

INTERNATIONAL
CONVENTION
ON THE ELIMINATION
OF ALL FORMS OF
RACIAL DISCRIMINATION



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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

Fifth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Initial reports of States Parties due in 1971

Note by the Secretary-General

Addendum

NORWAY

/20 October 1971/

The information below is given in accordance with the outline adopted by the Committee on the Elimination of Racial Discrimination on 28 January 1970.

1. (a) No special legislative, judicial, administrative or other measures have been adopted that give effect to the provisions of article 3 condemning racial segregation and apartheid.

(b) In order to implement the provisions of articles 4 and 5 of the Convention, the Norwegian Penal Code has been amended (Act No. 34, 5 June 1970). The act amending the Penal Code added two new sections to the Code, sections 135 a and 349 a:

Section 135 a makes it a crime punishable by fine or imprisonment up to two years to make a public statement or otherwise disseminate a statement among the public whereby a person or group of persons is threatened, insulted or subjected to hatred because of his or their religious belief, race, colours or national or ethnic origin. Section 349 a makes it an offence punishable by fine or imprisonment up to six months to deny a person goods or services on the same terms as others in a

professional or similar activity because of that person's religious belief, race, colour or national or ethnic origin, or for similar reasons to deny a person access to a public performance or exhibition or any other public gathering on the same terms as others.

The act amending the Penal Code entered into force on 5 June 1970.

These new penal provisions have been given a wide publicity through advertisements taken out by the Government in several Norwegian newspapers. They have also been the subject of several editorials.

The new section 349 a implements certain of the provisions of article 5 of the Convention. It has not been found necessary to enact new legislation with regard to the other rights mentioned in the article as these rights have been found to be sufficiently guaranteed by Norwegian law.

As far as is known the new provisions of the penal code have not been invoked in any criminal case.

(c) No special measures have been adopted to implement the provisions of article 6. Such measures have been considered unnecessary as Norwegian law assures everyone effective protection and remedies.

2. (a) - (c) No special measures have been adopted to give effect to the provisions of articles 2.1 (a), 2.1 (b) and 4 (c) of the Convention.

3. (a) In order to prepare ratification by Norway of the Convention, a special commission was established. The commission undertook a study of the obligations and recommendations of the Convention and compared them with existing Norwegian law and governmental, national and local policies. No special measures were found necessary in order to implement article 2.1. (c).

(b) As already mentioned under 1 (b), a new section 135 a has been added to the Penal Code. The provision makes it a crime to make a public statement or otherwise disseminate a statement among the public whereby a person or group of persons is threatened, insulted or subjected to hatred because of his or their religious belief, race, colour or national or ethnic origin. Other measures have not been found necessary.

(c) No measures have been adopted that give effect to article 3.

/...

(d) See the new section 135 a of the Penal Code mentioned under 1 (b) and 3 (b) above. It has not been found necessary to adopt other measures to implement the provisions of article 4 (a).

(e) No measures have been adopted that give effect to article 4 (b).
4. (a) No special measures have been adopted to implement article 2.1. (e).

(b) A permanent committee was established by Royal Decree of 9 July 1971, with the task to study and propose measures to ensure the adequate and effective enjoyment by the gypsies of their rights under Norwegian law, and their integration into Norwegian society.

~ A similar committee was established in 1964 with regard to the Lapps.

(c) No special measures have been taken to give effect to article 7.
