



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Consideration of reports submitted by States  
parties under article 9 of the Convention**

**Twenty-first and twenty-second periodic reports  
of States parties due in 2013**

**Norway\* \*\***

[6 September 2013]

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\* This document contains the twenty-first and twenty-second periodic reports of Norway due on 5 September 2013, submitted in one document. For the nineteenth and twentieth periodic reports and the summary records of the meetings at which the Committee considered those reports, see documents CERD/C/NOR/19-20 and CERD/C/SR.2061, 2062 and 2084.

\*\* The present document is being issued without formal editing.

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## Preface

1. This is Norway's twenty-first/twenty-second report to the United Nations on Norway's implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). The report covers the period 2009-2013 and was completed in September 2013. The report consists of two separate reports, the CERD specific report, and the Common Core Document (HRI/CORE/NOR/2009). The Common Core Document will be updated in 2014.
2. In accordance with the guidelines for preparing periodic reports, we have sought to keep the report as short as possible. The report follows the structure of the Articles of the Convention and the reporting guidelines. Our aim has been to describe the changes that have been made since the last report, and we have referred to previous reports wherever this is appropriate.
3. In the fall of 2012, the Ministry of Children, Equality and Social Inclusion asked the other Ministries to contribute to the report, relating to their particular spheres of responsibility. On the basis of the input from the Ministries, a draft report was prepared and circulated for comments from The Sami Parliament, a wide range of civil society organisations and the Equality and Anti-Discrimination Ombud in the spring of 2013.
4. The Government has granted NOK 200 000 to the preparation of a shadow report from the civil society. The Norwegian Centre against Racism has been commissioned to coordinate and prepare the so-called shadow report.
5. This report is published electronically on the web-site of the Norwegian Ministry of Children, Equality and Social Inclusion, see: <http://www.regjeringen.no/nb/dep/bld/tema/likestilling-og-diskriminering/etnisk-diskriminering.html?id=670393>

## I. Introduction

6. During the presentation of the present report, due regard has been paid to the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD), which were adopted in March 2011. The additional remarks/questions of August 2012 have also been taken into consideration. The present report largely concentrates on measures that have been adopted since the presentation of the nineteenth/twentieth periodic report. Under follows in section II Issues raised in the concluding observations of the Committee on the Elimination of Racial Discrimination in 2011 and 2012, in section III follows information relating to articles 1 to 7 of the Convention.
7. Reference is made to Norway's nineteenth/twentieth periodic report and the Common Core document. The Common Core document (November 2009) is the same as the one presented with the nineteenth/twentieth periodic report. The Common Core document will be updated in 2014. Norway's twenty-first/twenty-second report under the International Convention on the Elimination of All Forms of Racial Discrimination (2009-2013) is both in English and Norwegian.

## II. Issues raised in the concluding observations of the Committee on the Elimination of Racial Discrimination in 2011 and 2012

### Recommendation No. 6: Statistics

*The Committee recommends that the State party provide it with updated information concerning the ethnic composition of the population, in accordance with paragraphs 10*

*and 12 of the reporting guidelines (CERD/C/2007/1) and its general recommendations 8 (1990) concerning self-identification with a particular racial or ethnic group.*

#### **Statistics on ethnic groups**

8. Statistics Norway has no data regarding the ethnic composition of the population, other than the statistics that are compiled on the basis on country of birth and nationality. Both Norwegian population statistics and the ten-year population and housing censuses are based on register data. The primary source of such data is the National Population Register, where every person who is resident in Norway for more than six months or intends to live in Norway for at least six months is registered. All ethnic groups who satisfy these conditions will be registered in the population register, but it will not be possible to identify them as individual groups except on the basis of their country of birth.

#### **Sami statistics**

9. In the past few years, Statistics Norway has developed good statistics on the Sami population. Every other year, the agency issues a publication on Sami statistics which contains table data on population, education, language and working life. The publication was first issued on Sami People's Day, 6 February, in 2006, and has since been issued on the same date in 2008, 2010 and 2012. The next edition is due to be published on 6 February 2014. The publication is issued in Norwegian and Sami. Furthermore, an Analysis Group for Sami Statistics, which is a central government committee in which Statistics Norway and other agencies are represented, has been established. Every year, this committee issues a publication entitled Samiske tall foreteller [Sami Figures Relate], which contains articles that offer broad coverage of Sami society. So far, there have been five editions of this publication, which was first issued in 2008.

#### **Statistics on national minorities**

10. In Norway, the following groups are recognised as national minorities, in accordance with the Council of Europe's Framework Convention for the Protection of National Minorities: Jews, Kvens/Norwegian Finns, Forest Finns, Romani people/Tater and Roma. No statistics are produced at present based on ethnic groups; see section 2 of the Personal Data Act on sensitive personal data. In the light of previous cases of abuse of ethnic registration, several of the national minorities have expressed their strong scepticism about all forms of registration and surveys based on ethnic origin.

### **Recommendation No. 7: Incorporation of the Convention**

*The Committee invites the State party to consider incorporating the Convention into the domestic legal order at a higher level, through the Human Rights Act of 1999.*

11. During the preparation of the Act of 19 June 2009 No. 80 on incorporation of the Convention on the Elimination of All Forms of Discrimination against Women into the Norwegian Human Rights Act, the question of incorporation of other human rights conventions, including the International Convention on the Elimination of All Forms of Racial Discrimination, was discussed. It was decided not to incorporate other conventions into the Human Rights Act; see Proposition to the Odelsting No. 93 (2008-2009), point 6.2.3. The rationale for this was that only very general human rights conventions, and not more specific conventions, should be incorporated in the Human Rights Act. The Government has taken note of the recommendation of the Committee on the Elimination of Racial Discrimination and the national consultative statements in support of the recommendation. However, the Government maintains the conclusion it reached in 2009.

## **Recommendation No. 8: Grounds of discrimination**

*The Committee recommends that the Anti-Discrimination Act be amended to ensure that all grounds of discrimination contained in Article 1 of the Convention are subject to prohibition.*

12. The Anti-Discrimination Act prohibits discrimination based on ethnicity, national origin, descent, skin colour, language, religion or belief. On 13 June 2013, the Storting adopted amendments to Norway's anti-discrimination legislation, including a new Act prohibiting discrimination on grounds of ethnicity, religion and belief; see Proposition 88 L (2012-2013) to the Storting (bill), Recommendation No. 441 L (2012-2013) and Bill 95 (2012-2013). The new Anti-Discrimination Act on ethnicity maintains the protection provided by the current Anti-Discrimination Act. Ethnicity, religion and belief are laid down in statutory form as separate grounds of discrimination in the new Act. National origin, descent, skin colour and language are defined in the text of the statute as being part of ethnicity as a ground of discrimination. The Government has considered whether the term "race" should be included in the text of the statute, but has concluded that there is no need to make any amendments by inserting "race" in the text or to specify that it targets opinions or ideas about race. In order to combat racism, it is important to do away with the notion that human beings can be categorised as races. Using the term "race" in the wording of the statute could have the effect of confirming such notions. In the *travaux préparatoires* for the Act, the Government points out that discrimination on grounds of opinions or notions about a person's race must clearly be regarded as ethnic discrimination, as is the case at present. The Storting endorsed this assessment.

## **Recommendation No. 9: Dialogue and measures to address discrimination**

*In light of its general recommendation No. 30 (2004) on non-citizens, the Committee urges the State party to consult regularly with the groups and communities concerned and take measures to address the discrimination they face, including with regard to access to public services, housing, education, the labour market and health, including the provision of specialized mental and physical health services for traumatized refugees and asylum-seekers. The Committee invites the State party to consider reopening the Psycho-Social Centre for Traumatized Refugees. The Committee also recommends that the State party devote more financial resources to training teachers for a multicultural educational environment. The State party should also take the necessary steps to ensure that persons from an immigrant background have access to positions in higher branches of government, academia and businesses. Supplementary question: The Committee requests additional information on the impact of the guidelines for promoting pluralism in the public sector and statistical data or trends in the recruitment of immigrants in this sector.*

### **Dialogue**

13. The Government attaches importance to maintaining contact with different groups and communities in the immigrant population by means of dialogue meetings and other points of contact. Dialogue meetings can provide access to views different from those voiced in formal forums. Norway's Contact Committee for Immigrants and the Authorities (KIM) is an independent advisory committee, appointed by the Government to provide advice in immigrant issues. See [www.kim.no](http://www.kim.no)

### **Prohibition of discrimination**

14. The Storting has passed a new Act prohibiting discrimination on grounds of ethnicity, religion and belief. The purpose of the Act is to promote equality irrespective of

ethnicity, religion or belief. The statute applies to all spheres of society, except for family life and personal relationships. See also Article 8. The Anti-Discrimination Act prohibits both direct and indirect discrimination. The Act also contains provisions prohibiting harassment, prohibiting instructions to carry out an act of discrimination or harassment, prohibiting acts of reprisal and prohibiting aiding and abetting such acts. Moreover, the Act contains provisions on positive differential treatment. Persons who experience discrimination may submit a complaint to the Equality and Anti-Discrimination Ombud, who enforces the Act. Opinions expressed by the Ombud may be appealed to the Equality and Anti-Discrimination Board of Appeals.

#### **Duty of active engagement in efforts to promote equality**

15. As from 1 January 2009 a duty was introduced in the Anti-Discrimination Act to make active efforts to engage in and report on efforts to promote the purpose of the Act. This duty has been maintained in the new Act prohibiting discrimination on grounds of ethnicity. The duty of activity requires public authorities to make active, targeted and systematic efforts to promote the purpose of the Act. The duty also applies to private-sector employers who regularly employ more than 50 employees and all public-sector employers. Employee and employer organisations have a corresponding duty of active promotion in their spheres of activity. The duty of employers to actively advance equality applies to wage and working conditions, promotion, development opportunities and protection against harassment. Undertakings must give an account of planned and implemented measures in their annual report or annual budget. The Directorate of Integration and Diversity (IMDi) prepares annual status reports on undertakings' efforts to increase recruitment of persons from an immigrant background and promote workplace diversity. The website [www.mangfoldsportalen.no](http://www.mangfoldsportalen.no) offers information and guidance on recruitment of persons from an immigrant background and efforts to promote diversity in the workplace. The portal targets employers, union representatives and HR staff in the public and private sectors.

#### **The Psychosocial Centre for Refugees**

16. From 2004 to 2008, the Psychosocial Centre for Refugees was replaced by the Norwegian Centre for Violence and Traumatic Stress Studies (NKVTS) and four affiliated regional resource centres working in the field of violence, traumatic stress and suicide prevention (RVTS). The reason for this was that Norway deemed it necessary to strengthen its knowledge base for work with traumatised refugees and to increase the expertise of social and welfare service professionals. Funds for clinical activities were transferred to the regional health trusts. Psychosocial services for refugees have been strengthened since the centre was closed.

#### **National strategy for the health of immigrants (2013-2017)**

17. The Government aims to ensure that health- and care services should be of the same high quality for everyone. Language difficulties, cultural differences and the fact that some groups of immigrants have distinctive health problems, presents challenges to the health services. Current understanding about the health problems of immigrants is insufficient, and some groups are more prone to ill health than the rest of the population. The Strategy describes the main challenges and measures.

#### **Guide**

18. In 2010, the Government prepared a special guide for state enterprises to underpin compliance with anti-discrimination legislation. Guidelines have also been drawn up for employer policy in the central government sector to encourage diversity, including

increased recruitment of persons from an immigrant background. This applies both to recruitment in general and to recruitment to senior management positions.

#### **Moderate quota system in working life for persons from a non-Western immigrant background**

19. In 2008-2009, the Government carried out a pilot project to implement a moderate quota system for persons from a non-Western immigrant background in 12 state enterprises. The Government has initiated another two-year pilot period during which a moderate affirmative action system will be applied for non-Western immigrants.

#### **Interviews**

20. Governmental agencies are obliged to invite at least one applicant with immigrant background for an interview, providing the person is qualified for the position in question. Norway has had positive results from this. 33 Municipalities have implemented the same practice.

#### **Initiatives to reduce the drop-out rate in upper secondary education and increase multicultural expertise in the education sector**

21. In 2013, the Government will spend NOK 30 million on upgrading expertise on multiculturalism throughout the education sector. Additional funding has also been granted to companies that take on apprentices who have lived in Norway for only a short period of time and who have poor Norwegian language skills. Through a state-financed campaign, targeted action will be taken, in addition to broad-based efforts, to recruit more persons from an immigrant background to enrol in teacher education programmes, and the Government has granted extra funding for the education of bilingual teachers. See also section 7A No. 1 below.

#### **Action Plan 2013-2016: We Need the Skills of Immigrants**

22. The action plan was launched by the Government in August 2013. Its primary goal is to facilitate better use of the skills and resources of immigrants in the labour market. The plan was announced as an important initiative through the white paper on a comprehensive integration policy, presented in 2012. The plan is part of an overall strategy to increase the labour market participation among immigrants. It complements measures which provide immigrants with basic skills, including language training.

### **Recommendation No. 10: Interpretation services**

*The Committee urges the State party to improve the availability, accessibility and quality of professional interpretation services, especially in the medical and judicial fields, including by earmarking budget funds to accommodate multiple languages. The Committee recommends that legislation be enacted on the right to professional interpretation regarding public services and prohibiting the use of minors and relatives as interpreters. The Committee also recommends that public service professionals receive information and guidance on how to hire and work with qualified interpreters.*

#### **Better access to professional interpreters, particularly in the judicial system and health sectors**

23. The availability of qualified interpreters has improved, as a result both of the establishment of permanent interpreter training programmes and of the Norwegian National Register of Interpreters. It is also possible for interpreters who have completed the basic

training programme to take add-on modules. The Oslo and Akershus University College of Applied Sciences is working to expand the study programme to make it possible to obtain a bachelor's degree in interpretation. As a result of the focus on education for interpreters in recent years, more interpreters have improved their skills. The interpreter training programme in Norway does not offer specialisation in such fields such as the legal or health system, but is premised on the fact that in the course of their career, interpreters will have to work in many different fields of expertise. The study programme therefore aims to provide students with strategies and procedures to acquaint themselves with a growing number of new specialised fields. However, context knowledge and a focus on legal and health terminology are included in both basic interpreter training and in several of the add-on subjects. The Oslo and Akershus University College of Applied Sciences, which is responsible for interpreter education, occasionally offers a module on interpreting in committee and court sessions.

24. In the Action Plan for Sami Languages – Status 2010 and Further Efforts in 2011, a number of goals have been set as guidelines for the further development of public service provision in Sami. These goals include the development of a good Sami interpretation service and an interpreter certification system. The Inner Finnmark District Court has a special responsibility for promoting use of Sami in the judicial system. In this connection, the District Court is also responsible for developing legal terminology in the Sami language. The District Court has engaged administrative personnel with Sami language skills. The assignment document for the regional health trusts sets a requirement that interpretation services must be established for patients who need such services, and that measures must be implemented to improve employees' linguistic and cultural expertise with respect to the Sami population. The Northern Norway Regional Health Trust has been tasked with financing and implementing a two-year project aimed at improving interpretation services for the Sami population. The project was started in the autumn of 2010, and will be reported on in the annual report of the Ministry of Health and Care Services.

25. The Directorate of Health has also published a guide on the health services available to asylum seekers, refugees and persons entitled to family reunification. The guide was revised in 2010 and contains a chapter on the use of interpreters. The two aforementioned guides issued by the Directorate of Health provide information on the duties and responsibilities of health professionals in municipalities and health trusts with regard to the use of interpreters. Under the joint project to promote equal and integrating health services for minority populations in the capital area (*Likeverdsprosjektet*), a comprehensive analysis was carried out of the quality of interpreting in hospitals in the Oslo area and the City of Oslo. Oslo University Hospital is currently examining the possibility of establishing a central interpreters unit tasked with ensuring that health professionals have access to interpreters with documented qualifications. It will probably be possible to appeal cases of deficient health care due to the lack of adequate interpretation services to the County Governor as a breach of the Patients' Rights Act.

26. The Directorate for Children, Youth and Family Affairs, the Directorate of Health, the Norwegian Courts Administration and the Directorate of Immigration have recently drawn up recommended guidelines for the use of interpreters in their respective spheres of activity. Use of interpreters in the processing of cases involving sexual matters poses a challenge due to language problems and the lack of interpreters of the right sex. A Government appointed panel will put forward proposals for the use of interpreters in the public sector. The panel will finalise their work by autumn 2014. Prohibiting by law the use of children as interpreters will be considered.

### **Recommendation No. 11: The Introduction Act**

*In order to reduce the dropout rate and ensure that the programme is not a barrier for citizenship and naturalization, the Committee recommends that the State party monitor its implementation more closely to determine whether it is of uniform quality, is adapted to certain groups in terms of gender and origin, and that eligibility is not lost when changing residence.*

27. See section 5 I D No. 3 below on Norwegian language and social studies instruction and section 5 I E no 5 below on the introduction programme. The vast majority of those who are subject to the right and obligation to receive Norwegian language and social studies instruction participate in the teaching programme and fulfil their obligations under the Introduction Act. The teaching programme must be adapted to individual needs, and a plan must be drawn up based on an assessment of each person. Participants do not forfeit their right to free-of-charge Norwegian language instruction even if they move to a different municipality. Instruction is not free of charge for every immigrant group. A number of persons choose to pay for instruction. In addition, a free-of-charge web-based social sciences teaching aid has been produced. The deadline for completing mandatory instruction in Norwegian and social sciences is three years. With regard to the Committee's comment concerning the requirement in the Norwegian Nationality Act that applicants aged between 18 and 55 must complete Norwegian language instruction, the authorities are monitoring the possible consequences of this requirement.

### **Recommendation No. 12: Unaccompanied asylum-seeking minors**

*The Committee recommends that the State party take all measures necessary to ensure special protection for unaccompanied asylum-seeking children, including health care services, education and care by competent guardians, in conformity with Norway's international legal obligations. It also recommends that these children are settled in local communities, outside reception centres, as rapidly as possible and enabled to study beyond primary education. Additional question: The Committee looks forward to receiving additional information on the legislative proposal on immigration, the new Guardianship Act, and their implementation in practice.*

#### **Asylum-seeking minors between 15 and 18 years of age who live in asylum reception centres**

28. Unaccompanied asylum-seeking minors under 15 years of age are placed in the care of the central government child welfare authorities. The Norwegian Directorate of Immigration (UDI) and individual reception centres are responsible for providing care for unaccompanied asylum-seeking minors aged between 15 and 18, and these minors live in special reception centres or blocks. Unaccompanied minors who come to Norway with an adult carer, and persons who, based on an age assessment, are determined to be over 18 years old, live in ordinary asylum reception centres. All asylum-seeking minors are provided with care, educational opportunities, health services and the opportunity to participate in a variety of activities. It has been decided that UDI is to continue to have responsibility for providing housing and care services for unaccompanied asylum-seeking minors over 15 years of age.

#### **Unaccompanied asylum-seeking minors aged between 16 and 18 who are granted a temporary residence permit pending their return (formerly "limited permit")**

29. Unaccompanied minors aged between 16 and 18 who have no other basis for residence than the fact that they will lack adequate care if returned may be granted a

temporary permit pending return that is valid until they reach the age of 18. The permit is limited in the sense that it cannot be renewed once the holder reaches the age of 18, does not entitle the holder to family reunification or form the basis for a permanent residence permit. Apart from that, it confers approximately the same rights and obligations as permits without such limitations, for instance to health and care services and education.

#### **Representative for unaccompanied asylum-seeking minors**

30. The new representation system for unaccompanied asylum-seeking minors entered into effect on 1 July 2013, see the immigration act chapter 11 A. The new system of representation replaces today's guardianship arrangement and clarifies the difference between an assignment as a guardian and an assignment as a representative for an unaccompanied asylum-seeking minor. The new system of representation provides clearer guidelines for the representative's functions and secures that all representatives receive necessary training of equal quality.

#### **Faster settlement**

31. To improve the situation for unaccompanied asylum-seeking minors over 15 years of age, a pilot project was started in 2011 to ensure their more rapid settlement in municipalities. The Government's goal for the settlement is 3 months. In 2011 27% were settled and in 2012 63% were settled within 3 months. In 2013 80% were settled within 3 months. This positive development has been possible due to high priority from the authorities.

#### **Charting the living conditions for asylum-seeking minors**

32. As part of the follow-up to the White Paper "Children on the Run" (Meld.St. 27 (2011-2012)), a project aiming to gather additional information about the living conditions for minors applying for asylum is being initiated. The project will cover both unaccompanied minors and children arriving with a legal guardian. A survey will be conducted to identify and disclose whether the services aimed at children in reception and care centers are adequate and of a satisfactory quality. The first survey will be carried out in the course of 2014 and is planned as a future periodic survey.

#### **Health services**

33. Asylum seekers are entitled to health services, including interpretation services, in the same way as the other inhabitants in the municipality. This also applies to the right to a regular general practitioner. All children who are lawfully resident in Norway have the same rights as other children with regard to outreach dental services.

#### **Education**

34. Children and youth in care centres and asylum reception centres have the same right to primary and lower secondary education as other children and young people in Norway, including the right to special education and specially adapted language training. Those who are above compulsory school age (16 years old) are not entitled to education, but there is a grant scheme from which municipalities can apply for funding for primary and lower secondary education for asylum-seeking minors who are over compulsory school age. This grant scheme is used and training is provided, but at the discretion of the individual municipality and use thus varies. The question of whether to introduce a right to primary and lower secondary education for asylum-seeking minors over compulsory school age is currently under consideration. Counties may admit asylum seekers to upper secondary schools, but the pupils have no right to upper secondary education. The question of whether to introduce a right to upper secondary education for asylum seekers is also under

consideration. In 2011, Norway made inquiries of a number of countries as to the type of rights to education held by asylum seekers under 18 years of age.

### **Recommendation No. 13: Refugee reception centres**

*The Committee (...) recommends that the State party bring the conditions in reception and special return centres, and in reception centres for children, in line with relevant international human rights standards. It recommends that the State party provide the necessary mental and psychological health services by specially trained qualified staff. Additional question: The Committee reiterates its recommendation that the State party provide the necessary mental and psychological health services to foreign nationals in the Trandum Holding Centre.*

#### **Conditions in asylum reception centres for failed asylum seekers**

35. In 2010, the Government decided to discontinue the system of ‘waiting centres’ for persons whose application for asylum has been finally rejected, because the arrangement had not functioned satisfactorily. Persons who have received a final rejection of their asylum application are offered accommodation in an ordinary asylum reception centre, where they are offered training courses and individual follow-up and help in preparing for return. Persons who have received a final rejection of their asylum application may contact the Norwegian Directorate of Immigration at any time to request accommodation in an asylum reception centre.

#### **Conditions in asylum reception centres for children aged 16 to 18 years who are granted a temporary permit (formerly “limited permit”) pending being returned**

36. At one point, certain persons in this age group holding a limited permit were accommodated as a group in a single reception centre for unaccompanied asylum-seeking minors. This practice has ceased. Both the standards in Norwegian reception centres and the services offered persons who are applying for protection are in accordance with international human rights instruments. Housing is provided until the person actually leaves Norway, or until he or she is settled in a municipality. Housing services include subsistence benefits, both in cash and in kind. As a general rule, asylum reception centres are staffed during the day. For unaccompanied asylum-seeking minors aged 16-18 and persons who require follow-up, there are special needs reception centres. Any resident may at any time move out of an asylum reception centre.

#### **Threshold for detention and duration of provisional internment of persons whose identity is being verified**

37. By the Act of 6 January 2012 (entry into force on 1 March 2012), amendments were made to the Immigration Act concerning detention powers and other coercive measures. The standards of proof that apply to remand in custody on account of doubt as to identity and the risk of evasion of prosecution have been lowered. It is no longer required that there be probability, it is sufficient that there are ‘concrete reasons to assume’ that the person concerned gave a false identity or that the person concerned will attempt to evade prosecution. In the consultation letter from 2010, the proposed criterion was “reason to assume”. Because several consultative bodies interpreted this wording as meaning that no objective grounds were required, the Ministry of Justice and Public Security chose a different wording in the Bill, to ensure that it is clearly evident that the assessment of proof and probability must be based on concrete, objective facts.

38. In practice, most of the persons remanded in custody under the Immigration Act will be detained at the immigration detention centre for a few days. Some might stay there for a

longer period of time, but their detention will be within statutory limits and subject to judicial review by a court of law at regular intervals. Detention under the Immigration Act may, as a general rule, be imposed for a maximum of four weeks at a time. The total period of detention may not exceed 12 weeks unless there are special grounds. It is emphasised that both when the first decision imposing detention is made and in connection with any decisions to impose further detention, the question of whether detention will be a disproportionate measure must be reviewed.

#### **Conditions in the Trandum Police Immigration Detention Centre**

39. In the spring of 2011, representatives of the European Committee for the Prevention of Torture (CPT) visited the Police Immigration Detention Centre at Trandum in the course of their visits to Norwegian institutions. The CPT submitted its report on its visit to Norway in December 2011. The Norwegian authorities are of the opinion that the report substantiates that the conditions at the detention centre are in line with international human rights standards, and will continue their efforts to maintain the centre's high standards. The persons staying at the detention centre are foreign nationals who were arrested under the Immigration Act on the basis of identity verification or because they are in the process of being deported. A stay exceeding three days requires a court order. In the past three years, the detention centre has been significantly upgraded. Among others, the facilities now include a separate wing for women, asylum-seeking minors and families with children.

40. At the start of 2012, the detention centre hired a special nurse. The nurse examines newly arrived detainees in accordance with the CPT's recommendations that the centre must "ensure appropriate psychological/psychiatric assistance to foreign nationals". The nurse has a separate office at the centre, and is available in the daytime. The detention centre otherwise has an agreement with a physician who has regular consultation days and who can be contacted if necessary. Persons who need to consult a doctor submit a request to the staff of their unit, and a doctor's appointment is then made. If emergency medical assistance is required, the ordinary health services are used. The need for assistance to deal with psychological problems is met by the nurse and the physician service with whom the detention centre has an agreement. Persons with a serious mental illness requiring treatment are assessed by the physician without delay and immediately referred to the specialised health services for treatment. Previously, the medical centre with which the detention centre has an agreement had its own psychologist, but this arrangement was discontinued because it proved to be unnecessary.

#### **Recommendation No. 14: Free legal aid**

*Recalling its general recommendation No. 31 (2005), the Committee recommends that recommendations for free legal aid made by the Anti-Discrimination Ombud and Anti-Discrimination Tribunal be placed on an equal legal footing as those made by the Parliamentary Ombudsman.*

41. The white paper on public legal aid (Report to the Storting No. 26 (2008-2009)) discusses whether free legal aid should be granted to the private party in cases where legal proceedings are recommended by the Equality and Anti-Discrimination Ombud, as is the case with the system that currently applies to the Parliamentary Ombudsman. The white paper is under consideration by the Ministry of Justice and Public Security. In Official Norwegian Report NOU 2011: 18 Structure for Equality, it is proposed that free legal aid be granted without means-testing in cases where the Equality and Anti-Discrimination Tribunal has upheld the complaint regarding discrimination and the Tribunal recommends free legal aid. The report has been circulated for consultation and is now under consideration by the Ministry of Children, Equality and Social Inclusion. Norwegian

Official Report NOU 2012: 15 on policy for equality recommends that free legal aid be granted without means testing to the private party in discrimination cases where the Equality and Anti-Discrimination Ombud recommends doing so. In such cases, the Ombud should as a general rule act as intervener in the court proceedings. The NOU is being circulated for consultation.

### **Recommendation No. 15: Female genital mutilation and forced marriage**

*The Committee requests to receive an updated evaluation of the effectiveness of the Action Plan against Female Genital Mutilation (2008-2011), and the Action Plan against Forced Marriage (2008-2011) and an assessment of how these also promote the rights of women and girls from certain minority groups without stigmatizing them.*

42. The evaluation of the Action Plan against Forced Marriage (2008-2011) concluded that the plan measures have reinforced preventive efforts and led to greater availability of support services. Young people in need of assistance now contact the health and social services to a greater degree. The action plan has strengthened the competency of and services provided by public welfare services.

43. Evaluation of the Action Plan against Female Genital Mutilation (2008-2011) shows that the plan measures have generated greater focus on targeted health information, preventive health efforts and programmes offering health care if the need should arise in connection with female genital mutilation. These services are to be made available in a way that does not lead to stigmatisation, by providing them through public health clinics and school health services that are low-threshold services available to the entire population. At the same time, the evaluations show that there is still a need for more knowledge and better preparedness in and increased coordination of ordinary public services. NGOs play an important role in promoting dialogue and on many occasions serve as bridge-builders between the authorities and the population groups concerned. It is therefore important that the Government continue to support organisations that work to prevent female genital mutilation and forced marriage, and to maintain an on-going dialogue with these organisations. The NGOs were consulted during the preparation of the Action Plan Against Forced Marriage, Female Genital Mutilation and Severe Restrictions on Young People's Freedom (2013-2016). In this new action plan, emphasis is placed on enabling young people and their parents to participate actively in the various initiatives and shape developments in this area. The measures are seen in conjunction with and supplement the efforts to combat domestic violence and violence against and sexual abuse of children. See also sections 5 I B Nos. 1 – 3 and 5 I D No. 4 below.

### **Recommendation No. 16: Crisis centres**

*The Committee urges the State party to ensure that crisis centres under the new arrangement have professional staff with adequate knowledge and specific competences to work with persons from ethnic minority or immigrant backgrounds, in particular those who are victims of violence and/or human trafficking. It also recommends that all efforts be made to find adequate housing for those leaving the centres, away from persons by whom they were abused. Additional question: The Committee wishes to receive statistical data disaggregated by age, origin and ethnicity of people seeking assistance or shelter from the crisis centres. The Committee also asks for detailed information on the contents of the training provided to staff members of the centres (...).*

44. A total of 1974 persons spent the night at a crisis centre in 2011. The number of persons and stays increased steadily from 2008 to 2010. In 2011, the average duration of a stay was 28 days. Residents from an immigrant background had the longest stays, averaging 32 days. The category of residents who were victims of human trafficking stayed an average of 77 days at a crisis centre. 62% of residents were from an immigrant background, and on the whole they were younger than inhabitants who were not from an immigrant background. For more information, see report (includes English summary):<http://www.bufetat.no/Documents/Bufetat.no/Bufdir/Krisesentre/Statistikk/Rapport%20Krisesenterstatistikk%202011.pdf>

45. The Crisis Centre Act stipulates that municipalities shall ensure that services are of a good standard of quality, which includes ensuring that staff members have the necessary competence to meet the special needs of centre users. The Act also makes provision for the Government to make regulations regarding requirements for staff qualifications. Several measures have been initiated to upgrade expertise in this field. Under the Crisis Centre Act, crisis centre services also include follow-up during users' re-establishment phase, including assistance in finding new housing. See also the information under section 5 I B 1-3. The Crisis Centre Act specifies that the County Governor must oversee that municipalities carry out the tasks assigned to them under the Crisis Centre Act. Municipalities' implementation of the Crisis Centre Act is to be evaluated in the period 2012-2014.

### **Recommendation No. 17: Transnational corporations**

*In particular, the State party should explore ways to hold transnational corporations domiciled in the territory and/or under the jurisdiction of Norway accountable for any adverse impacts on the rights of indigenous peoples and other ethnic groups, in conformity with the principles of social responsibility and the ethics code of corporations.*

46. The Government's clear recommendation in Report to the Storting No. 10 (2008-2009) is that corporations must take account of the interests of indigenous peoples when operating in other countries. Among other things, the Government expects Norwegian companies that are involved in the extraction of natural resources to conduct their operations using best practices for safeguarding social and environmental considerations as a guideline and objective, and to safeguard the rights of indigenous peoples. In the white paper Active Ownership – Norwegian State Ownership in a Global Economy (Meld. St. No. 13 (2010-2011)), the Government expressed its expectations that state-owned companies respect fundamental human rights in all their activities, including the rights of children, women, minorities and indigenous peoples, as set out in international treaties.

### **Recommendation No. 18: Sami rights**

*In light of its general recommendation No. 23 (1997), the Committee recommends that the State party consult with the East Sami and Sea Sami and to implement measures with a view to enabling them to fully enjoy their human rights and fundamental freedoms and to maintain and develop their culture, means of livelihood, including management of land and natural resources, in particular regarding reindeer grazing and fishing. The Committee urges the State party to take active measures to enable the Sami community to preserve its cultural identity and to monitor and address all forms of discrimination against the Sami communities. It recommends that the State party enact an educational policy to address the mother-tongue teaching requirements, including materials and staffing resources, of the Sami community. The Committee would appreciate receiving the results of the examination of East Sami land claims by the Finnmark Commission.*

### **International law obligations in the management of salt water fishing**

47. The Coastal Fishing Committee presented its recommendations in Norwegian Official Report NOU 2008: 5 on fishing rights in the sea off Finnmark on 18 February 2008. The report has been circulated for broad consultation, and the Government and Sámediggi (the Sami Parliament) closed consultations on this matter in May 2011. The consultation parties have differing views on the interpretation of the international legal issues and customary historical use. It is the opinion of Sámediggi that under international law, and in particular the International Covenant on Civil and Political Rights, the Sami people's right to fish must be recognised; the Sami people's customary historical use also confers such a right. The Government found that the current system of fishery management is in line with the Government's obligations in respect of the Sami under international law. Nevertheless, the parties succeeded in reaching agreement on a set of measures aimed at securing the material foundation for Coast Sami culture.

48. In 2010, Sámediggi and the Ministry of the Environment entered into a framework agreement on consultations between the environmental authorities and Sámediggi on regulation of salmon fishing in Nord-Troms and Finnmark. Point 3 of the agreement concerns the appointment of a working committee comprising representatives of salmon fishing organisations, Sámediggi, the Finnmark Estate and the authorities. The working committee is to discuss and propose measures for regulating salmon fishing in the sea and rivers. In 2012, consultations were held with Sámediggi on the regulation of salmon fishing in Nord-Troms and Finnmark for the 2012 fishing season. The parties did not reach full agreement. Sámediggi is represented in the delegation which is negotiating with Finland on a new agreement on salmon fishing in the Tana River system and other issues. The primary purpose of these negotiations is to reduce fishing to a sustainable level. The intention is to ensure that new fishing regulatory measures are in place as from the 2015 fishing season.

### **Cross-border East Sami culture**

49. The East Sami people in Neiden (also known as the Skolt Sami) drew a very short straw when the national borders were drawn between Norway, Finland and Russia. Moreover, through long-term use, other reindeer husbanders have established grazing rights in the areas in which the East Sami formerly engaged in reindeer husbandry. In Norwegian Official Report NOU 1997:4, the majority of the Sami Rights Committee proposed that efforts should be made to re-establish East Sami reindeer herding. The proposal was considered during the work on drafting the Finnmark Act. The Government decided not to adopt a solution of that nature. The East Sami Museum in Neiden has been chosen as the Sami Millennium site by Sámediggi. Sámediggi is responsible for the administration and organisation of the museum. The East Sami Museum in Neiden will be an important centre for revitalising the East Sami/Skolt Sami language and culture, and for cultural exchanges and cross-border cooperation with Skolt Sami groups in Finland and Russia.

### **Implement active measures to enable the Sami people to preserve their cultural identity, and monitor and combat all forms of discrimination against Sami persons**

50. The authorities are engaged in continuous efforts to implement a range of measures to enable the Sami people to retain their cultural identity. Focusing attention on Sami languages and Sami institutions is an important means of affirming and underpinning the identity and presence of the Sami people. In 2009, the Government presented the Action Plan for Sami languages, aimed at encouraging more people to use the Sami language. The next status report on the implementation of the Action Plan will be presented in September 2013. Initiatives to strengthen the Sami cultural identity are pivotal to monitoring and counteracting all forms of discrimination against Sami persons. The Norwegian Government and Sámediggi have agreed to provide funding for the Gáldu Resource Centre

for the Rights of Indigenous Peoples to strengthen the centre's work on equality and anti-discrimination. The project started up in 2010 and is provisionally scheduled to run until 2014.

**Initiate an education policy to address the demands for mother-tongue instruction for Sami persons**

51. In Norway, the right to instruction in Sami is governed by Chapter 6 of the Education Act. Instruction is provided in the three Sami languages, South, Lule and North Sami. The extent to which pupils' right to Sami instruction is fulfilled is monitored. To date, this supervision has been somewhat limited, so results are unclear for the time being. Sámediggi is responsible for the development and production of Sami teaching materials and receives annual funding from the central government for this work. There is still a lack of Sami teaching materials in a number of subjects and topics, but steps have been taken to accelerate this work. Among others, the lack of qualified textbook authors, does that this process will take time.

**The results of the Finnmark Commission's assessment of East Sami land claims**

52. The Finnmark Commission submitted its first two reports in March 2012 and February 2013 on Field 1 Stjernøya/Seiland and Field 2 Nesseby, respectively. The Commission is currently assessing another three fields. The Commission has not yet begun to investigate fields that comprise East Sami areas. When results related to fields that include East Sami areas become available, they will be sent to the Committee.

**Recommendation No. 19: Consultations with indigenous peoples**

*The Committee requests the State party to include in its next periodic report information about consultations that were and are being conducted by the Government of the State party concerning industrial and other projects in all the territories where indigenous peoples traditionally live.*

53. It is stipulated in the consultation procedures that central government authorities have an obligation to consult the Sami Parliament in "matters that may affect Sami interests directly". Affected Sami interests in all areas in which the Sami people traditionally live are entitled to consultations. With regard to matters regarding exploration for and extraction of minerals, the Mineral Act lays down that the administration and use of mineral resources shall safeguard the natural foundation for Sami culture, commercial activity and social life. These provisions apply in general to the entire country and have a bearing on all areas where there are Sami interests. Furthermore, certain special procedural rules have been laid down in the Mineral Act to safeguard Sami interests in matters relating to exploration for and extraction of minerals in Finnmark county. The Government is currently following up on the proposal of the Sami Rights Committee 2 to enact the State's obligation to consult the Sami population. The Government is also following up on the Committee's bill on the identification and recognition of existing land rights in the traditional Sami areas from Troms county and southwards. The Committee has also presented proposals for amendments to minerals legislation and to a number of other sector laws. The Sámediggi is being consulted in connection with these follow-up efforts.

**Recommendation No. 20: Roma and Romani people/Tatars**

*In light of its general recommendation 27 (2000) on discrimination against Roma, the Committee recommends that the State party take active measures to prevent discrimination*

*against the Roma and Romani people/Tater communities, in particular regarding their access to public places, housing and employment, and allocate additional resources to find appropriate solutions for integrating children from Roma and Romani communities, especially those from travelling families, into the educational system, to ensure that they benefit fully from all levels of the system, taking into account the community's lifestyle and including enhanced teaching provision in their language.*

**Implement active measures to prevent discrimination against Roma and Romani people/Tater communities, in particular regarding their access to public places, housing and employment**

54. In 2011, a judicial inquiry was carried out on the relationship between national and international law in the field of housing for Roma. The report revealed no breaches of international law, but showed that there is a need for more knowledge of the group's housing situation. The Government is considering following up on this report in cooperation with the City of Oslo. Labour market policy targets persons in need of employment assistance to find a job, regardless of background, and is premised on basing personal follow-up and measures on assessments of individual needs. Norway has therefore not implemented any specific measures for Roma and Romani people/Taters in this area. In June 2009, the Government presented the Action Plan to Improve Living Conditions for Roma in Oslo. The aim of the action plan is to provide Roma with genuine opportunities to avail themselves of already established welfare programmes in such areas as education, employment, health and housing. The measures in the action plan are also designed with a view to combating the discrimination to which Norwegian Roma are subjected every day. In line with the action plan, the City of Oslo has established an adult education programme for young adult Roma and an advisory service for Roma, and has arranged seminars on Roma for employees of municipal and central government agencies. The City of Oslo has also implemented a project adapted to the needs of Roma children (*Losprosjekt tilpasset rombarn*). The target group for the project is school children aged 8-16 from Norwegian Roma families, with a high rate of absenteeism. The project started up in the autumn of 2011 and will run until the end of 2013. The City of Oslo has also launched a project (*Rom viser vei*) in which two young adult Roma and the City of Oslo have jointly prepared a presentation on Roma history, culture and way of life. The main target group for this presentation is primary and lower secondary school pupils, but employees of schools and other municipal and central government agencies will also benefit from the presentation.

55. In 2011, the Government appointed a committee to assess the implementation of policy in respect of the Romani people/Taters. The committee's main task is to investigate and describe official policy and measures implemented in respect of the Romani people/Taters up to the present. The aim of this process is to create a common understanding of what actually happened, and its consequences for the Romani people/Taters. The committee is authorised to assess the degree to which findings provide a basis for considering future measures for promoting reconciliation and justice.

**Integrate children from Roma and Romani people/Tater families, particularly from travelling families, into the education system – including enhanced teaching provision in their own language**

56. Children and adolescents from Roma and Romani people/Taters families have the same rights to education as the majority population. They are entitled to special language instruction, and if relevant also mother-tongue and bilingual instruction if they require it in order to follow ordinary instruction. Providing services which ensure that pupils from Roma communities receive a satisfactory education presents a challenge, especially in periods of travel. On the whole, the authorities work continuously to establish services designed to meet their educational needs.

**Humanitarian measures for visiting beggars**

57. In the past few years there has been an increase in the number of street beggars in Norway, most of whom are Romanian nationals from the Roma population. In June 2013, the Storting decided to authorise municipalities to regulate begging. The Government established a grant scheme from which NOK 10 million was distributed to organisations and municipalities in the summer of 2013, to be used for humanitarian measures for visiting beggars, in particular for the provision of emergency overnight shelter.

**Recommendation No. 21: Hate speech and hate crimes**

*The Committee recommends the development of a strategy to deal with racism in public discourse more effectively. In light of its general recommendation No. 31 (2005), the Committee also requests the State party to provide judicial statistical data on the number of complaints, number of cases dismissed and reasons for dismissal, investigations, prosecutions and condemnations regarding all types of racist acts, as provided for in article 4 of the Convention, including those committed by law enforcement agents.*

58. See section 4 A. Work is in progress on developing and improving the registration of hate crimes. Since 2012, hate crimes have been included as a separate category in annual and semi-annual statistics on offences reported by the Directorate of Police. In the statistics available, criminal acts motivated by hate and prejudice on grounds of race or ethnic affiliation, religion or sexual orientation are registered. In cooperation with the Directorate of Police, the Ministry of Justice and Public Security is to explore ways of devising a more detailed system for reporting hate crime. The objective is to obtain more knowledge regarding types of motive and which groups are subjected to such crime so as to be better able to prevent and combat this type of crime. A further goal is to shed greater light on how the cases reported are dealt with as they progress through the judicial system. As the registration of hate crimes improves, statistics will gradually be compiled on the extent and processing of reports of racist acts. However, it will not be possible to produce such detailed statistics as those requested by the Committee. Judicial statistics on hate crime are limited at present, and it is not possible to produce figures that are comparable with police figures. Moreover, judicial statistics contain no information on the substance of decisions, such as the offence of which the accused is convicted.

59. In 2012, the Norwegian Police University College was tasked with undertaking a knowledge review that is to culminate in a report on radicalisation and violent extremism on the Internet. The report is to describe existing research in this field, with a view to defining concrete challenges and opportunities for applying police methods that make use of the Internet for preventive and defensive purposes.

60. The Committee is concerned about racist utterances and hate speech in the media. Through financial instruments (such as media support schemes, including special grant schemes for minority media) and regulatory instruments (such as content requirements for national broadcasters, rules governing editorial independence and rules governing assignment of responsibility for utterances), the Government seeks to promote genuine freedom of speech, diversity and a sound, open climate for debate. Through Norway's EEA funding, Norway has entered into a strategic partnership with the Council of Europe on efforts to combat online hate speech. A campaign for youth, the No Hate Speech Movement, has been launched.

61. A clear system for assigning responsibility for the expression of views communicated in the media is an important prerequisite for a sound, open climate for debate. The question of responsibility for utterances published online – including responsibility for user-generated content and anonymous utterances – have been key issues

addressed by the Media Responsibility Committee, which presented its report on 15 July 2011. The Government is following up the report and aims to present a proposal to the Storting in 2013.

### **Recommendation No. 22: International human rights treaties**

*Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties which it has not yet ratified, in particular treaties the provisions of which have a direct bearing on the subject of racial discrimination, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)*

62. Promoting and protecting human rights has high political priority in Norway, and observance of Norway's international obligations is taken very seriously. Before Norway becomes party to a treaty that is binding under international law, a thorough process is carried out whereby all the administrative and legal consequences are examined. Norway is party to seven of the key human rights treaties that are in force and several of the Optional Protocols, including the complaints mechanisms. Norway ratified the Convention on the Rights of Persons with Disabilities on 3 June 2013 and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 27 June 2013. Efforts with a view to implementation and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance are also prioritised by Norway.

63. After careful consideration, Norway has decided not to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990. Only a small number of countries are parties to this treaty. Part of the reason for Norway's stance on this issue is that the treaty is so vague and imprecisely worded on several counts that it is difficult to assess the consequences and obligations that ratifying it will entail. This could also undermine existing obligations under other central UN treaties. Norway has otherwise acceded to all the ILO core conventions on rights in working life. These also cover foreign nationals resident in Norway.

64. Additional Protocol No. 12 to the European Convention on Human Rights relating to discrimination provides general protection against discrimination. The Anti-Discrimination Act Committee appointed by the Norwegian Government was charged with assessing the question of ratification and possible incorporation of the Additional Protocol into Norwegian law. The Committee, which submitted its recommendation in 2009, deemed that Norwegian anti-discrimination legislation already satisfies the requirements of the protocol.

### **Recommendation No. 23: Implementation of the Durban Declaration and Programme of Action**

*The Committee requests that the State party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.*

65. Norway has endorsed the Declaration and Programme of Action adopted at the Durban Conference (2001), and the Durban Review Conference Outcome Document (Geneva 2009). Norway's follow-up of the Programme of Action and Declaration is primarily being implemented through the Government's Action Plan against Racism and Discrimination (2002-2006) and the Action Plan to Promote Equality and Prevent Ethnic Discrimination (2009-2012).

### **Recommendation No. 24: The International Year for People of African Descent**

*The Committee recommends that the State party undertake and publicize adequately an appropriate programme of activities to commemorate 2011 as the International Year for People of African Descent, as proclaimed by the General Assembly in its resolution 64/169 of 18 December 2009).*

66. The Government has not adopted a programme of activities to commemorate the International Year for People of African Descent, nor are there any plans for such a programme.

### **Recommendation No. 25: Publicising of reports and recommendations**

*The Committee recommends that the State party's reports be made readily available and accessible to the public at the time of their submission, and that the observations of the Committee with respect to these reports be similarly publicized in the official and other commonly used languages, as appropriate.*

67. Steps have been taken to ensure that Norway's reports, the Committee's observations and the authorities' efforts to follow up on recommendations are publicised.

## **III. Information relating to articles 1 to 7 of the Convention**

### **Article 1**

#### **1A Nos. 1-4**

##### *Anti-discrimination legislation*

68. Reference is made to paragraphs 196-206 and paragraphs 217-227 of the common core document. The Anti-Discrimination Act prohibits discrimination on the basis of ethnicity, religion and belief, etc. On 13 June 2013, the Storting (Norwegian parliament) passed a new Anti-Discrimination Act on ethnicity; see Proposition 88 L (2012-2013) to the Storting, Recommendation No. 441 L (2012-2013) and Bill 95 (2012-2013). The new statute essentially maintains the provisions of the current Anti-Discrimination Act.

##### *The General Civil Penal Code*

69. Reference is made to paragraph 190 of the common core document and to the section on Article 4 in this report.

##### *The Seamen's Act*

70. Reference is made to paragraph 55 of Norway's nineteenth/twentieth report.

#### **1A No. 5**

71. Reference is made to the information under section 5 I D No. 3 below, regarding the Norwegian Nationality Act and sections 5 I D nos. 1-2 and 5 II B-C regarding lesbian, gay, bisexual and trans gender (LGBT) persons and the Immigration Act.

**1B**

72. Reference is made to paragraph 199 of the common core document.

**Article 2****2A**

73. Reference is made to paragraphs 107, 184-191, 196-206, 217-229 and 246-274 of the common core document.

**2B***White paper on a comprehensive integration policy*

74. A white paper on a comprehensive integration policy – diversity and community from the Ministry of Children, Equality and Social Inclusion (Meld. St.6 (2012-2013)) was presented to the Storting on 26 October 2012. The integration policy aims to ensure that everyone has equal opportunities, rights and obligations. The white paper deals with the possibilities and challenges inherent in immigration. It presents principles and frameworks for future policy for promoting diversity and community, and gives an overall presentation of the Government's comprehensive integration policy.

*Attitude surveys*

75. Since 2002, Norway Statistics has conducted attitude surveys of popular opinion regarding immigration and immigrants. The survey carried out in 2012 shows that a larger percentage (80 per cent) than ever before agrees with the statement "Most immigrants make a useful contribution in Norwegian working life". This was a rise of five per cent from the previous year. This increase may be related to the fact that Norway is experiencing an economic upturn combined with record-high labour immigration.

*The Action Plan to Promote Equality and Prevent Ethnic Discrimination, 2009-2012*

76. The Government is committed to combating ethnic discrimination and in 2009 presented an Action Plan to Promote Equality and Prevent Ethnic Discrimination, 2009-2012, aimed at combating both direct and indirect discrimination. Work on implementing the action plan continued in 2013. The Government has decided to draw up a new Action Plan to Promote Equality and Prevent Ethnic Discrimination. The new plan will come to effect from 2014.

*The Directorate of Integration and Diversity (IMDi)*

77. Reference is made to paragraphs 68 and 69 of Norway's nineteenth/twentieth report. To assess IMDi's performance since its establishment, an external evaluation of the directorate was initiated in January 2013. The evaluation report is due to be completed in December 2013.

*Non-governmental organisations (NGOs)*

78. Reference is made to paragraphs 81-83 of Norway's nineteenth/twentieth periodic report, and to paragraph 84. The agreements with non-governmental organisations (NGOs) were evaluated in 2011. The evaluation shows that the agreements have strengthened efforts to promote the integration of refugees and immigrants. NGO activities have increased in scope during the agreement period, and are now more targeted and systematic. The evaluation also identifies challenges involved in achieving the objective of actively

engaging more volunteers and elected employee representatives from an immigrant background in NGOs.

*Self-organised groups*

79. The Government grants funding for a number of self-organised groups, including organisations that focus on integration and gender equality as an important part of their work. Self-organised groups that are members of the Cooperation Forum against Poverty in Norway meet with the Minister of Labour and other cabinet ministers in the liaison committee between the Government and socially and financially disadvantaged groups three to four times a year.

**2C**

*The Norwegian Centre for Human Rights*

80. Reference is made to paragraphs 130-134 and 142 of the common core document. On 24 June 2013 the Ministry of Foreign Affairs circulated a consultation document on the assessment of changes in the national human rights institution to a broad range of consultation bodies in Norway. The assessments were based on the Paris Principles, the objective being to ensure that Norway's national institution fully accords with these principles. The Government has not yet reached a decision as to the form of organisation such a new national institution should have.

**Article 3**

81. Segregation. Reference is made to sections 5 I E No. 5 (Education) and 5 I E No. 6 (Right to participation in cultural activities) below.

**Article 4**

**4A**

82. On 30 March 2012, the Supreme Court of Norway handed down a judgment (included in the 2012 Norwegian Supreme Court Reports, page 536) which follows up on the more stringent protection against discriminatory speech that was introduced in section 135 a of the General Civil Penal Code by the amendment Act of 3 June 2005 No. 33. Under reference to the preparatory works, the first judge to deliver judgment stated that the legislature has intended for the courts of law, in their application of section 135 of the Penal Code, to apply a lower threshold for criminal liability than that on which earlier decisions have been based. The accused in the case, in a drunken state, had made racist statements to a doorman at an entertainment venue with the intention of humiliating the doorman and discrediting his suitability for his occupation on the basis of his skin colour. The accusations consisted, among other things, of repeated yells of "goddamn nigger" and "goddamn coon". The Supreme Court emphasised that the statements were made in a context in which the employee is dependent on the respect of guests and the general public, and deemed the situation to be unrelated to any values protected by the right to freedom of expression. The statements were therefore deemed to enjoy a modest degree of constitutional protection, if any protection at all, when assessed in relation to protection against discrimination. Consequently, the accused was convicted of violating section 135 a of the Penal Code.

## Article 5

### 5 I A No. 2

83. Circular No. 1/2013 from the Director General of Public Prosecutions regarding case processing Circular No. 1/2013 issued on 27 February 2013 by the Director General of Public Prosecutions regarding case processing goals and priorities for the police and prosecuting authorities states that felonies motivated by racism are to be given priority regardless of the seriousness of the offence. The circular further states: “Particular attention shall be paid to violence and acts of abuse committed against persons on the basis of their faith, skin colour, national or ethnic origin, sexual tendency, life style or orientation, so-called hate crime. Violence targeting persons or groups based on who they are or what they look like affects not only the individual victim, but creates fear and insecurity among all those who have the same background, and must therefore be dealt with very seriously by the police”.

### 5 I B Nos. 1-3

#### *Crisis centre services*

84. In 2011, there were a total of 48 crisis centres in Norway. In June 2009, the Storting passed the Municipal Crisis Centre Services Act (the Crisis Centre Act). The Act entered into force on 1 January 2010. The purpose of the Crisis Centre Act is to ensure the provision of good, comprehensive crisis centre services for women, men and children who are subjected to domestic violence or threats of such violence. Under the Act, municipalities are required to ensure the provision of crisis centre services for these groups, where they can receive counselling and safe, temporary accommodation. Individuals may contact the crisis centre services without an appointment or referral. Under section 3 of the Crisis Centre Act, the municipality shall ensure that users have access to a qualified interpreter if this is necessary to ensure that they receive fully adequate services. The municipality shall put in place procedures for quality assurance, ordering of and payment for interpretation services.

85. Plans of action and a white paper on domestic violence. The Plan of Action to Combat Domestic Violence (2008-2011), “Turning Point”, contained several measures directly targeting women from an ethnic minority background, including production of a brochure that focuses on the legal rights of women who are victims of domestic violence. The brochure has been published in eight languages. Several measures have also been implemented to increase expertise on women from an ethnic minority background in crisis centres. The Plan of Action was followed up by a new plan of action for 2012. In March 2013, the Government presented a white paper on preventing and combating domestic violence (Meld. St. 15 (2012-2013)). This white paper is followed up with a new plan of action for 2014-2017. Both the plan of action and the white paper underscore the importance of knowledge regarding and inclusion of women from an ethnic minority background. Another measure focuses on acquiring more knowledge of domestic violence in Sami communities, and the extent to which there is a need to take action in respect of this target group other than the measures currently existing.

#### *Action Plan for Combating Female Genital Mutilation*

86. Through the Action Plan for Combating Female Genital Mutilation (2008-2011), many services have been established with a view to preventing female genital mutilation and ensuring that help is provided to those in need of assistance. In 2012, the Government presented Action Plans for Combating Forced Marriage and Female Genital Mutilation (2012), aimed at intensifying preventive efforts to combat female genital mutilation in

schools, at foreign service missions and in inter-agency collaboration in the public sector. In February 2013, based on evaluations of earlier action plans, experience acquired by the welfare services and input from voluntary organisations, the Government presented the Action Plan Against Forced Marriage, Female Genital Mutilation and Severe Restrictions on Young People's Freedom (2013-2016). The plan contains 22 new and continued measures. These measures cover three main areas: preventive efforts, effective public assistance through increased knowledge and collaboration, and research and methodology. The measures are seen in conjunction with and supplement the efforts to combat domestic violence and violence against and sexual abuse of children.

*The Norwegian Police Directorate's awareness-raising programme*

87. In 2008, the Police Directorate launched the Awareness and Safety project, an awareness-raising programme for employees aimed at ensuring that the general public experiences the police as safe, fair and confidence-inspiring. The programme focuses on dialogue, and addresses such topics as discrimination, prejudices, stereotypes and first impressions. The aim is to promote high standards of professional police conduct and build a trust-based relationship between minority communities and the police. The project has been carried out in all police districts in Oslo.

*The police dialogue forum*

88. A forum for dialogue has been established in the police force at both central and local levels. The Police Directorate invites various immigrant organisations to meetings three or four times a year, and several police districts arranged local meetings. These meetings make an important contribution towards improving the integration and inclusion of the immigrant population. The Minister of Justice and Public Security also has regular dialogue meetings with representatives of different immigrant organisations.

**5 I B No. 4**

*Recruitment of minorities to the Norwegian Prison Service*

89. This topic was covered in paragraphs 107 to 110 of Norway's nineteenth/twentieth report. At the start of the study term in January 2013, 11 persons with an ethnic origin other than Norwegian commenced the prison officer training programme. The goal of the Correctional Services is to increase the number of these students so as to increase diversity among Correctional Services staff. Specific measures have been initiated to this end.

90. Every year, the letters of allocation to the Correctional Service of Norway Staff Academy (KRUS) set requirements for the proportion/number of students with a multilingual background other than English. The requirement in connection with the 2012 admissions for the training programme beginning in January 2013 was 10 per cent, while the requirement for the number of Sami-speaking students was two persons.

*Conditions for service of prison sentences for Sami inmates and convicted persons*

91. The Norwegian Correctional Services Directorate has initiated a review of the conditions under which Sami inmates and convicted persons serve their sentences, and established a joint working group with the Sami Parliament for this purpose. The group submitted its report to the Directorate on 31 December 2011, and a consultation and cooperation conference was held in Karasjok in May 2012. On the basis of the report and conference, the Directorate, in collaboration with Sámediggi, have drawn up a plan of action to ensure the good, equitable execution of sentences for Sami persons, with particular emphasis on safeguarding and developing their language and culture. The plan of action is to be carried out by 2015. A guide has been prepared for the use of interpreters in

the Norwegian Correctional Services with regard to both when an interpreter should be used and how to order and assure the quality of interpretation services.

#### *Foreign prisoners*

92. A separate wing has been established for foreign inmates at Kongsvinger Prison and during the year the entire prison is to be converted to a unit for foreign inmates. The aim is to establish a prison with special expertise in working with foreign inmates, in relation both to their transfer to their country of origin and to adapting conditions of service of sentence for inmates who will not be returning to society in Norway.

### **5 I B No. 5**

#### *Legal aid and courts of law*

93. The Ministry of Justice and Public Security administers funds allocated each year to various special-interest organisations that provide legal aid in their respective fields. The funding is allocated on the basis of applications. In the period 2009-2011, the Organisation against Public Discrimination (OMOD) and the Norwegian Organisation for Asylum-Seekers (NOAS) each received NOK 300 000 per year. The Inner Finnmark Legal Aid Office (RIF) has been a permanent arrangement since 1997. Minority policy considerations were among the reasons for establishing the office and visitors may make enquiries in Sami. From 2009 to 2012, the office received NOK 1.4 million, 1.1 million, 1.3 million and 1.35 million, respectively, of the above-mentioned funding.

### **5 I C**

#### *Dialogue and equality in public services*

94. The Ministry of Children, Equality and Social Inclusion has a special responsibility for promoting and coordinating implementation of the Government's integration and inclusion policy, which includes ensuring equality in public services. At directorate level, this is the task of the Directorate of Integration and Diversity (IMDi). IMDi's efforts to adapt public services are based on follow-up of partnership agreements with agencies and municipalities, and on network-building and sharing of experience between directorates and other agencies. The Forum for Integration and Diversity (FIM), which was headed by IMDi, has been discontinued after discussions with the agencies involved in the FIM. The work of the Forum is being continued in the network of director-generals of the nine welfare agencies that play a key role in efforts targeting the immigrant population.

#### *Participation in elections*

95. It is a Government goal to ensure that voter participation among persons of foreign origin who are entitled to vote in Norway is equivalent to the total voter turn-out rate. Achieving this goal poses a considerable challenge given the constant growth in the immigrant population. Statistics Norway maintains that had it not been for the continuous increase in the number of new voters, it would be reasonable to conclude that participation had increased (Aalandslid). The voter participation of different immigrant population groups varies significantly. In the 2009 general elections, 52 per cent of immigrants with Norwegian citizenship exercised their right to vote. The voter participation rate was highest among those who have lived the longest in Norway. Immigrant voter turnout was 24 percentage points lower than the general voter turnout of 76.4 per cent.

**5 ID nos. 1-2***Amendment to the Immigration Act*

96. The first paragraph (a) of section 28 of the Immigration Act on residence permits for foreign nationals in need of protection (asylum) is a condensed version of Article 1 A (2) of the Refugee Convention, which sets out, inter alia, the reasons for persecution that may entitle an individual to refugee status. A linguistic amendment has been made to the provision in that the term “race” has been replaced by “ethnicity, descent, skin colour”.

97. In connection with the Storting’s deliberations on the new Immigration Act passed in 2008, a majority of the members of the Storting’s Standing Committee on Local Government and Public Administration stated that the term used could have unfortunate associations, as the word “race” can have negative connotations in the Norwegian language. The majority requested that the Government consider a more appropriate term; see Recommendation No. 42 (2007-2008) to the Odelsting, p. 20. Based on the *travaux préparatoires* for the Anti-Discrimination Act, the wording of section 28 has been amended to “ethnicity, descent, skin colour”. The amendment entered into force on 1 September 2012. It is emphasised that the proposal was not intended to entail any change in substance. The Act still refers to the definition of a refugee in the Refugee Convention, which will be determinant for the interpretation of the wording of section 28, first paragraph, (a).

*Immigration appeals committee*

98. Reference is made to paragraph 132 of Norway’s nineteenth/twentieth report. The Committee’s report, Norwegian Official Report NOU 2010: 12 on a new appeals system for immigration cases has been circulated for general consultation, and the matter is currently under consideration.

*Asylum-seeking children*

99. In the spring of 2012, the Government presented a white paper on asylum-seeking children (Meld. St. 27 (2011-2012) Barn på flukt. Children who are involved in migration are in a particularly vulnerable situation. The Government wished to provide an overview of applicable regulatory frameworks, practices and the policy that is pursued, and to highlight special challenges and dilemmas in this area. Furthermore, the Government wished to provide an overview of the numbers of children seeking asylum, their country of origin and their situation while travelling, to focus attention on priority areas and emphasise certain measures. The white paper covers unaccompanied asylum-seeking minors and children who leave their country of origin with their parents or other carers, and it discusses the rights that the children have while their application is being processed.

**5 ID No. 3***The Norwegian Nationality Act*

100. The 2012 white paper on a comprehensive integration policy states that Norwegian citizenship for each individual is a goal of the Government’s integration policy. In the desire to strengthen the bond between the new citizen and Norwegian society, the Government introduced voluntary citizenship ceremonies in 2006. Over 2 300 persons took part in 2011, or 24.7 per cent of those who were granted citizenship that year. The goal is to ensure that even more new citizens participate in the ceremonies. When an application is submitted for Norwegian citizenship, the requirement of established identity presents special challenges. Since Norway’s last report, the Government has therefore changed the rules to enable more persons who were born in Norway or who came to Norway at a young age to establish their identity and become Norwegian citizens. The amendments entered

into force on 1 July 2012. On 20 May 2012, a provision entered into force whereby a foreign national who is granted a temporary or permanent residence permit shall have his or her permit documented through the issue of a Schengen uniform-format residence card containing electronically stored biometric personal data.

*Norwegian language training and social studies*

101. The right and obligation to participate in Norwegian language training and social studies was expanded from 300 to 600 hours on 1 January 2012. Persons who have a right and an obligation to participate in Norwegian language training and social studies must have undergone 600 hours of training to be entitled to a permanent residence permit and Norwegian citizenship. After 1 September 2013, it will be mandatory for persons who have a right and an obligation to participate in such training to sit for final examinations in Norwegian and social studies. As yet, no test in social studies has been introduced as a requirement for Norwegian citizenship. A new proposal is slated to be circulated for consultative comment in 2013.

102. On 1 September 2012, a provision entered into force regarding central government oversight and the duty of municipalities to carry out internal controls of the fulfilment of municipal obligations under the Introduction Act. The first trial inspections were conducted in the autumn of 2012. The purpose of central government oversight and internal controls is to ensure that municipalities fulfil the minimum requirements prescribed by the Act, and to strengthen the participants' legal safeguards.

**5 ID No. 4**

*Forced marriage*

103. Through the Action Plan against Forced Marriage (2008-2011), many services have been established with a view to preventing forced marriages and ensuring that help is provided to those in need of assistance. In 2012, the Government presented Action Plans for Combating Forced Marriage and Female Genital Mutilation (2012), which continued the main measures. In February 2013, the Government presented the Action Plan Against Forced Marriage, Female Genital Mutilation and Severe Restrictions on Young People's Freedom (2013-2016). See 5 IB Nos. 1-3.

**5 ID No. 9**

*The right to freedom of peaceful assembly and association*

104. Increasing focus on inclusion and integration in the voluntary sector is one of the Government's key voluntary sector policy goals. A number of NGOs and the umbrella organisation, the Association of NGOs in Norway (Frivillighet Norge), have assumed special responsibility for drawing greater attention to this issue. The Government contributes funding to enable the voluntary sector to promote inclusion of immigrants, in part by providing grants for the Association of NGOs in Norway, and through grant schemes like Frifond. Volunteer centres also make an important contribution to ensuring an open, inclusive voluntary sector and as a meeting place. There are currently around 380 volunteer centres throughout Norway. In 2012, the Government granted funding for volunteer centres in municipalities and urban districts with a large immigrant population for the specific purpose of strengthening these centres as a meeting place and arena for community participation.

**5 I E No. 1***Efforts to increase employment*

105. In its white paper on a comprehensive integration policy – diversity and community (Meld. St. 6 (2012-2013)), the Government presents a number of measures aimed at increasing immigrant employment rates. A main challenge lies in increasing the rate of employment among immigrants from countries in Asia and Africa who have come to Norway as refugees or as family immigrants. In 2011, the Directorate of Integration and Diversity (IMDi) launched a network to promote diversity in wholly-owned government companies, with emphasis on specialised HR follow-up and provision of expertise. IMDi continues to document the efforts of the wholly-owned government companies to recruit more persons from an immigrant background and to promote diversity and inclusion in the workplace. The white paper also points to challenges in the collaboration between agencies.

106. As from 2010, every municipality in Norway will offer a qualification programme for persons of economically active age with significantly reduced work and income-earning ability and no or only very limited subsistence benefits under the National Insurance Act or the Labour Market Act. Participants receive a regular monthly benefit, and must follow a customised programme of employment measures, training programmes, motivational training, coping skills training, job-seeking, etc. The aim of the programme is to provide participants with the necessary qualifications to obtain ordinary employment, as well as to contribute to their social integration.

*“The Job Chance”*

107. From 2013 “The Job Chance” will be made permanent. The aim is to increase employment among immigrants who experience difficulties entering the job market and who are not covered by any other schemes.

*Social dumping of workers*

108. The Government has presented three action plans to combat social dumping, in 2006, 2008 and 2013. The Government’s third action plan to promote a decent, legitimate working life and combat social dumping contains a broad range of measures to foster decent working conditions, both for foreign workers in Norway and in industries where there are many unscrupulous businesses. Key measures in the plan aim at strengthening controls and ensuring better compliance with regulatory frameworks in all aspects of working life.

**5 I E No. 2***The right to form and join a trade union*

109. There have been no changes in this area during the reporting period, apart from the fact that the Labour Disputes Act (referred to in the previous report) was recently revised and has thus been given a new title: The Labour Disputes Act of 2012.

**5 I E No. 4***Social services*

110. The Act of 18 December 2009 No. 131 on Social Services in the Norwegian Labour and Welfare Administration (NAV) entered into force in 2010. The statute is a continuation of the Act of 13 December 1991 No. 81 on social services, etc. Everyone who stays lawfully in Norway over a certain period of time is covered by the Act and is entitled to

social services, irrespective of nationality. Persons who are in Norway for a brief period of time, such as tourists, jobseekers or beggars, are entitled to receive information, advice and guidance at NAV offices, but have a limited right to financial support. Persons who have been granted a temporary right of residence as victims of human trafficking enjoy general rights, including a right to financial support, temporary housing and participation in employment measures, even if their stay is of a short duration.

#### *Child welfare services*

111. All children in Norway, regardless of background, are entitled to access to good child welfare services on an equitable basis. This means, inter alia, that all children are entitled to protection against violence, abuse and neglect. In the past few years, the Government has implemented several measures to increase the expertise of child welfare service employees to reach and help children and families from an immigrant background. One such measure is the establishment of a special further education programme on child welfare in a minority perspective, which is financed by the Ministry of Children, Equality and Social Inclusion. It is also a priority task for Norwegian authorities to provide parents from an immigrant background with information on children's rights in Norway and the functions of the child welfare service. Dialogues have been initiated between the public authorities at various administrative levels and minority group organisations to promote greater trust in and understanding of the mandate and tasks of the child welfare service.

#### *Health and care services*

112. Municipal health and care services and central government specialist health services are based on the principle of equality, which means that all inhabitants of Norway have an equal right to services adapted to individual needs; see chapter 1 of the Patients' and Users' Rights Act, chapter 1 of the Specialist Health Services Act, chapter 1 of the Health Authorities and Health Trusts Act and chapter 1 of the Municipal Health and Care Services Act.

113. In the efforts to promote equality of service, the health authorities have attached importance to ranking priorities correctly. The National Council for Quality and Prioritisation in Health Care and national prioritisation guidelines are important tools for achieving this objective. The guidance centre for health services, which was established in 2009, helps users find the right body to contact in the health services. Another example is the Norwegian Centre for Minority Health Research (NAKMI), an inter-disciplinary community established to contribute to more equal service provision regardless of language, ethnicity or socio-cultural background. (See [www.nakmi.no](http://www.nakmi.no)). A special department has been created in the Norwegian Directorate of Health with responsibility for issues such as minority health.

114. The health authorities have a system for identifying any consequences for the Sami that might arise from actions proposed by the central government authorities. In cooperation with the Norwegian Association of Local and Regional Authorities (KS) and labour organisations, the Government is carrying out a project to enhance the ethical competence of health, social and care service employees. The goal of the project is to improve employees' knowledge of ethical conduct and promote ethical reflection in service provision. The project, which is based on the white paper on coping, possibilities and meaning, started up in 2007 and is scheduled to continue to the end of 2015.

115. In cooperation with the Norwegian Centre for Pre-hospital Emergency Care (NAKOS), the Directorate of Health has developed a course on ethics and cultural attitudes for physicians working in emergency clinics. The National Centre for Emergency Primary Health Care has issued a special study booklet on ethics in emergency primary health care which addresses the issues of rights, obligations and cultural values. The centre has also

developed a special study module that includes an ethical code of conduct and cultural attitudes for physicians working in emergency clinics. In the guide for physicians doing compulsory service, even greater attention is now being focused on ethical issues with a view to preventing discriminatory attitudes and conduct on the part of physicians carrying out such service. In its 2009 letter of allocation of funding, the Ministry of Health and Care Services tasked county governors with giving priority to this work. The Directorate of Health has also raised the topic at several meetings with the county governors.

116. The Northern Norway Regional Health Authority has begun work on a study of the Sami population's need for and use of specialist health services. The study is to assess future needs for the provision of specialist health services to the Sami population. The study must also cover habitation and rehabilitation. The Northern Norway Regional Health Authority has analysed eight municipalities in the administrative area for Sami language in comparison with 11 coastal municipalities which have traditionally had a very small Sami population. According to the report, there is reason to assume that the specialist health services available to municipalities in the administrative area for Sami language are equal to those of other similar municipalities under the Northern Norway Regional Health Authority. The report concludes that the difference in the detection of breast cancer in the national screening programme should be further explored. Similarly, the shorter period of time spent in psychiatric hospitals by Sami men should be followed up, according to the report. In the light of administrative requirements laid down by the Ministry of Health and Care Services to ensure necessary language and cultural expertise, the Northern Norway Regional Health Authority states in its annual report for 2011 that "all the health trusts have taken action to ensure that the Emergency Medicine Communication Centrals (EMCC) have the necessary language and cultural expertise".

## **5 I E No. 5**

### *Schooling and education*

#### *Systems for recognition of foreign education*

117. The systems for recognition of foreign education are intended to ensure that persons with foreign education credentials have the necessary expertise required in Norway for the occupation in which they are to work, or to be able to continue their studies, and to give them equal opportunities to compete according to their academic competencies. There is a growing demand for recognition of higher education credentials, and the Government has therefore introduced several different measures in the past few years to ensure that the recognition system is effective, user-friendly and reliable. In the white paper to the Storting on a comprehensive integration policy – diversity and community (Meld. St. (2012-2013), the Government announced a plan of action to ensure better use of immigrants' expertise.

#### *Results of the introduction programme for immigrants*

118. Statistics Norway publishes an overview of participants in the introduction programme for newly arrived immigrants (for information on the information programme, see the description in paragraphs 36-44 of Norway's 17th/18th report). In the course of 2011, 12 800 persons took part in the introduction programme.

#### *Language training*

119. In 2007, a pilot project was launched that offered free core time in day-care centres for all four-year-olds and five-year-olds in certain districts of Oslo where there is a high percentage of minority language children. The project has now been expanded to include districts in two other large towns (Bergen and Drammen). The purpose of the pilot project

is to prepare children for starting school, improve the Norwegian language skills of minority language children and contribute to their socialisation in general. Project funding is also granted for measures targeting parents or guardians from an immigrant background, especially mothers, to enable them to receive Norwegian language training. In 2013 a total of NOK 72 million has been allocated for this project.

120. Since 2012, NOK 10 million has been allocated for a general school development programme designed to improve learning outcomes at some of the most challenging schools in some areas of Oslo. Under section 2-8 of the Education Act, “pupils attending primary and lower secondary school who have a mother tongue other than Norwegian or Sami shall be entitled to special Norwegian instruction until they have sufficient proficiency in Norwegian to follow the normal instruction of the school. If necessary, such pupils shall also be entitled to mother tongue instruction, subject teaching in both the mother tongue and Norwegian, or both.” From the autumn of 2013, efforts to upgrade expertise on meeting the needs of multi-cultural pupils will be intensified. School owners and kindergarten authorities will be given greater insight into applicable legislation to ensure better observance of the right of pupils to such instruction.

121. The statutory amendment regarding an introduction programme for newly arrived minority language pupils entered into force from August 2012. Under this amendment, schools may offer better, more individually adapted instruction for such pupils with a view to facilitating their transition to ordinary instruction in Norwegian schools. In the long run, this will also help to reduce drop-out rates.

*Strategies for increasing the recruitment of persons from an immigrant background to higher education institutions*

122. We refer to paragraphs 280-291 of Norway’s nineteenth/twentieth report. Recruiting students from an immigrant background to a broad range of higher education programmes is a general goal. Information regarding opportunities to pursue studies is provided to adults from an immigrant background. In April 2012, the social partners and the Minister of Education and Research signed a social contract aimed at providing more apprenticeships. Funding is also available to encourage companies to accept apprentices who have inadequate Norwegian language skills.

*Special training programmes for newly arrived minority language pupils*

123. Minority language children who come to Norway after they have reached school age are expected to participate in ordinary instruction after a relatively short period of time. To ensure good learning outcomes for each pupil, it is important that newly arrived pupils receive special attention at an early stage. Since August 2012, under the Education Act, municipalities have been authorised to establish special training programmes for newly arrived minority language pupils.

*Diversity and coping*

124. Reference is made to paragraph 206 of Norway’s nineteenth/twentieth report. In 2008 a committee was appointed to review the educational services offered to minority language children, young people and adults in Norway. The committee submitted a Norwegian Official Report in 2010, and several of the measures proposed in the report were followed up on in the white paper on a comprehensive integration policy – diversity and community (Meld. St. 6 (2012-2013)).

*Project relating to the Romani People/Tatars – from child to adult*

125. The project *Romanifolket – fra barn til voksen* (Romani People – from child to adult) was concluded in 2009. The project is being followed up under the auspices of the National Centre for Multicultural Education. Work is in progress on establishing permanent programmes, including efforts to highlight Romani people/Tater culture in day-care centres and schools, and to develop information/information materials.

*Sami teaching materials*

126. Sámediggi (The Sami Parliament) is responsible for developing and producing Sami teaching materials and has drawn up a strategic plan for this work. Furthermore, Sámediggi and the Norwegian Centre for ICT in Education have been engaged in a project to establish a portal for Sami teaching aids.

**5 I E No. 6***The right to participate in cultural activities*

127. The objective of the grant scheme for measures for children and youth in large urban communities is to improve the conditions in which children and adolescents live and grow up in Norway's major towns, where most children and youth from an immigrant background live. The Ministry of Culture has strengthened this scheme through a special programme that gives more children and young people an opportunity to participate in cultural and leisure activities; see the white paper *Culture, Inclusion and Participation* (Meld. St. 10 (2011–2012)). The International Research Institute of Stavanger (IRIS) has carried out a review of the grant scheme to promote inclusion in sports teams for the Ministry of Culture. The result, which is presented in IRIS Report 2011/066, shows that at an aggregate level the objectives of the scheme have been achieved to a significant degree.

**5 II A Nos. 1 and 2**

128. See 5 I D Nos. 1-2

**5 II A No. 4**

129. Reference is made to paragraphs 252-255 of the common core document.

**5 II A No. 6***The gender dimensions of ethnic discrimination*

130. A study carried out by the Institute for Social Research of the extent and causes of discrimination (ISF 2012-1) shows that there are differences in the rate of discrimination against men and women: having a foreign-sounding name reduces the likelihood of being called in for a job interview by 16 per cent for women and 37.4 per cent for men. Generally speaking, women from a minority background experience less discrimination than men. One reason may be that women from a minority background participate to a lesser degree in key social arenas than men. A Statistics Norway report from 2010 shows that there are significant disparities in living conditions between immigrant women and immigrant men.

*Integration of gender equality in policy development*

131. A central strategy in Norwegian gender equality policy is to integrate the principle of equality into all policy formulation at central, regional and local level. The Government's work is governed by the strategy relating to sector responsibility for gender equality.

132. The Gender Equality Act provides protection against discrimination based on gender. In 2011, the Government presented a new action plan for gender equality, Gender Equality 2014. The plan covers the period 2011-2014 and defines goals and initiatives to promote gender equality in all spheres of society. It addresses specific challenges for women and men from a minority background. The Norwegian Government recognises the importance of a multi-dimensional perspective. The Government has presented a white paper on gender equality (Meld. St. 44 (2012-2013)). The proposals in the white paper affect women and men from an immigrant background.

133. Funding is provided for a position at Gáldu Resource Centre for the Rights of Indigenous People to address the issues of gender equality and non-discrimination in Sami areas.

## **5 II B-C**

### *Discrimination on several grounds*

Lesbian, gay, bisexual and transgender persons (LGBTs)

134. In 2011, the Government established a national centre of knowledge on sexual orientation and gender identity attached to the Norwegian Directorate for Children, Youth and Family Affairs. The centre is tasked with supporting sectoral efforts in this field and collecting and disseminating information on research and best practices from Norway and other countries. On June 13 the Parliament adopted a new law prohibiting discrimination based on sexual orientation, gender identity and gender expression. This Act comes into force in 2014.

135. The efforts of non-governmental organisations play a major role in the improvement in the rights of LGBTs. The establishment and development of the Queer World organisation have contributed significantly towards focusing attention on the special challenges faced by LGBTs from an immigrant background, and to ensuring that this group, too, now has a safe social arena where they can meet others in a similar situation. As part of the implementation of the Government's action plan to improve quality of life among lesbians, gays, bisexuals and transgender persons, a special project is to be carried out in 2013 to map conditions among LGBTs from an immigrant background.

136. Section 28 of the Norwegian Immigration Act relating to residence permits for foreign nationals in need of protection (asylum) covers applications for protection by persons who are lesbian, gay, bisexual, a transgender person or an intersex person (LGBTI) and who claim to be at risk of persecution for that reason.

137. In its instructions (GI-07) of 29 June 2012, the Ministry of Justice and Public Security has instructed the Directorate of Immigration (UDI) how to deal with such applications for asylum. According to the instructions, the immigration authorities cannot expect, require or act on the assumption that such applicants, if returned to their country of origin, will adapt to social, cultural and statutory norms in public life, or conceal their sexual identity, in order to avoid persecution. The immigration authorities must ensure that a gender-sensitive approach is adopted at all stages of the application processing.

## **Article 6**

138. Promoting increased awareness in courts of justice of Norway as a multicultural society has been identified as a priority area in the skills strategy drawn up for the courts of justice and the Norwegian Courts Administration for 2010-2015. Use of interpreters is a topic that is always covered in the introductory course for judges, and the courts'

administrative staff are offered training in booking interpreters and the use of interpreters when judgment is served by means of personal attendance at the court's offices. Two seminars on the rule of law in a multicultural society will be held in 2013. Furthermore, the Norwegian Courts Administration is currently developing a model for a local training programme for courts that covers courts of justice and their interface with a multicultural society. Finally, as a result of the efforts made in recent years to strengthen the rights of the aggrieved person in criminal procedure legislation, both the courts and the prosecuting authorities are better able to safeguard the interests of groups of aggrieved persons from a multicultural background.

#### **6A No. 4**

##### *The Romani people/Taters Cultural Fund*

139. Reference is made to paragraph 256 of Norway's nineteenth/twentieth report. This foundation has now functioned for over five years, and the number of organisations represented on the Executive Committee has increased from two to four. So far, the foundation has granted more than NOK 5.2 million to just under 100 different projects. In 2013, the statutes of the foundation will be reviewed with a view to reducing the use of funds for administrative purposes.

#### **Article 7**

#### **7A No. 1**

##### *Teacher education*

140. Reference is made to paragraph 280 of Norway's nineteenth/twentieth report. In the period 2010-2013, new national curricula will be adopted for all teacher education. Requirements have been laid down in general regulations for the candidate's learning outcome upon completion of the course of study. These requirements include skills for working with multilingualism and multicultural perspectives in a school with a highly diverse pupil body. GNIST is a central-government-financed campaign aimed at recruiting more individuals to apply for admission to a teacher education programme. In addition to a broad-based campaign, there will be special focus in 2013 on targeted measures to recruit more men and persons from an immigrant background to teacher education. In 2011, the Government allocated extra resources for training bilingual teachers to four higher education institutions. There will be focus on multicultural pedagogy and second-language didactics in the new teacher education programmes.

#### **7A No. 2**

##### *Schools' efforts to combat racism and anti-Semitism*

141. Human rights, racism and anti-Semitism are already well embedded in the Knowledge Promotion Reform's competence objectives and subject curricula, but the Ministry of Education and Research recognises that it may be necessary to enhance teaching skills. The Ministry is therefore in the process of developing a coherent approach to schools' efforts to combat anti-Semitism and racism, based in part on recommendations in the report *Det kan skje igjen* (It Can Happen Again). The Center for Studies of the Holocaust and Religious Minorities, the European Wergeland Centre and the Department of Teacher Education and School Research at the University of Oslo were commissioned by the Directorate for Education and Training to develop a three-year training programme for teachers (Democratic Readiness against anti-Semitism and Racism (DEMBRA)), school

administrators and pupils at lower secondary school level, with a view to preventing anti-Semitism, racism and undemocratic attitudes. The programme will be launched as a pilot project in Oslo schools in the autumn of 2013 and is part of the Directorate's five year plan (2009-2014) to create a better learning environment.

#### **7B No. 1**

##### *An inclusive cultural sector*

142. The objective of the white paper on culture, inclusion and participation (Meld. St.10 (2011-2012)) is to promote an inclusive cultural sector, i.e. a sector in which every individual has equal opportunities for participation and to develop their creative resources, regardless of such factors as socio-economic, cultural or religious background or functional capacity. The central initiative in the white paper aims at strengthening the steering dialogue with publicly financed cultural institutions and actors. The Ministry of Culture will place great emphasis on systematically monitoring institutions' efforts to promote inclusion and diversity.

#### **7 B No. 2**

##### *The Gáldu Resource Centre for the Rights of Indigenous People*

143. Reference is made to paragraph 291 of Norway's nineteenth/twentieth report. The Gáldu Resource Centre was evaluated in an external report in 2012. The report pointed out the need to clearly define the tasks of the Centre, and to develop concrete goals and goal achievement indicators. The Government is currently considering further follow-up of the evaluation report.

#### **7 B No. 3**

##### *Minority languages*

144. Reference is made to paragraphs 294-295 of Norway's nineteenth/twentieth report and Norway's fifth periodic report on the implementation of the European Charter on Regional or Minority Languages (the Language Charter), which was submitted in December 2011. The Sami languages (North Sami, Lule Sami, South Sami) and the Kven, Romani and Romanes languages are all protected under the Charter. The report describes a number of measures to further strengthen the different minority languages, as a follow-up of the recommendations of the Ministerial Committee. Reference is made to the Plan of Action to strengthen Sami languages, which is reported on in greater detail under the recommendations of the Committee on the Elimination of Racial Discrimination (Recommendation 18). The mandate of the Sami Language Board expired in December 2011. To ensure continued cooperation on Nordic languages, in June 2012 the Sami Parliamentary Council (comprised of representatives of the Sami Parliaments in Finland, Sweden and Norway) decided to initiate a project to establish a Nordic resource centre for Sami languages, Sámi giellagáldu. The project will run for 18 months, from January 2013 to June 2014.

145. The remit of the Norwegian Language Council covers all languages in Norway, including minority languages. The Council staff has recently been expanded to include a person with special responsibility for national minority languages.