

The Norwegian Centre for Human Rights

Submission to the Universal Periodic review of Norway

6th UPR Session, Nov/Dec 2009

Submitted to the Office of the UN High Commissioner for Human Rights 20 April 2009.

The Norwegian Centre for Human Rights (NCHR) is Norway's national institution for human rights, accredited with A-status according to the standards of the International Coordinating Committee of the global network of national institutions for human rights (ICC). The report is based on the UN Human Rights Council guidelines on submissions to the Universal Periodic Review, and OHCHR's guidelines for submission of reports from national human rights institutions (NHRIs). The report uses common abbreviations for UN treaties and bodies to give room for more information.

The report is based on focused issues and areas of competence within The Norwegian Centre for Human Rights. The fact that a subject is not addressed in this report does not necessarily mean that the issue is not relevant to address in the human rights context in Norway.

The report is prepared without the background of a broad national consultation process, as the Norwegian Government's only initiative prior to the deadline for submission of reports from other stakeholders was one meeting with general information about UPR. To secure a broad and constructive reporting process, The Norwegian Centre for Human Rights had hoped for a more pro-active approach from the Government. NCHR has in the preparation of this report collaborated with partners from civil society; however the submission is from NCHR alone.

The Norwegian Centre for Human Rights welcomes the opportunity to submit its views to the UPR on Norway.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. Ratification of human rights instruments

Norway has taken pride in being at the forefront of human rights protection through the ratification of international legal instruments. However, Norway has not yet ratified several core human right documents. Norway may be known for its well-functioning judicial system, strong public administration, and well-developed social security system, all of which are important for the domestic implementation of human rights. Nevertheless, the importance of individuals having recourse to international human rights obligations should not be underestimated and calls for attention to further ratifications by Norway, a country which has set, and should continue to set, a good example for others. NCHR recommends that the Norwegian authorities give priority to ongoing ratification processes as specified below.

2. Ratification of OPCAT

On 23 September 2003, Norway signed the Optional Protocol to the UN Convention Against Torture (OPCAT), but it has not yet been ratified. In 2008, the Committee Against Torture recommended that Norway proceed to ratify the Protocol at the earliest possible date.¹ According to the Ministry of Foreign Affairs, the ratification process is ongoing. Ratification

is conditioned by agreement on determination of the monitoring body required by OPCAT. NCHR recommends that the necessary legislative and other measures be put in place, and that Norway ratify OPCAT as soon as possible.

3. Optional Protocol to the UN Covenant on Economic, Social and Cultural Rights

Norway voted for the adoption of the Optional Protocol to the UN Covenant on Economic, Social and Cultural Rights. However, during the drafting period, Norway's position vacillated. It took a restrictive approach during the development of the draft and only partly supported the adoption of the Protocol on 10 December 2008 by articulating reservations. NCHR finds no reasonable grounds for this scepticism. The protocol's fundamental importance lies in sending a clear message to governments and courts throughout the world that economic, social and cultural rights are both justiciable and more than mere aspirations. In fact, these rights are already recognized and justiciable within the Norwegian legal system. By signing the Protocol, Norway would give a clear indication that the country is willing to be internationally accountable and that other countries should follow. NCHR hopes that Norway will be one of the first countries to sign when the protocol is open for signature in Geneva in the autumn of 2009.

4. Ratification of CRPD and the optional Protocol

On 30 March 2007, Norway signed the UN Convention on the Rights of Persons with Disabilities; however it has not yet been ratified. According to the Ministry of Foreign Affairs and the Ministry of Children and Equality the Government plans a proposition to the Parliament on the ratification of the Convention at the end of 2009. No decision has yet been made regarding the signing and/or ratification of the CRPD Optional Protocol. However, the processes necessary for ratification are presently under consideration by the Government. NCHR recommends that required measures be put in place and that Norway ratify CRPD and its Optional Protocol as soon as possible.

5. Ratification of CPAPED

Norway signed the International Convention for the Protection of All Persons from Enforced Disappearance on 21 December 2007, but it has not yet been ratified. The Ministry of Justice is currently working on necessary amendments to the Penal Code. According to the Ministry of Foreign Affairs the Government is planning a proposition to the Parliament on the ratification of the Convention at the end of 2009. NCHR recommends that required measures are put in place and that Norway ratify the CPAPED as soon as possible.

6. Reservations to international human rights instruments

Norway has made a reservation to ICCPR art 10, para 2 (b) and para 3 with regard to separation of juvenile and adult offenders, arguing that small numbers of juvenile prisoners makes non-separation in the best interest of the child. This practice has proven problematic (see para 13). NCHR recommends that Norway reconsider the reservation to ICCPR.

B. Constitutional and legislative Framework

7. Review of the constitutional human rights protection through broad consultation

The Norwegian Constitution was adopted in 1814.² The constitution has some, but not many human rights provisions. The most important are provisions to protect freedom of speech, freedom of religion, the right to work and the right to property, in addition to some provisions on the rule of law. A new paragraph, § 110 (c), stipulates a state responsibility to respect and

secure human rights. It was added in 1994 to include the broader concept of human rights within the constitution. Notwithstanding this amendment, an ongoing public debate has considered the need to further revise the constitution. Prominent politicians, jurists, academics, and other members of civil society assert the need to constitutionally strengthen the position of human rights.³ Others have argued that given the dynamic development of human rights standards, the constitution is not the right tool for strengthening human rights, because the provisions will be more static due to the strict process of changing the text of the constitution.⁴ Moreover, it has been observed that more specified constitutional provisions will create a risk that a dynamic interpretation of human rights by an international body will not be reflected in Norwegian courts because the constitution is *lex superior* in the national legal system. This debate highlights the need for a broad approach to a review of the constitutional protection of human rights where all relevant stakeholders are included. NCHR recommends that Norway, in a review of human rights protection in the constitution, ensure a broad consultative process that includes all relevant stakeholders.

8. Incorporation of CEDAW and CERD in the Human Rights Act

The Human Rights Act of 1999 incorporates four treaties: the European Convention of Human Rights, the International Covenant on Civil and Political Rights (CCPR), the International Covenant on Economic, Social and Cultural Rights (CESCR) and the Convention on the Rights of the Child (CRC).⁵ Treaties incorporated in this law are given statutory precedence over other Norwegian legislation. CEDAW and CERD are not incorporated through the Human Rights Acts, but through other national legislation.⁶ NCHR considers this unfortunate because these two latter conventions are left with less importance in the legal hierarchy than the conventions included in the Human Rights Act. In its concluding observations to Norway in 2003 and in 2007, the Committee on the Elimination of Discrimination Against Women recommended that Norway take steps to incorporate CEDAW in the Human Rights Act.⁷ The Norwegian Government has now started this process. However, CERD is not included in this work. This means that CERD will not be incorporated in the Human Rights Act any time soon, sending an unfortunate signal at national and international levels as to the (lesser) importance of that convention. NCHR recommends that Norway should take steps to incorporate both CEDAW and CERD in the Human Rights Act.

C. Institutional and human rights infrastructure

9. National plan of action for human rights and establishment of a high level committee

Norway's approach to the implementation of human rights in Norway is based on the principle of mainstreaming. The result is that different ministries have different responsibilities in different sectors. Norway has prepared two overall documents on human rights in Norway, one in 1977 and one in 1999.⁸ The latter is a National Plan of Action for human rights considering both national and international questions. This document is no longer in use, the last report covering the years 2004-2005. As a key institution working on human rights in Norway, NCHR finds that an unbalanced mainstreaming approach and the present lack of a comprehensive plan leaves Norway without a holistic approach to human rights. In addition, the responsibility for following up on human rights in Norway is fragmented as neither the Government, nor the Parliament structures have one body that gives attention to these matters on an overall basis. The NCHR recommends that Norway strengthens the implementation of human rights by developing a new National Plan of Action for human rights as recommended in the 1993 Vienna Declaration.⁹ The plan should be based

on a baseline study of the conditions of human rights in Norway. The plan should also identify human rights indicators and monitoring mechanisms. The plan must be followed up by evaluations and yearly reports. This will help to identify challenges and give recommendations for a focused approach to strengthen the situation for human rights in the country. The work should be led by a high-level National Committee for Human Rights – a national coordinating and monitoring body – either at the Government or Parliament level. NCHR recommends that Norway develop strong national structures for implementation of human rights through a National Plan of Action for human rights, and a high-level committee as a focal point to ensure implementation of the plan.

10. Evaluation of the National Institution for human rights

Norway decided to establish a National Institution for Human Rights in 2001¹⁰. NCHR has been operational as a national institution since 2002. This gives Norway eight years experience with a national institution for human rights. NCHR was accredited internationally with A-status in 2006. Norway is up for consideration for new international accreditation in 2011. NCHR finds that the time is right for an evaluation, assessing to what extent the National institution for human rights has the desired effect and sufficient capacity and resources to fulfil its role. NCHR recommends that the Norwegian Government initiate an evaluation of NCHR as the National Institution for human rights.

D. Policy measures

11. Effective follow-up of the recommendations of international monitoring mechanisms

The National Plan of Action on human rights of 1999 foresaw effective follow-up of the recommendations of international monitoring mechanisms as one of the most important measures to strengthen human rights in Norway. However, a proper system for this is still not in place. The publications of new recommendations by UN bodies are followed by only one Government meeting between different ministries and civil society. The recommendations are disseminated to the various authorities without translation and sufficient guidelines that would enable desired changes. Effective follow-up of recommendations requires procedures to ensure systematic identification of the nature and specific content of each recommendation and the creation of strategies to fulfil them. The strategies and concrete objectives should be made in the form of written official statements; furthermore, they should be based on a broad and consultative process including Government bodies at national, regional and local levels and stakeholders from civil society. In a situation where there is a National Plan of Action for human rights and a responsible high-level committee, follow up of the international recommendations should be an integral part of this work. NCHR recommends that Norway create better procedures for the follow-up, both at the national and local level, of recommendations made by international monitoring mechanisms.

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

No comments

B. Implementation of international human rights obligations

1. Equality and non discrimination

See para. 8 on incorporation of CEDAW and CERD in the Human Rights Act.

12. Equality and non discrimination in working environments

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.¹¹ These positive duties have however been criticized for being too vague and lacking in specificity¹². The language of the positive duties is phrased such that it is not possible to deduce what kinds of measures should be undertaken in the promotion of equality. Moreover, there is no possibility for the enforcement body, The Equality and Anti-Discrimination Ombud, to sanction those who do not comply with their obligation. Thus, it is recommended that the Norwegian Government specify in greater detail the precise obligations to be carried out by employers and public authorities in the promotion of equality. It is also recommended that the enforcement body be given some ability to sanction those who breach their obligation.

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

13. Juvenile justice

The Human Rights Committee of the Norwegian Bar Association has during 2008 made an assessment of the conditions for juveniles in Norwegian prisons.¹³ Their work raises concerns over the treatment of juvenile prisoners. Some juveniles are placed hundreds of kilometres away from their families; there is a large information deficit; and some are placed in a cell 23 hours a day for weeks as well as sharing a cell with an adult. The Government developed and elicited comments to a preparatory report on juvenile justice in October 2008.¹⁴ The White Paper following the report is still under preparation by the Government. In regard to the CRC, the Government argues that the number of juvenile prisoners is so low that it is in the child's best interest not to be separated from adults. However, the report from the Bar Association demonstrates that Norwegian practice is not working in the best interest of the child, and that treatment of juvenile prisoners is an issue of major concern. The Ombudsman for children has also expressed serious concern about the treatment of juvenile prisoners.¹⁵ NCHR recommends that Norway increase its efforts to secure basic human rights for juveniles in detention and as a minimum ensure minors separate prison cells and to have regular contact with their family.

14. Use of force against persons in need of special care

Involuntary psychiatric hospitalisations and use of force during treatment need to be followed closely. The research organisation SINTEF in May 2008 presented a report on compulsion hospitalisation for psychiatric care during the period 2001-2006.¹⁶ Other groups in need of special care are also at risk when it comes to detention, forced treatment, use of coercive means and intervention of privacy. Minors, elderly, persons with grave mental disorder, senile dementia or mental disability are groups that might be exposed to reduced self-determination while they are under public care. Force against persons can only be used within the framework of human right standards. NCHR calls on Norwegian 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.

15. Mentally ill prisoners

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has expressed concern, both in 1993 and 2005, about detention of mentally ill individuals serving penal sentences in Norwegian prisons.¹⁷ In particular, the

prisoners are prone to placement in isolation when they are unable to conform to the prison regime, leading to further physical and mental deterioration. The conditions necessary to be transferred to psychiatric care in hospital is so high that seriously ill persons are forced to keep being detained under harsh restrictions in prisons. There is a wide gap between what conditions the prisons can handle and what conditions are required for hospitalization¹⁸. A new complaint has recently been submitted to the CPT by Amnesty International Norway and the Norwegian Helsinki Committee.¹⁹ NCHR recommends, in accordance with CPT, that the Norwegian authorities take steps to ensure that prisoners suffering from a mental illness be transferred when necessary to an appropriate hospital establishment.

16. Pre-trial detention

The Ministry of Justice established in 2006 a regulation on pre-trial detention in police cells so that an arrested person shall have regular prison accommodation available within 48 hours, unless it is practically impossible.²⁰ In 2007 OPCAT Torture recommended that the Norwegian Government compile detailed statistics on the application of pre-trial detention and the use of solitary confinement.²¹ Presently, there are no national statistics. The situation has been pursued by the Parliamentary Ombudsman.²² In the White Paper on Criminal Justice, the Government states that both the police and the Norwegian correctional services must change their routines.²³ New routines should be implemented without delay. The NCHR recommends that the Government reinforce the regulation and practice of pre-trial detention and establish registration routines as soon as possible.

17. Domestic violence

Despite the fact that Norway has a high level of gender equality, and the fact that the common view of childhood is based on the principle of the best interest of the child, thousands of families in Norway experience domestic violence. Women and children are most exposed to violence. The issue raises public debate. The Government has made a plan of action to fight domestic violence.²⁴ The plan identifies special measures to be put in place to reduce the number of cases and the suffering in each case. The most important measures aim to ensure that victims receive help and support, and that perpetrators are offered treatment in order to break the spiral of violence. Other important measures focus on increased visibility to counter the reality that domestic violence is hidden, as well as stronger knowledge and coordination among different actors. NCHR is positive to the plan of action. However, based on historical experience, domestic violence is an issue that fades quickly from the public agenda as other issues arise. NCHR underlines that domestic violence is a major concern to any community which requires a vigilant focus to effectively combat this issue. NCHR recommends that Norwegian authorities maintain a high focus on domestic violence and that work to combat violence will continue even if the public focus is gone.

18. Training of professionals on children in crisis

Children who live with domestic violence and abuse are especially vulnerable. Often children must rely on adults to understand what they are experiencing and to support their recovery. On this basis, it is of great importance that those working with children have sufficient knowledge to handle these situations. NCHR recommends that Norwegian authorities in a much stronger way than today secure education and training for all professionals working with children that include compulsory curricula on dealing with children in crises.

3. Administration of justice and the rule of law

19. Prosecution of war criminals in Norway

Norway's lack of capacity to investigate and prosecute cases of core international crimes was criticized in the Norwegian media both in 2007 and 2008.²⁵ There were, however, several positive developments during 2008. New measures included new legislation against genocide, war crimes, and crimes against humanity in the Penal Code; and increased capacity of investigation and prosecution of possible war criminals living in Norway.²⁶ Norway also supports the development of international structures for fighting war crimes such as the International Criminal Court. 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 Crime and the Directorate of Immigration. NCHR recommends that Norwegian authorities continue strengthening the capacity to investigate and, if necessary, prosecute cases of core international crimes. This should include allocation of resources and institutional cooperation.

4. Right to privacy, marriage and family life

20. Right to privacy - human rights and counter-terrorism

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. NCHR recommend that all legislative processes and white papers concerning the use of surveillance in countering criminality is based on thorough considerations of the right to privacy, including private communication and, thus, ultimately, freedom of expression.

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

21. Create an inclusive approach to religion and belief

Norway engages in inter-religious dialog internationally, and within Norway different religious communities engage in a constructive cooperation through a council of communities with different religions and beliefs.²⁷ Nevertheless, Norwegian authorities have put forward propositions that indicate reluctance to give different religions and beliefs equal recognition. Section 2 of the Constitution articulates the values on which the document is based. The proposition on a new formulation of this paragraph mentions humanity and Christianity specifically, but has no reference to other religions or beliefs. The new formulation may not be in conflict with any human rights conventions, but commentators still point to the fact that there is no need to highlight one religion or belief and that this, in fact, excludes some groups of the population.²⁸ The same problem arises in the statements of objectives in the law on both schools and kindergartens.²⁹ NCHR finds the principle of inclusion to be highly relevant in this debate. It is possible to express values without any explicit reference to Christianity even for countries based on the Christian tradition. This is done in other Nordic countries that have traditions similar to Norway.³⁰ Norwegian authorities could have been better in considering the religious multiplicity of the country when drafting these regulations. NCHR recommends that Norwegian authorities reconsider whether there is a need for explicitly highlighting the Christian belief in the proposition to the constitutional values and in the statement of objectives in the laws on schools and kindergartens.

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

22. Human Trafficking

Norway is a recipient country of human trafficking. As an economically wealthy country in Western Europe, Norway is a market for human trafficking with the attached risks of sexual and labour exploitation. The Government has a plan of action against trafficking of women and children to Norway for 2006-2009.³¹ As a step in combating traffic for sexual exploitation, Norway has new legislation as of 1 January 2009 criminalizing the purchase of sexual services.³² NCHR recommends that Norwegian authorities follow up both the new regulation and the plan of action with an in-depth evaluation to determine the impact of these measures and that, where identified, adjustments are made to maximize their effectiveness.

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

23. The right to social security

The Norwegian welfare state provides social security for the population. However, those who are disadvantaged in the labour market, or not entitled to adequate benefits, are exposed to poverty. This leads to both social- and health-related problems. Thus, it is an open question whether the social welfare system actually gives sufficient social security for all. The Parliamentary Ombudsman has raised the question whether differing local regulations result in unacceptable variations in social benefits, and has questioned whether such regulations should be replaced by national normative standards.³³ NCHR supports the need for a discussion of whether existing regulations define the state responsibility in a satisfactory manner. Poverty has a special influence on children and affects their rights to development. The number of children under 16 years in Norway considered to be poor increased from 52.000 in 1998 to 70.000 in 2004 (EU-standards, income below 60% of median).³⁴ This is a situation of great concern. NCHR recommends Norwegian authorities to take advantage of Norway's unique economic position to eradicate poverty and to make strong efforts to fulfil all person's right to social security.

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

No comments

9. Minorities and indigenous peoples

24. Non discrimination and integration of Sami, Roma and other minority groups

Non discrimination and integration of Sami, Roma and other minority groups in the Norwegian society is a challenge that needs continuous attention. The Sami are the indigenous people of Norway with a population of around 45 000. They have their own parliament –“Sametinget” – and there are ongoing discussions about land rights and the right to areas for reindeer herding. Sami people still experience discrimination in Norway, for example, accusations that they are less intelligent.³⁵ This situation needs to be addressed. The High Commissioner for Human Rights in the Council of Europe has voiced concern about increased intolerance in Europe against Roma people. Norway faces similar challenges to other European countries when it comes to integration of Roma people and other minority groups. NCHR recommends that Norwegian authorities keep a strong focus on the situation of the minority groups in Norway in relation to non discrimination and continue its efforts to improve integration between Norwegian society and minority groups.

10. Migrants, refugees and asylum seekers

25. Standard of care for unaccompanied minors seeking asylum

Unaccompanied minors seeking asylum in Norway have traditionally been under the care of the authorities for migration. All other children without parental care are the responsibility of the child welfare authorities, which possesses the special competence and resources required in relation to children. Years of discussions have led to a common understanding that unaccompanied minors should have a right to the same standard of care as other children in Norway who are without parental care. This has resulted in a decision to transfer the responsibility of care for these children from the Directorate of Immigration to the Child Welfare Services.³⁶ So far this change has only been fulfilled for minors up to the age of 15, while the reform has been postponed for minors between 15 and 18 years old. The Government has not yet made available the required resources to change this discriminatory practice.³⁷ NCHR recommends that Norwegian authorities put in place the required measures to fulfil the reform so that all minors without parental care in Norway have the right to the same standards of care provided by the child welfare authorities.

26. Persons without legal status in Norway

The newspaper Aftenposten has printed a series of stories describing the lives of many members of the country's new underclass of illegal immigrants. The vast majority of those featured in the paper had sought asylum in Norway and were turned down, but have avoided deportation. Most are in hiding in friends' homes, basements, churches, or makeshift shelters. With no legal right to work and lacking the state tax card necessary to obtain legitimate employment, members of this new underclass are vulnerable to exploitation.³⁸ Economic support through public social services is not provided to persons without legal status in Norway, with the only entitlement being emergency health care. Children have the right to go to school, but parents are reluctant to send their children to school as it might expose their whereabouts. These circumstances place a group of people in Norway in a very difficult life situation. It is hard to document how many people this concerns, but Statistics Norway has estimated the number to be 18.200 by January 2006.³⁹ The Norwegian Government policy response is for the police to continue efforts to locate and detain these individuals and deport them to their home countries. However, there is no indication that it is possible to resolve this issue through this approach. There will continue to be persons in Norway in need of support to fulfil their basic rights. Moreover, politicians have made statements that human rights organizations are violating Norwegian law by assisting these persons with their basic needs,⁴⁰ which has created a debate about the right of organizations to provide humanitarian assistance. NCHR recommends that Norwegian authorities strengthen the efforts to secure fulfilment of basic human rights, even for persons without legal status in Norway.

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINS

27. Achievement - Equal rights for same-sex couples

Civil marriage is open to same-sex couples according to the new Norwegian Marriage Act Section 1, which entered into force on 1 January 2009.⁴¹ Those who are already in a partnership may apply to convert it into marriage or stay in partnership if they prefer to do so. Same-sex couples have the same right as other couples with regard to child adoption, as regulated in the Adoption Act.⁴² This also applies to second-parent adoption. Now that same-sex couples have the right to marriage, lesbian couples also have the right to assisted reproduction.⁴³ On 28 June 2008 The Norwegian Government adopted a new action plan against discrimination of gay and lesbians.⁴⁴ The development of this practice in Norway might serve as an example to other states.

28. Challenge – Implementation of human rights on local level

Many human rights, especially economic, social and cultural rights, are implemented by local-level government. Norway has 19 regions and 435 municipalities. It is a big challenge for national authorities to secure sufficient competence among local authorities on human rights obligations and how to fulfil these obligations on the individual level. One way of doing this is to raise the level of awareness and competence on human rights implementation among local authority employees. This can be achieved by extensive training programs made available by the state. NCHR recommends that Norwegian authorities give priority to offering quality training programs in human rights implementation to local authority employees.

IV. KEY INTERNATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

29. Human rights and development work

The Ministry of Foreign Affairs website states that Norway's contribution to international development has two main objectives – to fight poverty and to secure social justice. In 2009, Norway reached the budget goal of one percent of GDP to international development work. Also in 2009, Norway presented a new development strategy entitled "Climate, Conflict and Capital."⁴⁵ The strategy states that international human rights are the normative foundation of Norwegian development policy. The policy gives strong efforts to important human rights principles such as equality, the right to life and liberty, and the protection of human rights defenders. However; there is still a challenge to follow up on implementation of a human rights approach. NCHR recommends that Norwegian authorities maintain a strong human rights focus in development policy and secure that a human rights-based approach is applied in all development work supported by the Norwegian Government.

V. CAPACITY BUILDING AND TECHNICAL ASSISTANCE

30. Human rights education

Norway will submit a report on the status of human rights education to UNESCO during the spring of 2009. What we see of human rights education today is fragmented. NCHR strongly believes that education in and for human rights is an integral part of the right to education and is a critical element in the promotion and protection of human rights. In addition to the legal obligations to provide human rights education that are enshrined in various binding international instruments, the UN Decade for Human Rights Education and the subsequent UN World Programme and Plan of Action for Human Rights Education (WPHRE) produced a variety of standard-setting documents relating to national practice in human rights education. These documents set out programmes for implementation of these obligations and provide general guidelines to assist states in this measure. WPHRE has called on states to produce national action plans for human rights education, these being a first step towards the development of sustainable national strategies and programmes in human rights education. A plan of action is intended to be an important step toward the implementation of human rights. NCHR recommends that Norwegian authorities make a baseline study on the situation of human rights education in Norway and how a holistic approach might improve the situation. Subsequently, Norwegian authorities should develop a national action plan for human rights education that consists of programmes for human rights education at all levels, from primary education to university degrees and training among professionals.

- ¹ CAT Concluding observation to Norway 2007 <http://www2.ohchr.org/english/bodies/cat/cats39.htm>
- ² The Constitution of the Kingdom of Norway lov 17. mai 1814 (Grunnloven)
- ³ President of the Norwegian Parliament Torbjørn Jagland Dagsavisen 26. mai 2006
<http://www.dagsavisen.no/meninger/article285318.ece> and Aftenposten 16. mai 2007,
Former President of the Norwegian High Court Carsten Smith, Jussens venner 2006 nr 4,
Njål Høstmælingen, Norwegian Centre for Human Rights Apollon 2001
<http://www.apollon.uio.no/vis/art/2001/1/menneskerett>, Norwegian Humanist Association, Lars Gule 2005
http://www.human.no/templates/Page_2597.aspx
- ⁴ Jan Helgesen, Norwegian Centre for Human Rights, Festskrift til Carsten Smith 2002
- ⁵ The Human Rights Act, lov 21.mai 1999 nr. 30 (menneskerettsloven)
- ⁶ The Gender Equality Act, lov 9.juni 1978 nr. 45 (likestillingsloven) and the Anti-discrimination Act, lov 3. juni 2005 nr. 33 (diskrimineringsloven)
- ⁷ Concluding observations from CEDAW: <http://www2.ohchr.org/english/bodies/cedaw/cedaws28.htm> and <http://www2.ohchr.org/english/bodies/cedaw/cedaws39.htm>
- ⁸ White Papers on human rights: St. meld. nr. 93 (1976–1977) and St.meld. nr 21 (1999–2000):
<http://www.regjeringen.no/nb/dep/ud/dok/regpubl/stmeld/19992000/Stmeld-nr-21-1999-2000-.html?id=192704>
- ⁹ Vienna Declaration Adopted by the World Conference on Human Rights in Vienna on 25 June 1993
- ¹⁰ Royal Decree of 21 September 2001 (no longer available on web)
- ¹¹ See the Act on Gender Equality (likestillingsloven) § 1a, the Act against Ethnic and Religious Discrimination (diskrimineringsloven) § 3a, and the Act against Discrimination on Grounds of Disability (diskriminerings- og tilgjengelighetsloven) § 3.
- ¹² Ronald Craig, Norwegian Centre for Human Rights in "Diskriminerings- og likestillingsrett" kap. 13
- ¹³ Advokatbladet, Barn i fengsel <http://viewer.zmags.com/showmag.php?magid=96222#/page52/>
- ¹⁴ Government Report on juvenile justice. NOU 2008:15 Barn og Straff.
- ¹⁵ http://www.barneombudet.no/temasider/kriminalitet/arkiv/bekymret_f/
- ¹⁶ [www.sintef.no/upload/Helse/Psykisk%20helse/Pdf-filer/Rapport SINTEF A4319 Tvungent psykiskhelsevern med døgnopphold 2001 2006 Sluttrapport.pdf](http://www.sintef.no/upload/Helse/Psykisk%20helse/Pdf-filer/Rapport_SINTEF_A4319_Tvungent_psykiskhelsevern_med_dognopphold_2001_2006_Sluttrapport.pdf)
- ¹⁷ CPT comments to Norway 2005: <http://cpt.coe.int/en/states/nor.htm>
- ¹⁸ <http://www1.nrk.no/nett-tv/indeks/158398>
- ¹⁹ <http://www.amnesty.no/web.nsf/pages/E42B1B55288EA447C125757100352F2E>
- ²⁰ Supplementary Report from NGO-forum to Norway's 5th Periodic Report to CAT
http://www.nhc.no/php/index.php?module=article&view=622&MMN_position=180:17
- ²¹ Concluding observations from CAT 2007 <http://www2.ohchr.org/english/bodies/cat/cats39.htm>
- ²² Sak nr. 2007/1097. Available at www.sivilombudsmannen.no
- ²³ White paper: St.meld. nr. 37 (2007-2008) <http://www.regjeringen.no/nb/dep/jd/dok/regpubl/stmeld/2007-2008/stmeld-nr-37-2007-2008-.html?id=527624>
- ²⁴ Plan of action against domestic violence
http://www.regjeringen.no/nb/dep/jd/dok/rapporter_planer/planer/2007/Vendepunkt--handlingsplan-mot-vold-i-na.html?id=500470
- ²⁵ Norwegian Centre for Human Rights, Yearbook on human rights in Norway 2007 and 2008
<http://www.humanrights.uio.no/forskning/publikasjoner/arbok/>
- ²⁶ The General civil penal code of 2005 chapter 16 lov 20. mai 2005 nr. 28 (straffeloven)
- ²⁷ The Council for Religious and Life Stance Communities <http://www.trooglivssyn.no/>
- ²⁸ Tore lindholm, Norwegian Centre for Human Rights, Aftenposten 30. September 2008
- ²⁹ Day Care Institution Act, lov 17. juni 2005 nr. 64 (barnehageloven) <http://www.lovdata.com/all/hl-20050617-064.html>, Education Act, lov 17. juli 1998 nr. 61 (opplæringslova) <http://www.lovdata.com/all/hl-19980717-061.html>
- ³⁰ Denmark, Finland and Sweden have no reference to Christianity in their object clauses
- ³¹ Plan of action against trafficking of women and children
http://www.regjeringen.no/nb/dep/jd/dok/rapporter_planer/planer/2006/Regjeringens-handlingsplan-mot-menneskeh.html?id=457852
- ³² The General civil penal code section 202 a lov 22. mai 1902 nr. 10 (straffeloven)
- ³³ Sak 2007/911. Available at www.sivilombudsmannen.no
- ³⁴ Report on children in low-income family environment. Jon Epland og Mads Ivar Kirkeberg, Barn i lavinntektsfamilier 1996-2004. Statistisk sentralbyrå http://www.ssb.no/emner/05/01/rapp_200733/
- ³⁵ Article in the newspaper Aftenposten about accusations against Sami people
<http://www.aftenposten.no/nyheter/iriks/article2968900.ece>

-
- ³⁶ Amendments to the Children Act lov av 30. mai 2008 nr. 36 http://www.lovdata.no/cgi-wift/wiftldles?doc=/usr/www/lovdata/all/nl-19810408-007.html&emne=barnelov*&&
- ³⁷ Ministry of Children and Equality, Proposition to the Parliament. St.prp. nr. 1 (2007–2008)
- ³⁸ <http://www.aftenposten.no/english/local/article2127874.ece>
- ³⁹ Statistisk sentralbyrå, Li Chun Zhang, Learning About Illegals: Issues and Methods, june 2008 http://www.ssb.no/english/subjects/00/00/10/innvandring_en/
- ⁴⁰ <http://www.nrk.no/nyheter/1.6454439>
- ⁴¹ The Marriage Act, lov 4. juli 1991 nr. 47 om ekteskap (ekteskapsloven) <http://www.regjeringen.no/en/doc/Laws/Acts/the-marriage-act.html?id=448401> (english)
- ⁴² The Act relating to adoption lov 28 februar 1986 nr. 8 om adopsjon (adopsjonsloven) <http://www.regjeringen.no/en/doc/Laws/Acts/ACT-OF-28-FEBRUARY-1986-NO-8-RELATING-TO.html?id=443477> (english)
- ⁴³ The Biotechnology Act, lov 5. desember 2003 nr. 100 (bioteknologiloven) <http://www.ub.uio.no/cgi-bin/ujur/ulov/sok.cgi> (english)
- ⁴⁴ Plan of action <http://www.regjeringen.no/nb/dep/bld/tema/homofile-og-lesbiske/ny-utgave-av-regjeringens-handlingsplan-.html?id=537226>
- ⁴⁵ White paper on development work: Stortingsmelding nr 13 (2008-2009) <http://www.regjeringen.no/nb/dep/ud/dok/regpubl/stmeld/2008-2009/stmeld-nr-13-2008-2009-.html?id=545698>