



**Convention against Torture  
and Other Cruel, Inhuman  
or Degrading Treatment  
or Punishment**

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COMMITTEE AGAINST TORTURE  
Forty-third session  
2-20 November 2009

**List of issues prior to the submission of the seventh periodic report of  
NORWAY (CAT/C/NOR/7)\***

**Specific information on the implementation of articles 1 to 16 of the Convention, including  
with regard to the Committee's previous recommendations**

**Articles 1 and 4**

1. Please provide updated information on any changes in the State party's position on incorporating the Convention into domestic law, as recommended by the Committee in its previous concluding observations (CAT/C/NOR/CO/5, para. 4).
2. With reference to the Committee's previous concluding observations, please provide information on any steps taken to bring the wording of the definition of torture in the Penal Code fully into line with the definition of the Convention, to ensure that it comprises all elements, including all types of discrimination, as possible motives (CAT/C/NOR/CO/5, para. 5).

**Article 2**

3. Please elaborate on the impact of the amendments of the Immigration Act, as referred to in the Committee's previous concluding observations, on the rights of persons staying at the Trandum

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\* The present list of issues was adopted by the Committee at its forty-third session, according to the new optional procedures established by the Committee at its thirty-eight session, which consists in the preparation and adoption of lists of issues to be transmitted to States parties prior to the submission of their respective periodic report. The replies of the State party to this list of issues will constitute its report under article 19 of the Convention.

Holding Centre (CAT/C/NOR/CO/5, para. 9). In this respect, please provide detailed statistics relating to the application of these amendments concerning the detention of foreign nationals.

4. The Working Group on Arbitrary Detention expressed several concerns regarding the system of preventive detention, including the frequency by which it is used, as well as the broad discretionary powers of the prison authorities (A/HRC/7/4/Add.2, paras. 79-82 and 98(c)). Please inform the Committee on steps taken to address these concerns and to evaluate the current system of preventive detention.

5. Please indicate further steps taken to reduce the length of pretrial detention in police cells. Please provide updated detailed statistics on the use of pretrial detention, including the number of persons held in police custody for more than 48 hours.

6. Please provide further information on steps taken to:

(a) Restrict the use of solitary confinement as a preventive measure. In this respect, please provide updated detailed statistics on the use of solitary confinement and the number of days spent in solitary confinement.

(b) Establish an external commission for challenging decisions taken by the correctional services authorities on restrictions or partial or total isolation imposed upon prison inmates serving their sentences, as recommended by the Working Group on Arbitrary Detention in its report on the visit to Norway in May 2007 (A/HRC/7/4/Add.2, paras. 73-78 and 98(b)).

7. With regard to the “infoflyt” database that contains classified information on certain persons in detention, please provide information on measures taken to ensure that the judiciary is granted access to the information as and when the information contained therein is relevant to decisions on the early release of a prisoner or the release of a preventive detainee.

### **Article 3**

8. Please provide information on steps taken by the State party to:

(a) Ensure that it fulfils all its non-refoulement obligations under article 3 of the Convention, in particular to consider all elements of an individual case, and provides, in practice, all procedural guarantees to the person expelled, returned or extradited. Please indicate any requests for extradition received and provide detailed information on all cases of extradition, return or expulsion that have taken place since the previous report.

(b) Address the concern that has been expressed that Norway persists in transferring asylum-seekers without children to Greece under the Dublin II Regulation, despite the fact that the Office of the High Commissioner for Refugees has criticized the procedural safeguards, access and quality of the asylum procedure and the conditions of reception in the country and has advised Governments to refrain from returning asylum-seekers to Greece (15 April 2008).

9. Please provide information on any steps taken by the State party to ensure that it complies fully with article 3 of the Convention with regard to the transfer of detainees by Norwegian military personnel to the Afghan authorities. In this respect, please provide detailed information on the mechanisms used by the State party to closely follow compliance by the Afghan authorities with their relevant obligations in relation to the continued detention of these persons. Furthermore, updated information should be provided on the agreements in place to ensure that these persons' rights are fully respected.

### **Articles 5 and 7**

10. Since the consideration of the previous report, please indicate whether the State party has rejected, for any reason, any request for extradition by a third State for an individual suspected of having committed an offence of torture, thus engaging its own prosecution as a result. If so, please provide information on the status and outcome of such proceedings.

### **Article 10**

11. In light of the Committee's previous concluding observations, please provide information on educational programmes further developed and implemented by the State party to ensure that law enforcement personnel and justice officials are fully aware of the provisions of the Convention, applicable limitations on the use of force and the need to avoid any discriminatory treatment (CAT/C/NOR/CO/5, para. 11). Furthermore, please indicate whether the State party has developed and implemented a methodology to assess the effectiveness and impact of relevant training programmes on the incidences of cases of torture, violence and ill-treatment. If so, please provide information on the content and implementation of such methodology, as well as on the results of the implemented measures.

12. Please indicate the measures taken by the State party to:

(a) Provide adequate training for all relevant personnel to detect signs of physical and psychological torture and ill-treatment of persons deprived of their liberty.

(b) Integrate the Istanbul Protocol of 1999 into the training programmes provided to physicians and all other professionals involved in the investigation and documentation of torture, and in particular in cases where asylum-seekers allege being subjected to torture in their country of origin.

### **Article 11**

13. Please provide information on any new interrogation rules, instructions, methods and practices and arrangements for custody that may have been introduced since the consideration of the last periodic report. Please also indicate the frequency with which these are reviewed.

14. Please provide information on the measures taken by the State party to improve the treatment of juvenile prisoners, including above the age of 15, in particular to ensure detention separately from adults while in remand or serving sentences, as well as regular contact with their family.

### **Articles 12 and 13**

15. Please address the following:

(a) In its previous concluding observations, the Committee urged the State party to closely monitor the effectiveness of the procedures for the investigation of alleged crimes committed by law enforcement officials, in particular those in which discriminatory treatment based on ethnicity is alleged (CAT/C/NOR/CO/5, para. 12). Please provide detailed information on the results of the review process. In this respect, please elaborate on the functioning and work of the central unit for the investigation of alleged crimes by members of the police, as referred to in the Committee's previous concluding observations. Are all law enforcement officials suspected in *prima facie* cases of torture and ill-treatment as a rule suspended or reassigned during the process of investigation?

(b) Please provide statistical data on the number of complaints, investigations, prosecutions, convictions and compensation provided to victims, or their families, in cases of discriminatory treatment by law enforcement officials.

16. Please provide detailed information on the case concerning Eugene Obiora who died in 2006 after police officers arrested him, including on the allegations of racial discrimination by the police officers. Please provide information on the outcome of the investigation into this case by the parliamentary ombudsman and the status of the case before the European Court of Human Rights.

### **Article 14**

17. Please provide information on redress and compensation measures, including means for rehabilitation, ordered by the courts and actually provided to victims of torture, or their families, since the examination of the last periodic report in 2007. This information should include the number of requests made, the number granted, and the amounts ordered and those actually provided in each case.

### **Article 16**

18. Please elaborate on the implementation of the tripartite supervisory regime of the Trandum Holding Centre, as referred to in the follow-up information to the previous concluding observations. Information should also be provided on the results of this regime.

19. In its previous concluding observations, the Committee expressed its concern about reports on the use of unnecessary force by the police in some instances, and about reports of discriminatory treatment based on ethnicity (CAT/C/NOR/CO/5, para. 10). Please provide information on steps taken to address these concerns. Information should also be provided on the impact and effectiveness of these measures. Furthermore, please provide statistical data on the prevalence of ethnic discrimination.

20. Please provide:

(a) Information on efforts undertaken by the State party to combat violence against women. In particular, please elaborate on the Government-appointed task force on rape and its findings and recommendations, and the implementation thereof.

(b) Information on the implementations and impact of these measures in reducing cases of violence against women.

(c) Statistical data on the number of complaints relating to violence against women and the related investigations, prosecutions and convictions, as well as on compensation provided to victims.

21. Please provide:

(a) Updated information on measures taken to adequately prevent, combat and punish human trafficking. Please provide information on the impact and effectiveness of these measures in reducing cases of human trafficking.

(b) Statistical data on the number of complaints relating to human trafficking and on the related investigations, prosecutions and convictions, as well as on compensation provided to victims.

22. Please provide information on measures taken to address the concern about the disappearance of children from asylum centres. Please provide updated statistics on the number of children who have disappeared from asylum centres since the consideration of the previous report. Information should also be provided on the reasons for these disappearances.

23. Please provide updated information on measures taken to adequately prevent and combat inter-prisoner violence. Please indicate if, whenever injuries are recorded by a doctor which are consistent with allegations of inter-prisoner violence, the matter is immediately brought to the attention of the relevant prosecutor and a preliminary investigation is initiated by that prosecutor. Data should also be provided on the impact and effectiveness of these measures in reducing cases of inter-prisoner violence.

24. Please provide information on steps taken by the State party to ensure that prisoners suffering from a mental illness are given access to appropriate health care and transferred to a specialized hospital when their condition so requires. In this respect, please describe steps taken to establish an independent commission with the authority to decide on the admission of mentally ill prison inmates to psychiatric hospitals.

25. Please indicate if measures, including legislation, have been taken to regulate and minimize the use of police and restraints, such as handcuffs and ankle cuffs, for the transportation of patients to psychiatric establishments and to ensure that adequately trained health personnel are used for this purpose.

26. Please provide information on measures taken to minimize the use of force in psychiatric institutions. In this respect, please provide statistical data on the use of coercive means in psychiatric institutions, including the use of restraints, seclusion and electroconvulsive treatment (ECT).

27. With reference to the urgent appeal sent on 6 March 2009 jointly by the Special Rapporteur on violence against women, its causes and consequences, the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment regarding Ms. E. H. A., please provide any updated information on steps taken to address the concerns and recommendations expressed in this communication (A/HRC/11/6/Add.1, paras. 448-456).

### **Other issues**

28. Please provide updated information on any changes in the State party's position with regard to interim measures requested by the Committee in light of article 22 of the Convention and the principle of good faith.

29. Please state what measures have been taken to ratify the Optional Protocol to the Convention, which the State party signed on 24 September 2003. Please elaborate on the reasons why the State party has not yet ratified this Protocol.

30. Please state the measures taken towards the ratification of the Convention on the Rights of Persons with Disabilities.

31. Please provide updated information on measures taken by the State party to respond to any threats of terrorism and please describe if, and how, these measures have affected human rights safeguards in law and practice, and how it has ensured that those measures taken to combat terrorism comply with all its obligations under international law. Please describe the relevant training given to law enforcement officers, the number and types of convictions under such legislation, the legal remedies available to persons subjected to anti-terrorist measures and whether there are complaints of non-observance of international standards and the outcome of these complaints.

### **General information on the national human rights situation, including new measures and developments relating to the implementation of the Convention**

32. Please provide detailed information on relevant new developments on the legal and institutional framework within which human rights are promoted and protected at the national level that have occurred since the previous periodic report, including any relevant jurisprudential decisions.

33. Please provide detailed relevant information on the new political, administrative and other measures taken to promote and protect human rights at the national level that have occurred since

the previous periodic report, including on any national human rights plans or programmes, and the resources allocated to it and its means, objectives and results.

34. Please provide any other information on new measures and developments undertaken to implement the Convention and the Committee's recommendations since the consideration of the previous periodic report in 2007, including the necessary statistical data, as well as on any events that occurred in the State party and are relevant under the Convention.

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