



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 2696th meeting

Held at the Palais Wilson, Geneva, on Thursday, 6 December 2018, at 10 a.m.

Chair: Mr. Amir

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The meeting was called to order at 10 a.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined twenty-third and twenty-fourth periodic reports of Norway (continued)
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1. *At the invitation of the Chair, the delegation of Norway took places at the Committee table.*
2. **The Chair** invited the delegation to continue replying to the questions raised by Committee members at the previous meeting.
3. **Mr. Megard** (Norway), replying to questions posed concerning Sami rights, said that the Norwegian fisheries authorities recognized their international obligation to facilitate the activities of traditional Sami fisheries and considered the existing regulations governing participation in fishing activities to be in compliance with international law on minorities and indigenous peoples, particularly the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169). The Government and the Sami Parliament had discussed the impact of the regulations on Sami fishing rights prior to their adoption and, although they had disagreed on the applicable international legal framework, they had reached a consensus on the domestic legislation to be adopted to address the outstanding issues. The Government recognized the right to fish of persons residing in Finnmark and other Sami areas and had introduced special fishing quotas. The regional fisheries authorities and the Sami Parliament had developed a set of guidelines for consultations concerning saltwater fisheries. The guidelines provided that at least two annual meetings should take place between representatives of the Norwegian fisheries authorities and members of the Sami Parliament. The establishment of a local fjord fishing advisory board for the three northernmost counties of the country had served to increase the participation of the Sami in decision-making processes.
4. Sami reindeer husbandry was protected under the 2007 Reindeer Husbandry Act, the aim of which was to ensure that reindeer husbandry was economically, ecologically and culturally sustainable. The Act also established a self-governance system for reindeer herders, who were responsible for determining regulations for the use of grazing areas within their respective districts and for limiting herd sizes to ensure that the number of reindeer grazing in a given district remained ecologically sustainable. Reindeer husbandry was also the subject of a 2017 parliamentary white paper. Despite the Sami Parliament and the Sami reindeer herders' association having disagreed with the Government over the white paper's content, an extensive dialogue on reindeer husbandry had taken place. It was the Government's position that ecological sustainability and increased production could create unique opportunities in reindeer husbandry. To the extent possible, revenue should be generated through the sale of in-demand products and services in order to safeguard the basis of the reindeer husbandry industry and to protect the cultural heritage of reindeer herders. Reindeer herders whose grazing land was expropriated for public use had a constitutional right to compensation.
5. Members of the Sami Parliament had taken part in the negotiations at the 2015 Conference of the Parties to the United Nations Framework Convention on Climate Change in Paris. Parliament was considering the passage into law of general consultation procedures to ensure that the needs of Sami reindeer herders were taken into account in the development of new projects. However, a balance often had to be struck between competing interests, and agreement or consent could not always be obtained through consultations. The Government did not recognize the right to veto in the event of agreement or consent not being obtained. More information was contained in paragraphs 182 to 188 of the report.
6. **Mr. Skaug** (Norway) said that the Government shared the Committee's concern over the growing prevalence of hate speech in Norwegian society, particularly on the Internet and in political discourse. The Office of the Equality and Anti-Discrimination Ombud and civil society had both raised concerns about the increased use of the Internet and social media by extremist political groups to promote and disseminate racist content.

Prejudice and intolerance should be confronted through dialogue and open public debate, not by restricting fundamental human rights, such as the right to freedom of expression and to freedom of assembly and association. Racism and xenophobia were often the result of ignorance and ought to be addressed through education, awareness-raising and dialogue. The fight against racism, racial discrimination and related forms of intolerance and the need to bring to justice persons who incited racial or ethnic hatred or committed racially motivated crimes were high on the Norwegian political agenda. Politicians had a duty to lead by example and had been encouraged to vet their online content. The police were exploring new ways of engaging with persons who used hate speech on the Internet. Journalists had, on several occasions, identified hate speech and confronted persons who had posted xenophobic statements online. The Government had invited representatives of non-governmental organizations (NGOs) and of the police to a meeting on hate speech in November 2018.

7. **Mr. Knudsen** (Norway) said that a political declaration against hate speech had been issued in November 2015 and that a four-year strategy to combat the phenomenon had been adopted in November 2016. The strategy consisted of 23 measures to prevent and raise awareness of hate speech covering a number of priority areas. In June 2017, the Directorate for Children, Youth and Family Affairs had organized an international conference on hate speech in Stavanger during which participants had exchanged information on online hate speech and how to combat it. In 2018, the Directorate had continued to raise awareness of hate speech through regional dialogue meetings and conferences in cooperation with local stakeholders. It was also planning to launch a campaign to counter hate speech and harassment in the workplace in 2019. A website describing the Norwegian authorities' efforts to combat hate speech and how to report incidents of the phenomenon had been launched in November 2017. A social media campaign to raise awareness of hate speech among young people and adults working with them had been conducted in 2017.

8. Hate speech had likewise been a key focus area during the Norwegian presidency of the Nordic Council of Ministers in 2017. As part of Nordic cooperation on gender equality, a survey had been conducted on legislation to combat gender-based online hate speech and similar offences. Since 2014, the Government had been supporting a campaign to stop online hate speech as part of the No Hate Speech Movement of the Council of Europe. Norway actively cooperated with a number of international organizations in Europe, including the Organization for Security and Cooperation in Europe. It had likewise provided earmarked funding to support programmes conducted under the Strategic Engagement for Gender Equality 2016–2019 of the European Commission, which complemented efforts to combat hate speech on the basis of gender in combination with ethnicity, age, religion or disability. The Human Rights Trust Fund, which had been established in 2008 at the initiative of Norway, funded projects to help States to fulfil their obligations to the Council of Europe.

9. **Mr. Hustad** (Norway) said that Norway had followed up on the Committee's recommendations by adopting a clear definition of hate crime and by establishing a national system for registering such crimes. Pursuant to a directive issued by the Director of Public Prosecutions, hate crimes, including hate speech, were to be accorded the same level of priority as other gross violations of integrity. Hate crimes were registered, investigated and prosecuted according to the same standards in all police districts. In 2018, the National Police Directorate had published guidelines on how to identify and register hate crimes. The guidelines defined hate crimes as criminal offences motivated by hatred or negative attitudes towards persons on account of their religion or belief, skin colour, national or ethnic origin, sexual orientation or disability.

10. The uniform registration of hate crimes enabled the police to investigate those offences more effectively and to produce better statistical data. The National Police Directorate prepared statistics based on the number of hate crimes reported each year. In 2017, 549 hate crimes had been reported to the police, representing an increase of 17 per cent compared to 2016. Of those 549 hate crimes, 214 cases involved a violation of section 185 of the Penal Code concerning hate speech, representing an increase of 11 per cent compared to 2016. The number of hate crimes had increased not only in Oslo police district

but in police districts across the country. The rise in hate crime could be attributed in part to increased public awareness of the phenomenon and better monitoring and investigation by the police. The different police districts had also developed more effective techniques for sharing knowledge on how to identify and investigate hate crimes and related good practices.

11. The Norwegian Police University College had developed a study programme on preventing and investigating hate crimes, including hate speech. The Centre for Research on Extremism: The Extreme Right, Hate Crime and Political Violence had been established at the University of Oslo in February 2016. Annual statistics on anti-Semitic hate crimes were published under the Action Plan against Anti-Semitism 2016–2020. Statistics on hate crimes registered, investigated and prosecuted would be published under the Action Plan to combat discrimination on the grounds of sexual orientation, gender identity and gender expression 2017–2020. In Oslo, the police had prepared a compilation of judicial decisions relating to hate crimes. The National Police Directorate would continue its efforts to enhance its statistical capacity, including through technical solutions, and would endeavour to collect statistics on prosecuted cases and cases resulting in a legally binding judgment in the future.

12. **Mr. Austad** (Norway), responding to a request for information on cases in which incidents of hate speech had been prosecuted, said that, in March 2017, a 55-year-old man had been convicted under sections 185 and 166 of the Penal Code by Drammen district court for having posted racist and xenophobic comments on the Facebook page of a political editor of a local newspaper who had reported on the New Year's Eve sexual assaults in Cologne, Germany, in 2015. The court had found the convicted man to have undermined freedom of speech as the comments that he had left on a public Facebook page had likely deterred others from participating in the public debate about the event. He had received an 18-day conditional prison sentence and a fine of 8,000 Norwegian kroner. In March 2018, a 58-year-old man had been convicted under section 185 of the Penal Code by Follo district court for having posted death threats against Muslims and homosexuals on open and closed Facebook pages. He had received a 16-day conditional prison sentence but no fine on account of his having no income.

13. **Mr. Haavardsholm** (Norway) said that Dembra was a permanent, Government-funded programme to combat racism, anti-Semitism and undemocratic attitudes. Developed by the Centre for Studies of Holocaust and Religious Minorities, Dembra offered teaching materials to schools and training to school staff and was referred to in the context of several other government strategies to combat racial, religious and ethnicity-based discrimination, hate speech, radicalization and violent extremism. A total of 5.5 million kroner had been allocated to the programme in 2018. The Centre for Studies of Holocaust and Religious Minorities had been granted a further 2.5 million kroner to carry out a three-year training programme for new teachers and students on topics such as anti-Semitism, racism, group-based prejudice and discrimination. A number of universities were working to develop teaching and study methods to promote critical thinking and awareness of such issues. The collective research of the universities would be pooled into an online resource bank for use by participants in teacher training programmes. The project was expected to be completed by the end of 2019.

14. The framework plan for kindergartens provided that those establishments should promote respect for human dignity by highlighting, esteeming and promoting diversity and mutual respect. Kindergartens should also teach children the value of community and promote the principle of equality. They also had a duty to combat all forms of discrimination and to promote compassion.

15. The concerns raised about the lack of any mention of the Holocaust or the Second World War in the proposed new curriculum seemed to stem from a misunderstanding of how Norwegian schools functioned. In Norway, students did not follow a set curriculum whereby they were required to read prescribed texts and learn about specific historical events. Instead, they followed a more general, competency-based curriculum. Teachers were free to interpret the different competency-based goals and to select texts on that basis. The shift from a set to a competency-based curriculum had proved to be successful and had made Norwegian schools more diverse.

16. **Mr. Skaug** (Norway) said that the Government agreed that access to education and employment were the key to integration, economic stability and prosperity. For that reason, it placed great emphasis on the inclusion of all Norwegians in the labour market, regardless of gender, ethnicity, disability or sexual orientation. The Government was committed to combating racism, religious discrimination and prejudice and had adopted measures to counter discrimination in the workplace and in the housing market. A national initiative had been launched to promote the inclusion of immigrants in Norwegian society and in the labour market. There were also plans to launch a pilot scheme based on anonymous applications within the civil service in response to allegations of prejudice and discrimination in recruitment processes. Work had also begun on an action plan to combat discrimination on the grounds of ethnicity or religion. In October 2018, an education-based integration strategy had been launched with the aim of increasing the participation of immigrants in the Norwegian labour market and in Norwegian society as a whole. Presenting diversity to employers as a valuable resource in the workplace was one of the main pillars of that strategy.

17. **Ms. Bull Skarstein** (Norway) said that employers and public authorities had a legal duty to promote inclusion and equality. The Equality and Anti-Discrimination Ombud played an important role in giving guidance to public and private employers on their duties and advising individuals about their rights. The new Equality and Anti-Discrimination Tribunal had the authority to award redress in cases involving discrimination in the workplace. The 2018 Equality and Anti-Discrimination Act prohibited discrimination on the basis of ethnicity and religion, among other grounds, and stated that all employers must make active, targeted and systematic efforts to prevent discrimination. The Ministry of Children and Equality had proposed amendments to the Act with a view to strengthening structural protection against discrimination and making the duty on public authorities to prevent discrimination more specific.

18. A pilot scheme would be run in 2019 and 2020 to anonymize job applications in 15 public service agencies. A web resource had been launched in January 2018 to provide information on diversity recruitment for managers and human resources staff in central government bodies. Persons applying for civil service vacancies could choose to tick a box indicating that they had an immigrant background; the employer was then obligated to invite at least one qualified applicant with an immigrant background for an interview.

19. **Ms. Boye** (Norway) said that labour market outcomes differed across groups based not only on immigrants' backgrounds and origins but on differences in skills, formal education and age. The registered unemployment rate among immigrants was 5.9 per cent, compared to 1.7 per cent among the majority population. Immigrants from Africa had the highest unemployment rate at 10.6 per cent. The average employment rate among immigrants was 65 per cent, compared to 78 per cent among the majority population. The employment rates among immigrants from Africa and Asia were 48.6 and 56.1 per cent, respectively. The lowest employment rates were among women from Syria, Somalia, Eritrea, Afghanistan and Pakistan. Unemployed immigrants from countries outside the European Economic Area were given priority access to labour market measures run by the Labour and Welfare Service.

20. The aim of the Government's integration policy was to provide opportunities for refugees and immigrants to participate in the workforce and community life. All ministries had a responsibility to ensure that immigrants had equal opportunities, rights and duties in their sectors and to help achieve the goals of the integration policy. In October 2018, a new integration strategy had been launched — Integration through Education and Competence — with four main pillars: education and qualifications, employment, integration in everyday life and the right to live freely. The Introduction Programme was an individually-adapted, full-time programme for persons aged between 18 and 55 that aimed to prepare participants for employment, further education and participation in Norwegian society. The Programme generally ran over two years but could be extended to three; it was open to refugees and persons granted residence on humanitarian grounds and their family members.

21. Within three months of settling in a municipality, newly arrived immigrants were expected to enrol in language training, which was to be completed within three years. Immigrants were taught one of the two official variants of written Norwegian — Bokmål

and Nynorsk — depending on which was predominantly used in the municipality in which they were living. Immigrants who spoke Sami, the country's second official language, were exempt from the obligation to take Norwegian language training. The goal of the training scheme was that, after the first year, adult immigrants should have sufficient mastery of the Norwegian language to enable them to find employment and participate in society. Since September 2018, asylum seekers over the age of 16 residing in reception centres had to undertake 175 hours of Norwegian language training and 50 hours of social studies in a language they understood. The Government proposed allocating 16 million kroner in the 2019 budget to strengthen the skills of teachers of Norwegian to immigrants.

22. The Government was currently working on a reform of the Introduction Act with a view to achieving better results. The changes would include early mapping of previous education and skills and career guidance. Immigrants and refugees with little or no schooling would be provided with basic skills through model-based primary education. The Government would invest in formal education and qualifications, including vocational training, to meet the need for skilled workers in the job market. The Government cooperated with the relevant organizations and regions to match formal training with the needs of the labour market. It also worked to raise awareness of diversity as a resource in the workplace. It would also reintroduce the diversity prize with the aim of promoting ethnic diversity and recruitment of immigrants.

23. The aim of the Job Opportunity programme was to increase the employment rate among immigrants in need of basic skills who were not covered by other schemes. Since 2017, the programme had been divided into three parts: the first was aimed at women outside the labour market who were not receiving supplementary public benefits or attending any training; the second at subsidizing schools that offered additional primary and secondary education for young people; and the third at allowing municipalities to offer a fourth year of the Introduction Programme for those who needed it. Seventy per cent of the immigrant women who had completed the programme in 2017 were now employed or participating in education. In the 2018 budget, 120 million kroner had been allocated to the programme; additional funding would be provided in 2019.

24. **Mr. Austad** (Norway) said that considerable efforts had been made to increase the proportion of minorities in the police force. The Norwegian Police University College had participated in an international project funded by the European Union on diversity in policing between 2010 and 2014. In order to increase the percentage of students from ethnic minorities who applied and were admitted to the College, a series of short and long-term measures had been adopted. Previously, a quota system had been in place, whereby young people from minority groups who did not necessarily meet the normal academic and physical standards for qualification had been admitted. The system had drawn a lot of criticism, from both the minority youth themselves, who had felt that they were seen as second-class students, and the majority students, who felt that some people had received preferential treatment. The quota system had thus been abolished and the focus was now on providing young people from minority groups with the necessary support to meet the entry requirements. For example, given that being able to swim to a certain standard was one of the admission requirements that had proven difficult for applicants from minority backgrounds, special swimming training had been organized to help them reach the required level. The general skills test had also been revised to remove some of the culturally specific elements that made it easier for majority Norwegian youth to pass. The College organized information events for prospective students and their parents, based on the assumption that in certain immigrant communities parents were much more involved in their children's study and career decisions. The College's recruitment team, which was made up of a carefully selected mix of students with a range of language skills and backgrounds, also participated in events at schools with a higher proportion of immigrant students and visited mosques and youth clubs in immigrant communities. To reach young people with a Sami background, the recruitment team had visited police stations in the Finnmark region to develop local recruitment strategies. In 2017, the proportion of students in the College with a minority background had reached an all-time high of 14 per cent.

25. **Mr. Megard** (Norway) said that the State party's national minorities were all quite small, ranging in size from several hundred to several thousand members, and most were

dispersed across the country. For historical reasons, the Government did not keep any official statistics on national minorities, but based on social science research and self-identification some estimates were available. The national minorities were identified in the common core document. Only a few thousand people understood the Kven language and very few, if any, under the age of 50 had it as a mother tongue. The demands of the Kven minority differed from those of the Sami, as the latter were an indigenous people and the former a national minority descended from migrants from modern-day Finland and Sweden in the eighteenth and nineteenth centuries. All national minorities were protected under the Council of Europe Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. The Government maintained a close dialogue with organizations representing national minorities. The Ministry of Local Government, the Ministry of Education and the Ministry of Culture had developed a targeted plan to revitalize the Kven language in the next four years, including measures to strengthen it at all levels of education, increase the use of Kven place names and support civil society initiatives to create language camps and centres for children and adults. Funding for such measures had doubled since 2015 and was to increase by a further 40 per cent in 2019 to 10 million kroner. The Kven language had a small presence in the programming of the Norwegian public broadcaster, there was a range of subsidies available to promote Kven culture and the bilingual Kven-Norwegian newspaper received regular funding from the national budget.

26. General welfare and labour policies were designed to ensure that those in need benefited from appropriate measures regardless of their ethnicity. Migrants and refugees were transferred to the general welfare system after their first few years in the country. There were approximately 700 Roma in the country, mainly living in the capital. The need for special employment and education measures for that community was generally recognized. On International Roma Day in 2015, the Prime Minister had apologized to the Norwegian Roma community for the racist policies pursued in the decades before and after the Second World War and their fatal consequences during the Holocaust and had promised some form of collective reparation. After extensive dialogue, the outcome had been the Roma cultural resource centre in Oslo, which ran mediator services and an afterschool club and served as a meeting place for the Roma and the majority population. The municipality of Oslo ran a guidance service to help Roma students and their parents navigate the school system.

27. **Mr. Austad** (Norway) said that, when drafting the Human Rights Act, a distinction had been made between the main conventions that were universally applicable to all persons and specific conventions that applied only to certain groups. It had been decided to incorporate only the general conventions into Norwegian law through the Act in an effort to limit what would otherwise be a huge number of instruments. Since then, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child had been incorporated through the Act, but there was a reluctance to expand that practice further. He hoped that the Committee would understand the dilemma faced by the Government: if it were to incorporate the Convention on the Elimination of Racial Discrimination through the Act, it would be opening the door to all the other conventions.

28. The possibility of banning organizations that incited racial discrimination had been considered on several occasions but it had been concluded that any such ban could be in violation of the right to freedom of peaceful assembly and association under the European Convention for the Protection of Human Rights and Fundamental Freedoms. Instead, the focus was on prohibiting and prosecuting illegal activities, such as hate speech and hate crimes. The Government was of the view that the requirements of article 4 of the Convention were covered by the Penal Code.

29. **Ms. Bull Skarstein** (Norway) said that four previous acts had been combined into the comprehensive Equality and Anti-Discrimination Act in order to make legal protection against discrimination more accessible and thus more efficient. The Act contained the first explicit prohibition of intersectional discrimination, which particularly affected minority women. The new Act contained most of the provisions of the former acts, although amendments had been made to ensure stricter, more specific and fairer regulation. The

handling of discrimination complaints had been transferred from the Equality and Anti-Discrimination Ombud to the Equality and Anti-Discrimination Tribunal in January 2018. Since then, the Tribunal had received 150 complaints, 35 of them related to ethnicity and 5 to religion, but it had not yet issued any statistics on the outcome of the cases. Between 2007 and 2015, the Ombud had handled 15,027 cases, including both complaints and guidance, 2,438 of which had been linked to ethnicity. Almost half of the complaints received during that period had involved workplace discrimination. In order to guarantee the necessary legal safeguards, there were strict qualification requirements for the Tribunal's three leaders.

30. **Ms. Nygård** (Norway) said that the Government agreed that more information about ethnic minorities could be helpful in targeting policies to combat discrimination. However, there were compelling historical reasons for not registering data on individuals' ethnicity. Since 2008, however, Statistics Norway had published a biennial report on the Sami based on geographical data and information provided by a variety of Sami institutions. It also produced information on the immigrant population. The Directorate for Children, Youth and Family Affairs was developing indicators for all forms of discrimination, including based on ethnicity, and planned to publish the statistics online in 2019, focusing on attitudes towards ethnic minority groups among the majority population and the living conditions of some ethnic minority groups. On the basis of the statistics available, relevant indicators and research, the Government was able to develop knowledge-based policies and target actions against racism and discrimination in the areas needed.

31. **Ms. Bull Skarstein** (Norway) said that measures to combat racism and ethnic discrimination were not generally targeted at specific groups, although there were some exceptions, such as the Action Plan against anti-Semitism. The Government had not undertaken any specific activities in connection with the International Decade for People of African Descent, but its general efforts, such as the strategy against hate speech, encompassed people of African descent. The Government had been in contact with the Working Group of Experts on People of African Descent regarding a possible country visit in 2019. There were multiple ways for organizations wishing to organize activities related to the International Decade to apply for grants from the Government.

32. **Ms. Boye** (Norway) said that the Nationality Act had been amended to provide for loss of citizenship in cases in which dual citizens had committed serious crimes, including terrorism. The decision to deprive the individual of Norwegian citizenship would be made by the courts as part of the criminal proceedings. The provision did not apply to crimes committed by minors or by persons with no other citizenship who would otherwise become stateless. The provision would take effect on 1 January 2019.

33. **Mr. Lobo** (Norway) said that Norway had laws that applied to companies' overseas operations and prohibited certain activities. Corruption was unlawful and punishable in Norway, no matter where it took place. Norway adhered to the United Nations Guiding Principles on Business and Human Rights and the Organization for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises, with the result that there was now an expectation for companies to conduct corporate human rights due diligence. In keeping with the OECD Guidelines, Norway had established a National Contact Point, which was an independent expert body that cooperated with the Government to promote the Guidelines and guidance on due diligence and responsible business conduct, and which responded to enquiries and provided a mediation and conciliation platform to help resolve cases of alleged non-observance, known as specific instances. The National Contact Point had addressed 14 specific instances since its inception, the most recent in 2016. The Government had also appointed an ethics information committee to study the feasibility of a law under which businesses would be obliged to disclose information about their production sites, corporate social responsibility and supply chain follow-up. That committee was due to deliver its report no later than 1 December 2019. The Government expected businesses operating abroad to abide by local laws and by the global guidelines and principles that Norway had agreed to observe, and it had communicated that message to the business community in all relevant forums. Norway would continue its endeavours to ensure that business activities were not only profitable, but good for people and for the environment.

34. **Ms. Ko** (Country Rapporteur) said that she would appreciate further information about whether judges were provided with special training. In particular, she wondered whether judges received training on cases involving the rights of the Sami people, given that their laws took the form of custom and were not codified. She would also be interested to know how the judiciary recruited persons from minorities.

35. **Mr. Albuquerque e Silva** said that he was not satisfied by the reply provided in respect of the teaching of history, specifically that of the Second World War and the Holocaust. While recognizing that States had the right to decide their own curriculum, he did not believe that the approach adopted by Norway was adequate in the current global context, in which manifestations of intolerance and misunderstandings about European history were common.

36. The delegation might also comment on the barriers that prevented transgender persons who did not hold a permanent residence permit, including students, work migrants, asylum seekers and others, from accessing health care. There were two dimensions to that problem: firstly, the health-care system did not accept medical diagnoses from other countries, meaning that transgender persons had to start the medical process from the beginning; and, secondly, even those refugees whose transgender condition had been recognized by the authorities had been denied appropriate health care.

37. **Ms. Shepherd** said that she would be grateful for clarification of how the content of the Dembra programme and kindergarten education prevented the stereotyping of African people and immigrants. How did the State party deal with its pre-1905 history, and how did it harness the teaching of history to assist in the fight against anti-black racism and discrimination against minorities? In that regard, she had been shocked by the assertion that no activities were planned to commemorate the International Decade for People of African Descent. While she appreciated that the Government was open to receiving applications from groups wishing to undertake actions in that context, she wished to remind the State party that the programme of activities for the implementation of the Decade ([A/RES/69/16](#)) called upon States to take targeted actions. Moreover, rather than focusing on problematic aspects, she wished to know what recognition was given to the contributions of Africans and people of African descent to the development of Norwegian society.

38. School abandonment seemed to be a problem across all minority groups, with high dropout rates affecting a significant proportion of boys and girls, particularly in vocational education. She wondered what impact that had on the social mobility of young people, whether any attempt had been made to study the phenomenon, and how boys and girls from minority communities who did complete their education might be better prepared for upward social mobility. Was the fact that immigrant groups had lower employment rates linked to the lack of educational attainment? The Committee was also concerned that the dropout rate among the Norwegian-born children of immigrants was associated with language issues and that the fact that only one language was taught in the afterschool programme impaired their progression towards careers that required two or more languages, such as the civil service. She asked whether schools received adequate funding for children to attend special Norwegian language classes, what criteria were applied when placing children in those classes, and how successful the instruction was in allowing children to transition to regular classes. How did special language instruction affect their development in other subjects?

39. Lastly, she would appreciate further information about the outcomes of the action plan to combat negative social control, forced marriage and female genital mutilation (2017–2010). The Committee having been informed that African people were concerned that the targeting of that plan amounted to racial profiling, she would be interested to know what impact gynaecological examinations had on girls, their families and communities, and whether such actions reflected a high incidence of female genital mutilation in Norway or were a preventive measure taken in response to information received or social perceptions about practices in Africa.

40. **Mr. Hustad** (Norway), responding to the question concerning training for the judiciary, said that new judges underwent a comprehensive introductory programme that

addressed multicultural aspects of society, including cultural understanding and language problems, and that also focused on practical judicial skills and ethical challenges.

41. **Mr. Megard** (Norway) said that it was true that Sami precepts and concepts of ownership were unwritten. That reality had been recognized by the Supreme Court in its judgment on the *Svartskogen* case, in which a Sami community in Troms county had obtained formal legal recognition of ownership of a valley; the Court had considered that they had enjoyed exclusive use of the land and had viewed it in a manner that was comparable to ownership in the traditional sense of the term. That legal standard was now used in all new cases concerning recognition of ownership or user rights. Moreover, in Finnmark there was a specialized court that maintained knowledge of traditional Sami customs and was able to hold proceedings in the Sami language, or bilingual proceedings, as required. Sami customs might be invoked in all district courts.

42. **Mr. Haavardsholm** (Norway) said that efforts to reduce the school dropout rate focused on the early stages of education, including kindergartens. The Ministry of Education and Research was working on a white paper on the subject, which would be submitted to the Storting in 2019. The Government had also appointed an expert committee to build knowledge of gender differences in school performance and to propose effective measures to narrow gaps, in view of the fact that boys, including those with immigrant backgrounds, presented higher rates of school abandonment and lower achievement and skill levels. The committee would deliver its recommendations by 1 February 2019.

43. In respect of social mobility, it had been observed that girls from immigrant families often aspired to high-status careers, preferring medicine and the law to the civil service. Regarding the Committee's concern about Holocaust education, he emphasized that, although Norway took a different approach from that of other countries, the subject was addressed in the curriculum and, in addition, secondary schools arranged trips to Auschwitz and Sachsenhausen, after which the students considered and discussed what they had seen.

44. **Ms. Din** (Norway) said that medical health-care services had not been satisfactory for transgender persons in Norway in general, although the right to equality and non-discrimination was an established principle in ethical guidelines for health professionals. Services for lesbian, gay, bisexual, transgender and intersex persons were integrated into ordinary health and care services, while specific health issues regarding particular groups and individuals were targeted in relevant government strategies and action plans. Health services for persons with gender incongruence and gender dysphoria had been reviewed by an expert group, and the Directorate of Health was preparing new treatment guidelines. Regarding reports that transgender refugees had been denied appropriate health care, it was true that Norwegian health legislation distinguished between those who held permanent residence and those who did not. However, anyone who lived in Norway, regardless of citizenship, residence status or legality of stay, was entitled to emergency care, subject to an individual medical assessment.

45. **Ms. Bull Skarstein** (Norway) said that the Government's new integration strategy made it clear that diversity was a resource for working life in Norway. When the Prime Minister had launched the strategy, she had underlined that education and skills were a strong driver of integration and social mobility among immigrants. In terms of positive contributions, it had been observed that education often provided the children of immigrants with the key to an impressive social trajectory; in 2017, they had been the best-performing group at the upper-secondary level, and they enjoyed higher levels of employment than their parents.

46. **Ms. Boye** (Norway) said that the Government took steps to prevent female genital mutilation and to provide support for victims. According to a 2016 estimate, 7,300 immigrant girls and women had been subjected to the practice before arriving in Norway. Female genital mutilation was illegal under the Criminal Code and its elimination was a political priority that had been addressed through successive action plans. The current action plan to combat negative social control, forced marriage and female genital mutilation (2017–2020) consisted in 28 measures that sought to strengthen legal protection for individuals and to enhance protective measures. The Government was seeking input on

how it could improve its dialogue with parents and was collecting data and funding research on harmful practices with a view to informing evidence-based policies.

47. **Ms. Din** (Norway) said that Norwegian health services did not force anyone to undergo unnecessary medical examinations, although all health personnel were mandated by law to alert the child protection services and/or the police if they suspected that someone under the age of 18 years had been mutilated or was at risk of mutilation. Child and family health services offered voluntary examinations every few years, beginning at age 6, for girls who came — or whose parents came — from countries where female genital mutilation was commonplace. Those examinations were accompanied by a voluntary conversation with the parents, with the aim of providing information about Norwegian laws on female genital mutilation and about its negative consequences. By establishing a dialogue between the health services and the family, the authorities ultimately sought to prevent the practice and to ensure the provision of health services for those who required them.

48. **Ms. Shepherd** said that she welcomed the clarification provided about efforts to address female genital mutilation. She was pleased to hear that girls were not forced to undergo examinations and that the problem was dealt with in a respectful way.

49. **Mr. Yeung Sik Yuen** said that he welcomed the firm stand taken by the Government against hate speech. With regard to the two cases of hate speech mentioned by the delegation, he would like to know what a conditional prison sentence entailed and whether it was equivalent to a suspended sentence. Given that those two cases were relatively minor, it would be helpful if the delegation could provide information on some cases involving more serious offences, for comparison.

50. **Mr. Murillo Martínez** said that the Committee would welcome information, in the State party's next periodic report, on measures taken to monitor and prevent the use of biometric facial recognition, algorithms and other tools for the purpose of racial profiling. He wondered whether research was being conducted to ascertain the reasons for the high level of unemployment among persons of African descent. He would also like to know whether any indicators were being used to measure the impact of the various awareness campaigns that had been launched to combat racism, discrimination and hate speech. Lastly, he wished to encourage the State party to support the drafting of a United Nations declaration on the rights of persons of African descent and the initiatives that had been launched by various countries as part of the International Decade for People of African Descent, especially the proposal to hold a fourth world conference against racism, racial discrimination, xenophobia and related intolerance.

51. **Mr. Skaug** (Norway) said that tragic historical events such as the Holocaust and apartheid were covered by the school curriculum. Addressing such topics was considered all the more important as they were tied to the issues of racism and xenophobia. Schools sought to promote the core principles of equality and anti-discrimination.

52. **Mr. Megard** (Norway) said that the Action Plan against Anti-Semitism 2016–2020 comprised 11 specific measures, including prevention work in schools and regular monitoring of public attitudes.

53. **Ms. Bull Skarstein** (Norway), acknowledging the high level of unemployment among persons of African descent, said that a report conducted by the Institute for Social Research in 2015 had shown that immigrants faced discrimination in most areas of life. The Government hoped to address that problem through its new action plan against racism and discrimination on the grounds of ethnicity and religion, which would focus heavily on the issue of unemployment. The action plan was being drafted by an interministerial committee, taking into account recent research and civil society contributions.

54. **Mr. Austad** (Norway) said that a conditional sentence was the same as a suspended sentence. Therefore, in the case in question, the offender would not be sent to prison; however, if he committed a second offence within two years, the sentences for the first and second offences would be combined. In some districts, the police and the prosecution service gave priority to minor cases of hate speech in order to remind the public that all offences, however minor, carried consequences; in other districts, priority was given to more serious offences. Ultimately, a unified approach would be adopted across all districts.

55. **Mr. Knudsen** (Norway) said that, although no indicators had been developed for the awareness campaigns mentioned, the national campaign against hate speech was part of the No Hate Speech Movement led by the Council of Europe, which had been evaluated in 2015. According to the evaluation report, it had been difficult to determine whether the campaign had led to a decrease in hate speech in Europe; however, as a result of the campaign, young persons had become more actively involved in combating hate speech, and companies such as Facebook had paid greater attention to the issue.

56. **Mr. Avtonomov** said that he hoped that migrants who chose to learn sign language were able to learn the version of sign language that was most commonly used in the municipality where they lived. He would be grateful if the State party could include more information on its policies to support the Roma community in its next periodic report.

57. **Ms. Chung** said that she was concerned at reports that some unaccompanied minor asylum seekers were granted a limited residence permit until they turned 18 years old, then returned to their country. In some cases, they were returned to an unfamiliar city where they had no relatives. As a result, there was a high prevalence of mental health problems, self-harm and suicide attempts among the asylum seekers concerned and over 400 young persons had disappeared from asylum centres in Norway. She would like to know the justification for such practices, which were incompatible with the Convention on the Rights of the Child, to which Norway was a party.

58. The State party received a large number of foreign adoptees, yet there was no mention of them in its report or in the information submitted by civil society. She wondered whether foreign adoptees were well integrated into society; whether the delegation could provide data on cases of discrimination or hate speech against such persons; and whether they benefited from any special measures.

59. **The Chair** said that the delegation could provide additional responses in writing within 48 hours.

60. **Mr. Diaby** asked what progress had been made with respect to the Nordic Sami Convention, given that the Sami did not appear to be satisfied with the national legal framework for the promotion of their rights. He enquired whether the State party had considered renegotiating the Tana Agreement on fishing rights, in order to address the concerns that had been raised by the local population, and what measures were being taken to combat river pollution. He asked whether there was a culling system in place to limit the size of reindeer herds. Lastly, he asked whether the delegation could provide more information about the representation of minorities in the public media.

61. **Ms. Fjelberg** (Norway) said that the limited residence permit for unaccompanied asylum seekers aged 16 to 18 years old had been introduced in order to deter young persons who were not in need of international protection from migrating alone. An unlimited residence permit was granted to minors who fulfilled the relevant criteria, including those who were in need of international protection. In November 2017, the parliament had ruled that some unaccompanied minors on limited permits should be able to apply for reconsideration of their case. The Directorate of Immigration had received 128 applications for reconsideration; all the applicants were from Afghanistan. To date, 77 applicants had been granted an unlimited permit on humanitarian grounds, 2 applicants had been granted international protection, 13 applications had been rejected and 30 cases remained pending. National legislation had been amended in February 2018 to ensure that the immigration authorities considered certain factors, including the social and humanitarian circumstances in the country of origin, when deciding which kind of permit to issue to an unaccompanied minor.

62. **Ms. Bull Skarstein** (Norway) said that, in general, foreign adoptees were smoothly integrated into Norwegian society. She could not provide any data on cases of discrimination or hate speech against them. No special measures had been taken to support them; however, they were covered by general measures, such as the Strategy against Hate Speech for 2016–2020.

63. **Mr. Megard** (Norway) said that the Government believed that the Nordic Sami Convention offered the same level of protection as domestic law and was in line with the

State's international obligations. The authorities were acutely aware of the importance of the Tana River; however, they felt that renegotiating the Tana Agreement would not improve the situation.

64. **Ms. Ko**, thanking the delegation for the fruitful dialogue, said that the State party's ideas and attitude had an international impact and were a source of inspiration for many other countries.

65. **Mr. Skaug** (Norway) said that he was grateful to the Committee for its thorough review and to the national institutions that had submitted additional information in order to provide a more comprehensive picture of the challenges faced. Norway was fully committed to equality, non-discrimination and the protection of the rights set forth in the Convention and the other treaties to which it was a party. The Convention served as the basis for its national policy against racism.

66. **The Chair** said that he wished to thank the State party for its constructive and disciplined approach to reporting.

The meeting rose at 1 p.m.