viken, Programme Officer, Permanent Mission of Norway