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Consideration of reports: reports submitted

by States parties in accordance with

articles 16 and 17 of the Covenant

List of issues in relation to the fifth periodic report of Norway

Addendum

Replies of Norway to the list of issues*

[1 October 2013]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document has not been formally edited.

I. Issues relating to general provisions of the Covenant (arts. 1–5)

Reply to the issues raised in paragraph 1 of the list of issues (E/C.12/WG/NOR/Q/5)

1. In 2009, the Norwegian Parliament (Storting) appointed a commission to examine the position of human rights in the Constitution. One of the purposes of the commission was to present a proposal for a limited revision of the Constitution, with a view to expanding its catalogue of human rights. In its report, the Commission proposed the inclusion of a number of civil, political, economic, social and cultural rights in the Constitution. In 2012, several groups of members of the Storting presented bills to this end. The Storting will consider these bills during its three first sessions after the general election, which took place on 9 September 2013.

Reply to the issues raised in paragraph 2 of the list of issues

2. While many cases involving rights enshrined in the International Covenant on Economic, Social and Cultural Rights are brought before Norwegian courts, the Covenant itself is rarely invoked or applied. The cases are generally decided on the basis of Norwegian law, which provides for a broad range of entitlement – granting legislation, for instance in the areas of education, health, social security and labour.

3. A search in the Norwegian legal database www.lovdata.no shows a total of only three cases where the Covenant has been invoked before the Supreme Court two cases in 2001 and one in 2011.¹ By contrast, the European Convention for the Protection of Human Rights and Fundamental Freedoms has been invoked in more than 800 cases before the Supreme Court since 1999. The International Covenant on Civil and Political Rights is also regularly invoked before Norwegian Courts.

Reply to the issues raised in paragraph 3 of the list of issues

4. In October 2012, the Government presented a white paper entitled “A comprehensive integration policy — diversity and community”, which gives an account of the Government’s comprehensive integration policy and presents principles and frameworks that will underpin future integration policy.² The white paper sets out specific measures to combat inequalities between immigrants and the general population, including in the areas of housing, employment and health.

5. With regard to housing, reference is made to our response to question 18.

6. In June 2013, the Storting adopted four new equality and anti-discrimination acts: a new act prohibiting discrimination on the grounds of sexual orientation, gender identity and gender expression, a new Gender Equality Act, a new act prohibiting discrimination on the grounds of ethnicity and religion and a new act prohibiting discrimination on the grounds of disability. Extensive amendments have been made to the structure and language in the last three acts, and they were therefore adopted as new acts. A new provision has also been adopted in all the acts imposing a duty on employers to inform employees about their colleagues’ pay if an employee suspects that he or she is being discriminated against. The new acts will enter into force on 1 January 2014.

¹ Legal Gazette 2001 page 1006, Legal Gazette 2001 page 603 and Legal Gazette 2011 page 304.

² Meld. St. 6 (2012–2013) En helhetlig integreringspolitikk – mangfold og fellesskap.

7. The Action Plan for Integration and Social Inclusion of the Immigrant Population (2007–2010) has been successfully implemented, and the majority of the measures are now part of regular policy. To strengthen coordination and interaction between responsible ministries the *Goals for Social Inclusion of the Immigrant Population* is now under revision.

8. The Action Plan to Promote Equality and Prevent Ethnic Discrimination (2009–2012) has been extended to the end of 2013. By January 2013, 64 out of the 66 measures had been initiated or completed. In addition, some new measures have been introduced. The evaluation of the action plan shows that it has resulted in increased awareness of ethnic discrimination in different areas, and that its measures are feasible and concrete. The tripartite cooperation with the employer and employee organisations is one of the most successful elements in the plan. A new action plan will be launched in 2014.

9. Employment is one of the priority areas in the Action Plan to Promote Equality and Prevent Ethnic Discrimination. All the discrimination acts also set out the duty of the public authorities, employers, and employer and employee organisations to make active, targeted and systematic efforts to promote equality. Regarding ethnicity and religion, the duty to actively promote equality applies to employers with more than 50 employees. Employers also have a duty to report on equality measures. In relation to these duties to actively promote equality and report on the actions planned and taken, several measures have been completed. These include a strategy for information and implementation of these duties and the wide distribution of a guide on the duty to make active efforts and report. A total of NOK 3.4 million has been allocated to enterprises and organisations to increase their efforts to promote equality and prevent discrimination. In addition several research projects have been undertaken, including a study of attitudes to diversity and discrimination and a project involving situation testing in the labour market. The Ministry of Children, Equality and Social Inclusion has also funded mentor programmes for ethnic minorities, including a special programme for women entitled *Womentor*.

10. With funding from the EU programme PROGRESS and the Ministry of Children, Equality and Social Inclusion, the Equality and Anti-discrimination Ombudsman has carried out the campaign *Promoting Equality in the Public Services*. This included a workshop for nurses and student nurses, and a research project on the challenges and barriers to achieving equality in the public services at three maternal and child health centres in Oslo. In addition a manual for the public services has been produced.

Reply to the issues raised in paragraph 4 of the list of issues

11. The measures proposed in the Action Plan to Promote Equality and Prevent Ethnic Discrimination aim to promote equality and prevent discrimination of immigrants and their children, the Sami people and national minorities. Reference is therefore made to the steps described under question 3.

12. In July 2013, the Government allocated a total of NOK 10 million to projects run by humanitarian organisations and municipalities, all with the aim of easing the plight of foreign beggars and other destitute individuals staying in Norway on a temporary basis. Most of the projects provided temporary housing and sanitation facilities.

13. The Government has taken several steps to increase knowledge about the Roma population living in Norway, including knowledge about discrimination of Roma.

14. In 2012, the Government financed a study carried out by the Center for Studies of Holocaust and Religious Minorities (HL Center), which resulted in a report on the

Norwegian population's attitudes towards Jews and other minorities.³ According to the report, stereotypical views of Jews exist in Norwegian society. All in all, 12.5 per cent of the population can be considered as being prejudiced against Jews. The report concludes, however, that compared to the rest of Europe, the prevalence of anti-Semitic views in Norway is relatively small and on a par with the UK, the Netherlands, Denmark and Sweden.

15. In cooperation with the Ministry of Children, Equality and Social Inclusion, the HL Center is developing an information leaflet and an online article about discrimination of Roma. Target groups are schools and public services. At the Government's request, the HL Center has also developed a course called *Democratic preparedness against racism and anti-Semitism* (DEMBRA) in collaboration with the European Wergeland Centre and the University of Oslo. The target groups for this course are school managers and teachers in lower secondary schools.

16. The Ministry of Children, Equality and Social Inclusion has also financed a children's documentary film about a Roma boy and his family's efforts to gain access to camping sites.⁴ The Norwegian Broadcasting Corporation has broadcasted the film.

17. With funding from the EU programme PROGRESS, the Equality and Anti-discrimination Ombudsman is carrying out a sub-project over the 2013–2014 period designed to develop new knowledge about the Roma population in Norway. The aim of the project is to increase awareness among relevant public authorities of the explicit rights the Roma population has as a national minority in connection with travelling and schooling.

Steps to prevent discrimination in education

18. All children and young people in Norway have an equal right and obligation to attend primary and secondary school. There are, however, challenges related to providing education for Roma and Romani children with residence in Norway during their travelling season. In addition, Roma and Romani children do not always attend school regularly even when resident in Norway.

19. In order to meet these challenges, the municipality of Oslo, in which most of the Roma live, has implemented projects that provide pilots to accompany Roma pupils to and from school in order to encourage attendance. In addition, special courses are held for young Roma adults who need more education and training than they have received through ordinary schooling.

20. In order to increase the general level of knowledge about national minority groups in Norway, the Directorate for Education is gathering and disseminating information about minority groups, primarily targeting teachers. The intention is to increase knowledge among all pupils and students, and thereby reduce xenophobia and build greater respect for the culture and traditions of the minority populations.

21. A project to increase awareness of Romani culture and traditions among children in schools and day care centres was completed a few years ago. The goal was to make the Romani children proud of their background, and to teach the other children about Romani ways of life. Attempts have been made to expand the project, but there have been difficulties in finding new schools and day care centres that wish to take part. The Directorate for Education is working to find new ways to include other national minority groups in similar projects.

³ The report is entitled *Anti-Semitism in Norway?*.

⁴ The film is entitled "*Samson på reise*".

II. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Reply to the issues raised in paragraph 5 of the list of issues

22. Since the financial crisis in 2008, labour market conditions in Norway have been better than in most other European countries. The Labour Force Survey performed by Statistics Norway shows an increase in the number of employed persons of 13,000 between the 1st quarter of 2012 and the first quarter of 2013. Against the backdrop of this relatively strong labour market performance, the main challenge for Norway is to mobilise underutilised labour, as nearly a fifth of the working-age population is receiving health-related benefits.

23. According to the survey, there were 86,000 unemployed persons in 2012 (annual average), 27 per cent of whom were long-term unemployed, i.e. looking for work for more than 26 weeks. 7,000 persons (8 per cent of all unemployed) had been unemployed for more than 54 weeks.

24. Long-term unemployed, immigrants, young people and disabled persons are target groups for the Norwegian labour market policy. These groups also have priority for participation in labour market programmes.

25. Participation in labour market programmes is contingent on an assessment of individual needs and opportunities, and on the demands of the open labour market. The Norwegian labour and welfare services have developed a more systematic approach to early interventions and follow-up strategies for all jobseekers. The main emphasis is on job seeking and self-activation early in the unemployment period. If information, advice and closer follow-up fail to result in a transition into work, labour market measures are considered. Labour market programmes include recruitment or job placement measures, job training, or labour market training measures.

26. Job seekers who have experienced more than two years of unemployment are guaranteed an opportunity to participate in labour market programmes. Guarantees for young people have also been established to prevent them from being stuck outside education and work opportunities.

27. Vocationally disabled people represent the largest group of participants in labour market programmes. In 2012 an average of 56,200 in this group participated in labour market programmes, many of whom were engaged in lengthy retraining in mainstream education and training courses. A smaller group of registered unemployed, 16,800, participated in labour market programmes.

28. Evaluation research demonstrates moderate effects of most labour market programmes, but the results vary. Trial runs with direct placement with individual support show promising results, while education and training seem to be successful strategies in a long-term perspective.

Reply to the issues raised in paragraph 6 of the list of issues

29. Work for all is a main goal for the Government. The Government therefore wants to ensure that more immigrants, both women and men, find employment. Better Norwegian language tuition, a more effective introductory programme and more targeted labour-market qualification programmes are key factors for success. Facilitating immigrant entrepreneurship and improving the recognition of qualifications, education and training from abroad are also crucial.

30. Several measures have already been taken to promote active recruitment of persons from minority groups. For instance, employers in the public administration are required to call in at least one qualified applicant with immigrant background for interviews when hiring personnel. In 2013 the Government will present a comprehensive action plan to improve the use of immigrants' resources and skills in the labour market. The Ministry of Children, Equality and Social Inclusion has also funded mentor programmes for ethnic minorities, including a special programme for women entitled *Womentor*.

(a) The Job Opportunity programme

31. In the summer of 2013, the Norwegian Government initiated a new permanent programme entitled "Job Opportunity". The aim is to increase the employment rate among immigrants who are not participating in the labour market, who need basic skills and who are not covered by other programmes. Women homemakers with immigrant backgrounds who do not receive supplementary benefits, and who are supported, are given priority. Job Opportunity will build on the experience gained from the programme "Second Chance", which will be part of Job Opportunity from the summer of 2013. NOK 57 million has been allocated to these programmes for 2013.

32. Second Chance was launched in 2005, with the aim of developing methods to enable immigrants without job experience to participate in the labour market or start an education course. In 2012, over 50 per cent of the participants in projects that mainly targeted women were employed or had started an education course. A study executed by Statistics Norway shows that Second Chance has had a positive labour market effect. The goal is to transfer the good results achieved to the Job Opportunity programme.

(b) The Introduction Programme

33. The Introduction Programme gives recently arrived immigrants the right and obligation to participate in a qualification programme to prepare them for further education or work.

34. An evaluation carried out by the Fafo Institute for Labour and Social Research shows that it has been challenging for several municipalities to adapt these programmes to the needs of women with little or no education and significant care responsibilities. In addition, fewer women than men complete the introduction programme, mainly due to maternity leave. It is crucial to strengthen women's opportunities to complete the introduction programme.

35. It is also a goal to strengthen the quality of the various programmes, and to increase the number of female participants who get into the labour market or further education after completing the programme. The focus is to make the programme vocational and more adapted to each individual.

(c) Norwegian language training and social studies for adult immigrants

36. The goal of Norwegian language training and social studies is that adult immigrants should learn sufficient Norwegian during their first years in Norway to participate in working life and in society.

37. The Government intends to increase the quality of this language training, and the curriculum has been revised with this in view. There is now more emphasis on making language training more vocational, ICT skills have been added, a basic literacy module for participants who cannot read or write in their mother tongue has been introduced, and the curriculum includes a separate plan for 50 hours of social studies in a language that the participant can understand. Furthermore, in 2013 all immigrants who have been granted a residence permit that constitutes the basis for a permanent residence permit are obliged to

complete the language training and social studies with a mandatory test. The aim is better documentation of the participants' Norwegian skills and a better outcome of these studies.

38. To improve the quality of the tuition and the introduction programme, a new grant scheme has been introduced in 2013 to fund local projects in the municipalities.

(d) Free core time in day-care centres for children

39. Free core time in day care centres for children is a policy measure with several aims: increasing enrolment of minority-language children to day-care centres and improving Norwegian skills among parents, particularly mothers.

40. Children who attend day-care centres are better prepared for starting primary school. Norwegian language competence is improved for speakers of minority languages, and children's general social skills also benefit. In addition, the provision of day care enables parents to pursue other activities such as language courses and job seeking. Free core time in day-care centres is offered in areas with low income as an integrated part of the public effort to improve living conditions in such areas.

41. A report from 2009 concludes that several services for parents have been introduced, such as parental guidance programmes and low threshold programmes that give priority to learning Norwegian through practical tasks.⁵ According to a survey carried out among parents, the services for parents have become very popular with mothers. A mid-term evaluation of the free core time scheme in 2011 concluded that it had been successful in the sense that the number of four and five years old attending day-care centres for at least 20 hours a week had increased, but in some areas this was due to an increase in the population and the proportion of children from immigrant backgrounds remained stable.⁶ The 2011 evaluation points out that the direct effect of the programmes for parents have not been documented, but that taking part in basic programmes such as these often leads to participation in other relevant courses.⁷

42. An effect evaluation of the free core time scheme was recently initiated. The evaluation will be published by the end of 2014.

Reply to the issues raised in paragraph 7 of the list of issues

43. The introduction of a statutory minimum wage has not been on the government parties' agenda during their eight successive years in government. However, we refer to the method for fixing a minimum wage standard by making collective agreements generally applicable, as described in Norway's fifth periodic report to the Economic and Social Council.⁸

Reply to the issues raised in paragraph 8 of the list of issues

44. The Working Environment Act (WEA) of 2005 allows for work in excess of normal working hours when there is an exceptional and time-limited need for it, provided that overtime does not exceed ten hours in a week, 25 hours per four consecutive weeks, or 200 hours within a period of 52 weeks. The maximum annual limit may be increased to 300 hours by written agreement between the employer and the employees' elected representatives, while the Labour Inspection Authority may permit total overtime work not exceeding 200 hours in period of 26 weeks. The WEA further provides that overtime in

⁵ Bogen and Reegård 2009:13.

⁶ Ruud et al 2011.

⁷ Ruud et al 2011:158.

⁸ E/C.12/NOR/5.

excess of the above limits may be carried out only with the consent of the employee and that in all cases the total working hours must not exceed 13 hours per 24 hours (or 16 hours by written agreement between the employer and the employees' elected representatives) or 48 hours per seven days.⁹

45. Chapter 10 of the WEA regulates working hour arrangements. The Labour Inspection Authority shall, according to the WEA § 18-6, issue orders and make such individual decisions as are necessary for the implementation of the provisions of chapter 10. However, according to section 3-1 of the WEA, employers shall ensure that systematic health, environment and safety work is performed at all levels of the undertaking. This includes the arrangement of working hours. Most orders issued by the Labour Inspection Authority are given in accordance with this provision, but these orders also include breaches of other provisions than those concerning working hour arrangements.

46. The Labour Inspection Authority is not able to identify the number of penalties imposed for breaches of working time regulations per se. They only have the overall number of penalties imposed for breaches of the WEA as a whole.

47. The table below shows the orders issued each year by the Labour Inspection Authority since 2004 for breaches of the various sections of the act:

<i>WEA section</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013*</i>
3-1	1	13	354	1006	1513	1031	912	1190	4268	4535
10-6	0	1	18	33	81	78	105	177	169	80
10-7	0	0	45	234	181	204	170	206	233	102
10-8	0	1	3	6	16	26	26	70	77	24

*As a result of a new counting system, the orders are registered in a different way than in previous years. This must be seen as a break in the time series: the numbers are higher and not directly comparable to earlier numbers.

WEA 3-1: Requirements regarding systematic health, environment and safety work

WEA 10-6: Overtime

WEA 10-7: Account of working hours

WEA 10-8: Daily and weekly off-duty time

Reply to the issues raised in paragraph 9 of the list of issues

48. The Government submitted a white paper on equal pay in 2010, which proposes several measures aimed at reducing the pay gap between men and women.¹⁰ A substantial part of the pay gap between women and men can be traced back to care for small children. A major part of the proposals is therefore targeted at promoting equality both in working life and in families. Several of the proposed measures have already been implemented:

49. In 2012, a new provision in the Gender Equality Act was adopted, which sets out that employees who have been on parental leave have the right to return to the same, or an equivalent, position, the right to demand higher pay and to a pay review, and the right to enjoy general improvements in pay and working conditions.

⁹ See WEA 10 – 6 (8) and (9).

¹⁰ Meld. St. nr. 6 (2010-2011) Likestilling for likelønn.

50. As from 1 July 2013 the paid parental leave was expanded from 47 to 49 weeks with 100 per cent pay. The Storting has also decided that the paid parental benefit period is to be divided in three parts; see under question 12, paragraph 9.

51. 21 May 2013, the Storting passed an amendment to the Working Environment Act that secured all employed mothers the right to paid leave for breastfeeding. The amendment gives all mothers the right to one hour's paid leave for breastfeeding for the child's first year – provided the working day is at least 7 hours long. The amendment is expected to enter into force from 1 January 2014. Paid leave for breastfeeding will enable families to share parental leave for small children more equally, and this in turn should help to reduce the pay gap.

52. 13 June 2013, the Storting adopted amendments to the discrimination legislation, including in the Gender Equality Act. According to section 1a of the Gender Equality Act, employers must make active, targeted and systematic efforts to promote gender equality within their enterprise. It is now specified that this requirement applies to inter alia recruitment, pay and working conditions, promotion, opportunities for advancement, and protection against harassment. As a result of these amendments, the Gender Equality Act and the other anti-discrimination acts are now better harmonised. As mentioned under question 3, the Storting has also adopted a new provision in the Gender Equality Act imposing a duty on employers to inform employees about their colleagues' pay if an employee suspects that he or she is being discriminated against on the basis of gender.

53. With regard to gender aggregated pay statistics at enterprise level, the Government will consider further how existing data and registers can be used to develop an effective tool in the work for equal pay. It will also consider how data from the planned reporting system EDAG (electronic dialogue with employers) can be developed with this in view.

Reply to the issues raised in paragraph 10 of the list of issues

54. The legislative framework regulating occupational health and safety in the offshore petroleum sector is generally the same as that applying to land based activities, and as set out in the Working Environment Act, with appurtenant regulations. However, due to the special character of the petroleum activities offshore, particular HSE regulations have been drawn up specifically for this sector. These have been drawn up under the Working Environment Act and the Petroleum Act, which provides the legal basis for requirements relating to major hazard control.

55. The HSE regulations set out risk- and goal-based requirements, regulating important factors relating to health, safety and the environment in petroleum activities in an integrated and comprehensive manner. Detailed requirements are set out in industrial guidelines and the standards referred to in the regulations. The relevant ministries, the Petroleum Safety Authority, the Norwegian Environment Agency and the health authorities enforce these regulations.

56. The following regulations also apply to the sector:

(a) Framework Regulations

57. The Framework Regulations include provisions on scope, obligated parties (assignment of responsibility), risk reduction principles, application of maritime regulations as an alternative to certain technical requirements in the regulations for mobile facilities, principles for health, safety and the environment, including requirements for a good HSE culture.

58. To ensure adaption to the offshore work rotation, the Framework Regulations also contain certain special rules and deviations from the Working Environment Act, relating to

e.g. working hours, time off and offshore periods. The regulations emphasise the employees' right to be involved in all processes that may have an impact on health, safety and the environment in the activities.

(b) Management Regulations

59. The Management Regulations set out the main management requirements relating to health, safety and the environment, including requirements for risk reduction, barriers, management elements, resources and processes, analyses and measurement, handling nonconformities and improvement. In addition, they set out requirements relating to material and information that must be submitted or made available to the authorities, such as applications for consent, notification, statements and reporting.

(c) Activities Regulations

60. The Activities Regulations govern how various activities are conducted and include requirements for planning and monitoring, operational preconditions for start-up and use, working environment factors, facilitation of work, health-related factors, external environment, preparedness, drilling and well activities, maritime operations, maintenance and manned underwater operations.

(d) Facilities Regulations

61. The Facilities Regulations concern design and outfitting of facilities and include requirements for robust solutions, safety functions and loads, materials, working and recreational areas, physical barriers, preparedness, drilling and well systems and maritime facilities.

(e) Measures taken to address and prevent work-related accidents in the offshore sector

62. The Petroleum Safety Authority (PSA) is responsible for setting the premises and following up the players in petroleum sector to ensure that they maintain high standards of health, environment, safety and emergency preparedness.

63. Authority has been delegated to the PSA by the Ministry of Labour to issue more detailed regulations for safety and the working environment in the industry, and to take decisions on permits and consents, orders, enforcement fines, halting operations, prohibitions, dispensations and so forth.

64. Through audits (systematic examination of management and control systems) the PSA carries out supervision of the established systems. With the aid of verifications (measurements, testing, inspection), the PSA checks to ensure that the actual circumstances conform with regulatory and management system requirements. This often takes place in cooperation with the Norwegian Environment Agency and the Norwegian Board of Health, or other agencies to which the PSA has delegated authority. All players in the petroleum sector have a duty to ensure that their activities comply with the regulations, and there is a continuous dialogue between the PSA and the players on the Norwegian shelf. If the dialogue is unsuccessful, the PSA can demand that an activity be temporarily stopped. The authorities can also report the matter to the police and impose fines.

65. Depending on the seriousness of the situation, the PSA follows up hazard and accident situations within its area of authority. Audits may be carried out in the form of:

- An independent investigation. This is often carried out in parallel with the Prosecuting Authority's investigation, where the PSA provides expert assistance.

- Monitoring the operator's system to follow up incidents
 - Processing operating companies' investigation reports, submitted at the request of the PSA
66. Incidents that typically qualify for an independent investigation are:
- Accidents and situations that could have led to a major accident
 - Deaths in connection with work accidents
 - Serious injuries that could have been fatal
67. If there is a need to involve other supervisory authorities, the investigation may be conducted in cooperation with them. On the basis of what the investigation brings to light, the PSA considers what measures need to be implemented to bring the activities into compliance with the regulations and to prevent similar incidents in the future.

Reply to the issues raised in paragraph 11 of the list of issues

68. SIFO (National Institute for Consumer Research) has estimated the cost of supporting a child per year in Norway based on what is called a standard budget – decent, but not ample. The amount varies between approximately NOK 80 000 and NOK 100 000 per year depending on the age of the child, as older children cost more (figures from 2013).

69. The family allowance is NOK 11 640 per year per child under the age of 18, with an extra allowance for single parent families. The family allowance is not subject to taxation. The amount is the same for all children. It constitutes a minor supplement to the parents' income in most Norwegian families. But for low-income families, especially families with many children or with a single parent, it represents a more important share of the total income, for some groups up to 20 per cent.

70. The family allowance is the only economic support provided to all families with children in Norway. But there are a number of more targeted measures for families with children where the main income is from the National Insurance Scheme or other welfare benefits. Child supplements are given to persons who have their main income from a pension or another benefit, and also support children under the age of 18. These supplements vary depending on the type of benefit in question. Single parents without an income may get economic support for a year, and in some cases up to three years, to help them get a job.

71. A total of 7.6 per cent of Norwegian children live in low-income families, defined as families with an income below 60 per cent of the median income, corrected for the size of the household (EU low income measure, average for the years 2009-2011). This percentage has been the same for some years. Most of these children live in families with either an immigrant background, a single parent or in a family with many children. The issue of child poverty is a major political concern in Norway today as the number has not decreased even in times of growing prosperity for society as a whole.

72. An effective method for fighting the negative consequences of poverty among children is to offer free services, such as free healthcare and free education. In recent years (from 2009) day care has also been available at a highly subsidised price for all children over the age of one year.

Reply to the issues raised in paragraph 12 of the list of issues

73. Reference is made to the information concerning the Norwegian National Insurance Scheme provided under Article 9 of Norway's 5th report, in the Common Core Document and in the survey entitled *The Norwegian Social Insurance Scheme*.¹¹

74. The Norwegian pension reform introduced new provisions on the accumulation of pension rights for persons born after 1953.¹² In the new pension system, the income-based pension will be calculated on the basis of all pensionable income earned between the ages of 13 and 75, as opposed to the old pension system, where 40 years of national insurance contributions gave entitlement to a full pension, calculated on the basis of the person's 20 best income years.

75. Several features of Norwegian society and Norwegian social legislation ensure that this amendment does not result in indirect discrimination against women.

76. According to a study by Statistics Norway, published on 31 July 2013, the labour force participation rate for women in Norway aged 15 to 74 is 68.4 (per 2nd quarter, 2013). For men, the corresponding figure is 74.5. The minor difference between the genders may to some extent be due to the fact that more women than men are in higher education (university or equivalent). It would be reasonable to assume that the difference between the genders would be even less for persons born 1954 or later, i.e. the group that will be affected by the amendment to the National Insurance Act described above.

77. The previous provisions have a relatively high income ceiling. Full credit is given for income up to six times the National Insurance Scheme's Basic Amount (BA). As of 1 May 2013, the basic amount is fixed at NOK 85 245 per year. Furthermore, one third of income between 6 BA and 12 BA is credited as pensionable income. In the new provisions, the income ceiling is 7.1 BA. Income in excess of this ceiling is disregarded for pension earning purposes. Since men on average still have slightly higher income than women, the lowered earnings ceiling will affect more men than women. In addition, the pension capital may be increased through unpaid caretaking work in the home. Provisions on accumulation of pension rights for people taking care of elderly family members or children under the age of six were introduced as early as 1992. In the old provisions, a pension guarantee ensures that persons who meet the requirements will accumulate pension rights at the same level as if they had an actual pensionable income of 4 BA. In the new provisions, this level has been increased to 4.5 BA. The increase is given retroactive effect, also for years prior to 1992.

78. In addition to the income-based pension, the new pension system comprises a guaranteed pension, which is purely residence-based, and for which no labour force participation or contribution payment is required. Persons who have lived in Norway for 40 years between the ages of 16 and 66 are entitled to an unreduced guaranteed pension. In cases where the period of residence is shorter, the pension is reduced proportionally. This component of the pension scheme ensures that all persons who have lived in Norway for 40 years will receive an adequate pension on retirement.

79. Persons who have lived in Norway for less than 40 years are, however, guaranteed a pension at the same level through the Supplementary Allowances Scheme, cf. Chapter 20 of

¹¹ The latest version of the survey may be found on the following website:
http://www.regjeringen.no/en/dep/ad/doc/veiledninger_brosjyrer/2013/the-norwegian-social-insurance-scheme-20.html?id=716026

¹² For persons born in the years 1954 to 1962, the old-age pension will consist of proportional parts calculated according to the new and the old provisions. The new provisions will have full effect for persons born in 1963 or later.

the above-mentioned survey *The Norwegian Social Insurance Scheme*. As shown in Chapter 10.3 of the survey, the Norwegian scheme for benefits in connection with maternity and adoption is rather generous. The parental leave benefit period is 49 weeks, with a replacement rate of 100 per cent, up to a ceiling of 6 BA (NOK 511 470). The parents may prolong the parental leave period by reducing the replacement rate to 80 per cent. The total benefit period will then be 59 weeks.

80. Parental leave benefit is pensionable income. This means that taking 49 weeks of parental leave at the 100 per cent replacement rate will not result in a reduced pension compared to what would have been the case if no parental leave had been taken.

81. The parental leave benefit period is divided into three parts. A period of 14 weeks is reserved for the father (father's quota), a period of 14 weeks is reserved for the mother (mother's quota), and a period of 18 or 28 weeks, depending on the replacement rate, is to be divided between the parents according to their preferences. The father's quota helps to promote gender equality, as the burden of caretaking does not rest as heavily on women as is the case in some other countries.

82. An important feature of the new pension scheme is that statistical life expectancy is used as a component in the pension calculation. This is done by dividing the accumulated pension capital by an annuity divisor, reflecting the expected number of years as a pensioner. The annuity divisor is based on observed mortality rates for an entire cohort. The divisor is therefore not gender specific, i.e. the same divisor applies to both genders.

83. However, it is a statistical fact that women on average live longer than men. According to statistics published by Statistics Norway in April 2013, girls born in 2012 have a life expectancy of 83.41 years, while boys born in the same year have a life expectancy of 79.42 years.

84. The fact that the same divisor applies to both genders, while women live longer than men, has a significant redistribution effect, to the benefit of women.

85. Another feature of the pension scheme that results in income redistribution, from men to women, is the dependents' pension. As women in many cases live longer than their husbands/partners, they will also benefit from their deceased partner's accumulated pension rights.

86. The Ministry of Labour has assigned the Research Council of Norway the task of assessing the pension reform, including its possible effects on gender equality. The evaluation will take place from 2011 to 2018.

Reply to the issues raised in paragraph 13 of the list of issues

87. On 1 January 2010, amendments to the act on social security in the labour and welfare administration entered into force.¹³ The provisions on economic social assistance have not been amended, but county governors now have the authority to systematically control that the municipalities consider every claim individually, and that the services provided are in accordance with legislation, and ensure to an adequate standard of living.

88. Under the current act, municipalities are obliged to consider each claim for social assistance individually. The Ministry of Local Government and Regional Development has issued a set of guidelines for the municipalities, which can be used as a basis for calculations. Some expenses vary throughout the country, especially housing, electricity etc. These are not included in the guidelines.

¹³ Act of 19 December 2009 no. 131.

89. The amount of assistance is calculated according to individual needs, and is not a fixed sum. Social assistance is complementary to all other subsistence allowances and is a form of last resort assistance (safety net). Social assistance is means-tested against all types of income (salary, pensions, and other benefits and allowances).

90. The amount paid to participants in the individual qualification programme cannot be regarded as a minimum level for a decent standard of living. These participants have little or no entitlement to national insurance benefits and most of them are entirely dependent on social assistance before they enter the programme. The amount paid to participants in the programme is set at a level that gives them a better economic situation than they had when they were dependent on social assistance. It is intended as an incitement to take more active part in the labour market.

91. Furthermore, the amount received under the qualification programme is subject to taxation. This makes it difficult to compare the qualification benefit with ordinary social assistance, which is a net benefit.

92. Social assistance may be granted in addition to all forms of income and income support: salary from work, benefits from the National Insurance Scheme (unemployment benefit, disability benefit, old-age pension etc.), the family allowance scheme, and the scheme for cash benefit for families with small children, housing allowances provided by the housing support scheme, etc. For almost 60 per cent of the recipients, social assistance is a supplement to other income. This must be taken into account when comparing the average level of social assistance with the poverty threshold.

93. Moreover, when considering the level of social assistance in relation to the poverty threshold, it is important to take into consideration the fact that services like day care centres for children, schools, health and other care services are publicly funded, which in itself entails a substantial transfer of funds to the population groups using the services.

Reply to the issues raised in paragraph 14 of the list of issues

94. Norway is party to the Council of Europe Convention on Action against Trafficking in Human Beings. As established in Article 36 (1) of the Convention, the Group of Experts on Action against Trafficking in Human Beings (GRETA) monitors the implementation of the Convention by the Parties. GRETA's first evaluation report on Norway was presented on 7 May 2013, and is available at the following link: http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Profiles/NORWAYProfile_en.asp. The report provides detailed information about the issues requested by the Committee.

Reply to the issues raised in paragraph 15 of the list of issues

95. All 23 measures in the 2012 Plan of Action to Combat Domestic Violence have been or are in the process of being implemented. A survey of domestic violence was conducted in 2012 to assess the extent of the problem. The Norwegian municipalities' implementation of the act on the municipal provision of shelters for victims of domestic violence¹⁴ is being evaluated, and the report will be available in 2014. The risk assessment instrument SARA (Spousal Assault Risk Assessment Guide) is being implemented in all police districts.

96. In order to assist more municipalities to adopt plans for combating domestic violence, the guidelines for drawing up such plans are being updated and published online. Several studies are also being conducted. Among these are studies on violence and substance abuse, and on the exposure of lesbians, homosexuals, bisexuals and transsexuals

¹⁴ Act of 19 June 2009 No. 44

to domestic violence. The Government has established a yearly national conference on domestic violence, where models for cooperation, coordination and implementation of measures and plans are presented. An annual prize has been instituted for the municipality or institution that implements the best long-term, locally based project to prevent and combat domestic violence.

97. In March 2013, the Norwegian Government presented a white paper on violence in intimate relationships. It takes stock of the progress made in the work against domestic violence. It identifies remaining challenges and sets out the direction for future work.

98. A new governmental Plan of Action for the period 2014-2016 was launched on 16 August 2013, as a follow-up to the white paper.¹⁵ It was designed to meet the need for an integrated, cross-sectorial perspective on the work against domestic violence. The plan contains 45 specific measures in the areas of prevention, knowledge and expertise, assistance and protection of victims, prosecution, treatment services for offenders, and improved cooperation and coordination.

99. In connection with the follow-up of the plan, NOK 50 million has been allocated to carry out research on domestic violence, including its root causes, over a five-year period. Specific funds have also been allocated to improve prevention, and to strengthen the work of, and cooperation with, non-governmental organisations. NOK 30 million has also been allocated to the children's shelters, where police and other public services provide coordinated assistance to under-age victims of violence and sexual abuse on the same premises. This will be used to establish two new children's shelters, amongst other things. The Government also intends to test a similar model for adult victims of domestic violence.

100. The Norwegian Government has so far not considered introducing a comprehensive act on prevention of violence against women.

101. Under the act on the municipal provision of shelters of 2010, it is obligatory for all municipalities to provide a good, general shelter service to women, children and men who are subjected to or threatened with violence in the home and/or from close relations. This service must also be provided to victims of forced marriage, female genital mutilation, rape and trafficking, and is to include a 24-hour emergency telephone line, safe accommodation, advice and support. The service must be free and open to everyone without referral. Section 3 of the act provides that these services must be adapted to the needs of the individual user. This means that the necessary adaptations must be made for victims with disabilities.

102. The municipalities are to carry out internal audits to ensure that shelter services are in accordance with the legislation. County governors are to oversee that municipalities comply with the statutory requirements. As of 2011, about NOK 238 million in funding for shelters has been included in the framework grants to municipalities.

Reply to the issues raised in paragraph 16 of the list of issues

103. With a view to ensuring a more effective and continuing monitoring and follow-up for children in foster families or homes, the Storting adopted amendments to the Child Welfare Act in June 2013. The local child welfare services are no longer in charge of following up children in foster families, as this responsibility has been transferred to the relevant municipality. The main goal has been to professionalise this work.

¹⁵ Et liv uten vold - Handlingsplan mot vold i nære relasjoner 2014–2017.

Reply to the issues raised in paragraph 17 of the list of issues

104. In the three-year period 2009-2011, 3.3 per cent of the population (148 800 persons) had a persistently low income, defined as an average income over a three-year period that was below 50 per cent of the median income according to the OECD equivalence scale. According to the EU equivalence scale, 7.7 per cent of the population (351 000 persons) had an average income lower than 60 per cent of the median income in the same period. The proportion of the population with a persistently low income has been at more or less the same level for the last years. The number of persons in low-income households has increased somewhat due to population growth. There is a considerable mobility in and out of the low-income group from one period to another.

105. The composition of the low-income group has changed significantly over time. Children and families with children comprise a larger part of the low-income group. This may be explained by the increase in the immigrant population and the increase in single parent households. Over the years, the elderly have come to account for a smaller proportion of the low-income group. This may be explained by the substantial increase in the minimum state pension, new cohorts of old-age pensioners who are more likely to receive earnings-related pensions than older cohorts of pensioners, and the fact that more people now combine employment with a pension after retirement age.

106. During the three-year period 2009-2011, 4.9 per cent of all children under 18 (47 100 children) lived in households with a persistently low income measured on the OECD equivalence scale. The corresponding share measured on the EU equivalence scale was 7.6 per cent (73 900 children). Children whose parents have a low level of education or weak labour market attachment, children with immigrant backgrounds, children living with single parents, and children with many siblings are particularly liable to experience poverty. Almost half of the children in the low-income group have an immigrant background.

107. Although persons with an immigrant background are overrepresented in the low-income group, the incidence of low-income amongst the immigrant population has fallen somewhat in recent years. The immigrant population has still a high risk of poverty compared with the overall population. According to the OECD equivalence scale, 15 per cent of the immigrant population lived in households with persistently low income in the three-year period 2009-2011. The corresponding proportion measured by the EU equivalence scale was 25 per cent. Persons with immigrant background from Asia, Africa, Latin America and Eastern Europe are especially at risk. The incidence of low income varies according to country background, cause of immigration and period of residence.

108. The Government launched a white paper in autumn 2011 on income distribution policy, including strategies to prevent the intergenerational transmission of poverty.¹⁶ The Government's policy on reducing economic disparities and combating poverty is based on the following pillars:

- An economic policy that facilitates high employment, stable economic growth and a sustainable welfare system.
- Opportunities for all to participate in the labour market.
- The further development of the Nordic welfare model.
- A broad-based preventive approach with equal and free access to healthcare, day-care centres for children, education and basic welfare services.
- Targeted measures against poverty.

¹⁶ Meld. St. 30 (2010-2011) Fordelingsmeldingen

109. The Government is combining a broad, preventive approach involving efforts to reduce poverty and improve the lives of people experiencing poverty. The Government's Action Plan against Poverty, launched in 2007, has been followed up with increased allocations to targeted measures against poverty in the yearly government budgets. The Action Plan has the following priority areas: opportunities for all to participate in the labour market, opportunities for participation and development for all children and young people, and improved living conditions for the most disadvantaged groups.¹⁷

110. The qualification programme is an important measure against poverty. The programme was introduced in 2007, and was legally established as a nation-wide programme on 1 January 2010. The qualification programme is targeted at people who had little contact with the labour market, have severely diminished working capacity, are dependent on social assistance and who are in danger of getting trapped in a passive, low-income situation. The aim is to help them into employment through an individual two-year scheme. A standardised amount of income support is given. At the end of 2012 there were 6 241 participants throughout the country. From 2008 until the end of 2012, 12 800 persons had completed the programme or had left it according to plan. The results are so far good. One out of three (33 per cent) of those who have participated is in paid work. Another 6 per cent are in education, and 9 per cent are taking part in some other labour market measures. Persons with immigrant background are entitled to the qualification programme as long as they fulfil the eligibility criteria.

111. Measures have been implemented to secure opportunities for participation in leisure activities for all children, including children in low-income families. The Labour and Welfare Administration provides grants for municipalities to develop children-oriented measures. Measures implemented include leisure activities, after-school activities including help with homework, activities in school holidays, free membership fees, sport equipment pools etc. Grants are also given to municipalities to improve their services to and follow-up of disadvantaged families. The Directorate of Children, Youth and Family Affairs distributes grants to youth groups, city districts, NGOs, and public- and private-sector agencies and institutions for holiday and leisure activities and long-term measures to combat the marginalisation of children and young people who live in poverty. Evaluations have pointed out that, in addition to greater inclusion of children from disadvantaged families, the grants also contribute to increased knowledge and consciousness of poverty in the local communities.

112. The Government's main strategies to reduce income disparities and prevent and combat poverty are its policies on the labour market, family, education, housing, social protection and insurance, as well as health and social services. The same applies to the fight against child poverty. The Government has put much emphasis on developing and strengthening universal welfare services in order to improve the life prospects and living conditions for all. Reference is made to the steps given account for under the articles covering these policy areas.

¹⁷ The publication "Action Plan against Poverty – status 2008 and intensified efforts 2009" (Appendix to Report No. 1 (2008–2009) to the Storting on the government budget) provides an overview of the targeted measures against poverty. The publication has been translated into English. The publication Action Plan against Poverty – status 2008 and intensified efforts 2009 can be found at: http://www.regjeringen.no/en/dep/aid/doc/rapporter_planer/planer/2008/action-plan-against-poverty-2008.html?id=531068

Reply to the issues raised in paragraph 18 of the list of issues

113. Steps taken to provide social housing to disadvantaged groups and individuals in Norway are described in Norway's fifth periodic report. The following information can be given concerning new developments and updated statistics.

114. The state assists in the provision of housing for disadvantaged and marginalised persons through the Norwegian State Housing Bank. The bank provides loans and grants to individuals and municipal authorities, as well as to organisations and institutions that provide housing for low-income groups.

115. The municipal authorities are responsible for providing social housing units for disadvantaged and marginalised individuals and families. The municipalities in Norway have approximately 102 100 social housing units at their disposal. There are 20 social housing units per 1000 inhabitants in Norway. The municipalities may apply for grants from the State Housing Bank for building social housing units. From 2008 to 2012, 6 565 social housing units were provided by the municipalities with the help of government grants.

116. With a view to helping municipalities to provide an efficient and goal-oriented housing service, the Norwegian State Housing Bank has offered development programmes in the field of social housing. These programmes are binding partnerships that involve several sectors at both central government and municipal level. The goal is for municipalities to have comprehensive social housing policies based on local needs. The selection of municipalities is based on an evaluation of the municipalities that have the biggest challenges in the field of social housing. A precondition is that they have to acknowledge these challenges and set long-term preventive goals.

117. *The housing allowance system* is a government-financed support scheme for partial coverage of housing expenses for households with low income and high housing expenses. The housing allowance scheme was strengthened in 2009 by simplifying the requirements. The scheme is now available for all households within given limits of low income and high housing expenses. Some municipalities also provide municipal housing allowances. There are approximately 2 226 000 households in Norway. Approximately 6.9 per cent of them received housing allowances in 2012.

118. *The housing grant for individuals* has the objective of assisting especially disadvantaged households to obtain and maintain acceptable homes. A housing grant may be granted in order to make housing accessible and habitable for persons with special housing needs, such as older persons and persons with disabilities. From 2008 to 2012, 6 464 households received a housing grant.

119. Municipalities are offered grants for building and improving nursing homes and sheltered housing. The goal of this campaign is to make room for 12 000 more persons who need care by 2015.

120. *Start loans* are housing mortgages administered by the municipalities, and offered to increase owner-occupation among low-income households. People who are not granted mortgages by private banks, are offered only high-interest mortgages, or lack equity capital, may apply for a start loan. The borrowers must prove their ability to repay the mortgage, but if they are able to do so, they may be offered a mortgage with an interest rate close to the market rate. From 2008 to 2012, 46 296 households received a start loan.

Collection of data

121. The municipalities administer the social housing sector in Norway. The municipalities are not obliged to keep waiting lists for social housing that indicate demand. We do, however, have statistics on applications, refusals and how many households are

granted social housing each year, from every municipality. We do not have statistics on the average waiting time in the municipalities. There are no plans for establishing national statistics on the total demand for social housing or average waiting time.

122. We would like to underline that many municipalities are working systematically, with support from the Norwegian Housing Bank, to develop an overview of the present and future housing needs in their municipality.

123. We would also like to emphasise that approximately 40 per cent of the municipalities have waiting lists for social housing. These municipalities are home to at least 64 per cent of the population in Norway. All the largest municipalities in the country have waiting lists for social housing. Those on these waiting lists are individuals that have received a positive response to their application for social housing, but are waiting for a vacant home. Statistics Norway draws up annual statistics based on these lists. In addition to the total numbers of individuals waiting for social housing, these lists also indicate:

- The number of refugees
- The number of individuals who need adapted housing
- The number of individuals with psychiatric diagnosis
- The number of drug addicts

124. The waiting lists do not contain information on average waiting time.

Reply to the issues raised in paragraph 19 of the list of issues

125. To improve the availability of professional interpreters, course of study in this field has been established at the Oslo and Akershus University College of Applied Sciences. In addition, the Sami College of Higher Education offers a study in Sami language and culture. Relevant technology has also been introduced, e.g. telephone interpreting and wide screen interpretation.

126. The Ministry of Health and Care Services has asked all regional health trusts to provide interpretation services for patients who need such services, and to implement measures to improve employees' linguistic and cultural expertise with respect to the Sami population. The Northern Norway Regional Health Trust has been asked to establish a two-year project aimed at improving interpretation services for the Sami population. The project was started in 2010, and a final report from this project will be available in the health trust's annual report.

Reply to the issues raised in paragraph 20 of the list of issues

127. In Norway, women of Sami origin benefit from many resources, the majority of them have an education and are in employment. The Government has therefore not taken any steps that are aimed particularly at this group.

128. However, nursing studies in Hammerfest have attracted several Sami students, and students are encouraged to settle down in Sami areas after they have finished their training. Some municipalities have developed a Sami dictionary or phrase book especially for district nurses. It has also become more common to ask for Sami language qualifications when new positions are advertised.

Reply to the issues raised in paragraph 21 of the list of issues

129. According to the 2011 ESPAD Report (Substance Use Among Students in 36 European Countries) the use of alcohol and drugs among young people in Norway is among

the lowest in Europe. Since 2007, there has been a decrease in alcohol use past 30 days, in heavy episodic drinking past 30 days and in alcohol volume on the last drinking day. In the same period there were no changes with regard to lifetime use of cannabis or other illicit drugs, lifetime use of tranquilisers without prescription and lifetime use of inhalants.

130. These figures indicate a decrease rather than a persisting level. Where the level is persisting, it is already at a rather low level compared to available international statistics (ESPAD).

131. On 27 June 2012, the Government submitted a white paper on a comprehensive drug and alcohol policy. The white paper explores the entire field of alcohol and drug problems in context. A number of measures will be continued and new ones implemented in five priority areas:

1. Prevention of drug and alcohol problems and early intervention
2. Improved collaboration between services
3. Competence-building and better quality of services
4. Better assistance to particularly vulnerable groups and reduction in overdose deaths
5. Efforts geared towards family and relatives and to passive drinking.

132. Norwegian alcohol policy is strongly regulated with regard to age limits, licences, opening hours, advertising, and so on, not at least with regard to young people. This policy is maintained in the latest action plans and the white paper. So is the prohibition on distributing and using illicit drugs. Steps that have been taken in recent years include stronger emphasis on public health and universal prevention, early detection and intervention, as well as an increase in public health and community nurses. New strategies will be prepared in the following areas: public health, overdoses and competence-building.

Reply to the issues raised in paragraph 22 of the list of issues

133. Prisoners have a legal right to necessary health and care services within the restrictions of serving a sentence, and treatment is to be given in accordance to individual needs. The local/hosting municipality is responsible for primary health and care services in prisons. When necessary, prisoners are referred to the specialist health service for further assessment and/or treatment. A revised guide for health and care services for prisoners was issued in January 2013. The guide aims at clarifying how to give prisoners appropriate health services in accordance with the current legislation. The guide has taken into account the recommendations set out in the EU prison legislation.

Reply to the issues raised in paragraph 23 of the list of issues

134. In contrast to many other OECD countries, differences in learning outcomes among Norwegian students are only to a limited extent attributable to differences between schools. For instance, PISA 2009 indicated that only 10 per cent of the variance in reading skills is statistically explained by differences between schools. On average in OECD, the corresponding figure is approximately 40 per cent. In Norway, variance in learning outcomes among students is rather related to differences *within* schools. National studies also confirm that the differences between schools and municipalities are small compared to the differences in student performance within schools.

135. Accordingly, the challenge for Norwegian policy making is to reduce differences in learning outcomes within schools. The latest international studies (PISA, TIMSS and PIRLS) all indicate that differences between Norwegian students in learning outcomes have

been reduced in the last couple of years, particularly through a reduction in the proportion of low performing students. This is due to the following targeted measures.

136. The Directorate for Education and Training has established teams of experts to give guidance to school owners (municipalities, counties) and schools that wish to improve learning processes in schools. The teams were established as a result of a white Paper that pointed out the need for improving quality in many schools.¹⁸ All counties have now been offered the opportunity to participate in this programme. The guidance given by the teams focuses on strengthening the schools' development work, the goal being that more students complete their 13 years of basic education.

137. Through this programme, schools are also offered guidance to help improve the learning environment. The Pupil Survey indicates that there are significant differences between schools with regard to bullying, and a slight increase in schools that report a high percentage of bullying over time. In order to combat this, the Directorate for Education and Training has initiated a special programme, where municipalities with schools where many pupils report bullying several years in a row can receive support targeted to their special needs. Ten municipalities are participating in the programme in the school year 2013/14.

Reply to the issues raised in paragraph 24 of the list of issues

138. Students with immigrant backgrounds who are born in Norway complete upper secondary school at almost the same rate as their peers. 67 per cent complete upper secondary education within a time span of five years, whereas the completion rate in the student group as a whole is 68 per cent. The number of students with immigrant backgrounds who complete upper secondary school has been increasing slightly the last five years.

139. Students arriving in Norway as teenagers complete upper secondary education at a lower rate than the rest of the student group. Of those who arrived in Norway at the age of thirteen, and are now between the ages of 20 and 30, 50 per cent have completed upper secondary education (2012). The corresponding number for those who arrived at the age of 16 is 38 per cent.

140. Changing trends that have been consistent over a long period takes time. Early and continued intervention through the entire education system is of key importance in order to achieve a decrease in dropout rates. Several measures have been taken to ensure that completion rates increase, both among the student group as a whole and aimed at students with immigrant backgrounds specifically:

141. 97 per cent of all five year olds attend day care centres for children. To further increase attendance, the Norwegian Government has financed pilot projects with free care at day care centres in areas with high levels of inhabitants with immigrant backgrounds.

142. Sections 2-8 and 3-12 of the Education Act govern the right to special language teaching for pupils from language minorities in primary and secondary school. Pupils who have a mother tongue other than Norwegian or Sami are entitled to special instruction in the Norwegian language until they have sufficient proficiency in Norwegian to follow the normal instruction of the school. If necessary, such pupils are also entitled to mother tongue instruction, teaching in both the mother tongue and Norwegian, or both.

143. In 2012, the Norwegian Government published the white paper *A Comprehensive Integration Policy. Diversity and Community*. One of the most important measures was the

¹⁸ White paper 31 (2007-2008) *Quality in education*.

launch of an extensive programme to enhance multicultural expertise in the education system. To ensure that language minority pupils receive tuition that is adapted to their needs, the Norwegian Government has granted NOK 30 million a year for five years to boost the multicultural expertise of teachers in all areas of Grants have also been given to strengthen multicultural awareness and skills among school counsellors.

144. The dropout problem among students in general is especially acute in technical and vocational courses. The Government has initiated a programme that will educate teachers who teach common core subjects, how to teach these subjects more work related. The white paper *On the Right Track* emphasises the possibility of using dual models in schools. This allows for more flexibility and the students are allowed to spend a large proportion of the practical part of their course in enterprises, from an early stage.

145. The availability of apprenticeships is crucial for drop-out in vocational education and training. The Norwegian Government provides a grant for enterprises that hire apprentices that have recently arrived in Norway and have poor language skills.

146. In order to increase the number of apprenticeships, the Norwegian education authorities, at both state and local level, together with the social partners, have signed the social contract for more apprenticeships. The aim is to increase the number of apprenticeship places by 20 per cent by the end of 2015. All the parties have committed themselves to developing measures to increase the number of apprenticeships in their own areas. Introductory classes have been introduced to aid young people who come to Norway at a late stage in their education to learn Norwegian and make up for lost time in school in a short period of time. The need for national guidelines on the content and organisation of these types of classes is being considered.

147. Students with poor Norwegian skills due to having only been in the country for a short time have the opportunity to receive Norwegian tuition based on a curriculum introduced along with the *Knowledge Promotion* in 2006: basic Norwegian for language minorities. The new curriculum focuses on enhancing students' proficiency in Norwegian by adapting the teaching to the appropriate level of Norwegian.

Reply to the issues raised in paragraph 25 of the list of issues

148. Chapter 9a of the Education Act states, "...all pupils in primary, lower secondary and upper secondary schools are entitled to a good physical and psycho-social environment that will promote health, well-being and learning". All pupils and their parents have been granted greater user participation and an improved right of appeal. The schools' obligations have been clearly defined, particularly with regard to the psychosocial environment. Municipalities must prove that they have made the necessary measures against bullying in compensation claims concerning the psychosocial school environment. The Government has implemented a "divided burden of proof" in these cases. The limitation period in criminal cases concerning bullying has been extended from two to five years.

149. The Pupil Survey is a web-based survey that gives the pupils an opportunity to express their opinions about factors that are important for learning and well-being in school. The survey shows that the percentage of pupils who feel that they are being bullied is unchanged at the national level, at approximately 7 per cent. About 5 per cent of the pupils experience bullying once or several times a week. The figures have declined in the last two years, but not significantly. From an international perspective, the level of bullying is relatively low, but it is still considered too high. The Pupil Survey is currently under revision, with the aim of giving schools a better foundation for detecting and preventing school bullying.

150. The Pupil Survey shows that school administrators who have a strong presence and develop good relations constitute a key factor for creating a good learning environment and preventing bullying. The Directorate for Education and Training has launched a five-year initiative *Better learning environment*, which includes extensive web-based resources for schools and funds for local projects.

151. The anti-bullying manifesto 2011-2014 is a binding partnership for enabling children to enjoy a happy, inclusive childhood and a good learning environment. The partners include the Norwegian Association of Local and Regional Authorities, all the education-related unions, the National Parents' Committee for Primary and Secondary Education and the National Parents' Committee for Kindergartens. The manifesto emphasises that efforts to combat bullying must take place where the children and teenagers are. Accordingly, the most important efforts against bullying are taken at local level.

152. The manifesto partners have invited mayors at the municipality level to join the national manifesto collaboration by signing a local anti-bullying manifesto. So far 330 out of 428 mayors have signed the agreement, and are participating in annual national campaigns. Other initiatives against bullying are tailored support to local authorities that have several schools with high scores on bullying in the Pupil Survey over time, and strengthening the Ombudsman for Children's work in this area.

Democratic readiness against anti-Semitism and racism

153. To prepare and enable young people to live as democratic citizens in diverse societies it is also important to prevent racism, anti-Semitism and other forms of discrimination. This is the objective of the Democratic readiness against anti-Semitism and racism (DEMBRA) project by the European Wergeland Centre (EWC) in cooperation with the Center for Studies of the Holocaust and Religious Minorities and the University of Oslo aimed at school managers and teachers in lower secondary schools in Norway.

154. The Norwegian Ministry of Education and Research funds the three-year project, which was launched in August 2013. It will work with five schools each semester, 30 schools in total. All participants have the opportunity to share their experience in the DEMBRA network set up on the EWC platform *Share & Connect*.

Reply to the issues raised in paragraph 26 of the list of issues

155. Inclusion is a basic tenet of the Government's education policy. For the individual day care centre and school, inclusion means actively taking into consideration the variation in the abilities and capacities of children and young people, with respect to both organisation and teaching.

156. In most cases, the needs for assistance and support in education can be met within the day care framework and by means of adapted education in schools. But children below compulsory school age who need special educational assistance are also entitled to such help. In primary and secondary education, pupils who do not have, or are unable to obtain, a satisfactory learning outcome from the tuition, are entitled to special needs education. There has been a substantial increase during the last five to six years in the percentage of pupils who receive special needs education. For many years, the percentage was stable at about 6 per cent, but since 2006, there has been a steady increase. In the autumn of 2011, 8.6 per cent of all of the pupils in primary and lower secondary schools received individual decisions on special needs education. For the school year 2012-13 the statistics show no increase for the first time in six years. The percentage of pupils receiving special needs education is highest in the 10th grade at 11.6 per cent, and lowest in the first grade at 4.3 per cent. The gender distribution in special needs education has remained stable for a long time, with boys accounting for around 70 per cent.

157. In principle, special educational assistance and special needs education is provided in a form that does not entail segregation of children and young people. Nevertheless, there are some cases where the consideration of what will be best for the individual child or young person dictates the need for alternative forms of organisation. In the school year 2012-13, 4018 pupils in primary and secondary education were registered in a special class or school for pupils with special needs.

158. In 2011, the Storting adopted the white paper entitled *Learning together*.¹⁹ This document aims to prepare and enable local and regional authorities, day care centres for children and schools to understand and appreciate diversity and to handle diversity in the best possible manner. The goal must be that all children are met with realistic expectations from a competent educational staff within the framework of a stimulating and safe learning environment. In accordance with the white paper, the Norwegian Ministry of Education and Research has amongst other measures developed a strategy for post-graduate and further education in the educational and psychological counselling service, and restructured the Norwegian Support System for Special Education (Statped). The aim of these measures is to ensure a clear and accessible provider of special education support services to schools, and local and regional authorities, and ensure top expertise in the field of special education. The Ministry has furthermore appointed an expert group to review and the current research into special education and university courses propose improvements.

Reply to the issues raised in paragraph 27 of the list of issues

159. The Education Acts states:

- “**Section 6-2.** Sami instruction in the primary and lower secondary school
- In Sami districts all children at the primary and lower secondary level have the right to receive their education both in Sami and through the medium of Sami.
- Outside Sami districts, if at least ten pupils in a municipality wish to receive instruction in and through the medium of Sami, they have the right to such education as long as there remain at least six pupils in the group. [...] Outside Sami districts, Sami children at the primary and lower secondary level have the right to receive Sami instruction.[...]
- **Section 6-3.** Sami upper secondary education and training
- Sami pupils in upper secondary education and training have the right to receive Sami instruction. [...]”. The pupils or their parents choose whether the pupil has instruction in Sami as a first or in Sami as a second language...”

160. In the school year 2012-2013 there were 1 933 pupils receiving instruction in North Sami, for 879 of whom as their first language; 98 pupils received instruction in Lule Sami, 30 of whom as their first language; and 101 pupils received instruction in South Sami, 21 of whom as their first language.

161. The Sami Act gives adults the right to receive instruction in Sami. The rules for language tuition in the Sami Act are now under discussion.

162. From the school year 2013-2014 revised curriculums will be taken into use in different subjects. The Sami Parliament – Sámediggi – was consulted before the curriculums were fixed.

¹⁹ Meld. St. 18 (2010-2011).

163. As Sami pupils have more lessons in school and there have been difficulties organising lessons and administering transport to and from school, the Ministry of Education and Research, the Directorate for Education and Training, and the Sámediggi have decided on a new framework to regulate the distribution of lessons and subjects. This framework is being implemented from the school year 2013-2014.

164. The intention is that the revised curriculums and the new framework will make it easier for Sami pupils to attend Sami lessons and benefit more from their education. There are challenges, however. Not all Sami pupils receive the education they are entitled to. This may be due to a lack of teachers and/or of pupils in the municipality. In such cases, Sami pupils are offered distance education often combined with courses as guest students at schools teaching Sami, or camps for Sami education. Special efforts are made to recruit students to Sami teacher training. In addition students taking Sami subjects are granted a reduction in their state study loans.

165. The Sámediggi is responsible for developing and producing Sami teaching materials. The state gives annual lump sums to the Sámediggi to administer Sami education and develop and produce teaching materials. It is, however, both expensive and time consuming to produce Sami teaching materials as it is often necessary to develop the languages themselves in order to find words and concepts for new subjects. Ovttas/Aktan/Aktesne, a digital portal for collecting and sharing Sami teaching materials and for teachers to discuss teaching in and through the medium of Sami, has been established to reduce the problem.
