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OF THE 36th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 23 November 1995, at 10 a.m.

Chairperson: Mr. GRISSA

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* The summary record of the second part (closed) of the meeting appears
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this session will be consolidated in a single corrigendum, to be issued
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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 4) (continued)

Third periodic report of Norway (continued) (E/1994/104/Add.3; E/C.12/1994/WP.26)

1. At the invitation of the Chairperson, Mr. Wille, Mr. Vidnes and Mr. Edøy (Norway) took places at the Committee table.

2. Mr. WILLE (Norway) said that his delegation would begin by replying to questions it had been unable to answer fully at the 34th meeting, before turning to the remaining issues (arts. 13 and 14, Issues Nos. 28 to 31) contained in document E/C.12/1994/WP.26.

3. Mr. EDØY (Norway), referring to issues raised under article 6, said Mr. Ceausu had been correct in saying that youth unemployment had increased in the late 1980s and early 1990s. Over the past year, the trend in the 20 to 24 age group had been similar to the rate among adults, namely, a fall among men and a slight increase among women. The figures for teenagers registered as unemployed were virtually unchanged, representing approximately 6 per cent of the labour force in the first half of 1995. Since 1986 the level of unemployment among teenagers had been considerably lower than for those aged 20 to 24, principally because of an increase in the number of places available in upper secondary and higher education, as well as a so-called "youth guarantee" - a guaranteed offer of a job, a place in school or in the labour market programme for those under the age of 20. Since 1988 the number of places for young people in high schools and universities had been increased from 100,000 to 160,000 - the chief measure introduced to combat youth unemployment. In 1994 a statutory right to three years' upper secondary education had also been introduced for the under-20s.

4. Mr. VIDNES (Norway) referred to issues raised under article 7 and to the suggestion that the reason why so few women occupied leading positions in Norway might be a failure to attach priority to higher education for women. It could be seen from paragraph 446 of the third periodic report (E/1994/104/Add.3) that, while women students constituted a minority (48.5 per cent) in upper secondary education, they were in the majority in higher education and adult education (53.8 per cent and 56.8 per cent respectively). Those figures, together with the figures for employment participation levels among women, suggested that more and more women would soon be occupying leading positions. That trend was also underlined by the fact that average wages were increasing faster for women than for men. As for the particularly low representation of women in technical sectors, even the Institute of Technology at Trondheim, traditionally a male bastion, had seen the proportion of its women students rise to 24 per cent as long ago as 1991.

5. Mr. WILLE (Norway), referring to issues raised under article 9 and to Mr. Simma's question about the elderly and the labour market, said that when the rate of unemployment had been at its highest, in the early 1990s, there

had been a number of early retirement contracts signed between companies and the State for persons over the age of 64, financed partly by the companies and partly by unemployment benefits. With the recent considerable improvement in the labour market, such contracts were now rare. However, a general agreement now existed between employers' and employees' organizations and the State and allowing for the possibility of retirement at the age of 64.

6. As to article 10 and the Chairperson's question concerning the situation of abandoned children and children born out of wedlock, Norwegian law did not discriminate between children born in or out of wedlock. The main purpose of adopting the 1981 Children's Act which had superseded the 1956 Children's Act, had been to ensure equal conditions for all children regardless of their parents' legal relationship. Abandoned children were a marginal problem in Norway. The child welfare authorities were responsible for the welfare of all children whose parents were unable or unwilling to give them proper care. If a child's parents were unknown or could not be helped to provide for the child satisfactorily within the family environment, the child welfare authorities were required to find alternative forms of care, such as a foster home, adoptive parents or a suitable institution.

7. Mr. Simma had asked whether an official policy existed on foreign adoption. Referring to paragraphs 222 to 231 of the initial report of Norway to the Committee on the Rights of the Child (CRC/C/8/Add.7), he said that the Government Adoption Office had been authorized to grant adoption orders in cases where children were adopted from abroad. In 1991, two thirds of the children adopted in Norway had come from other countries. Anyone resident in Norway wishing to adopt a child from abroad must obtain prior approval from the Adoption Office. Approval was granted only if various criteria were fulfilled, including a recommendation from the local health and social welfare office, which, after interviews with the applicants, drew up a report on their fitness to receive a child from another country. Foreign adoptions were normally authorized only if they were arranged through an approved Norwegian adoption association. Only idealistic, non-profit-making associations were approved, and they were obliged to cooperate closely with the relevant authorities in the countries from which children were adopted.

8. With reference to Mr. Alvarez Vita's question, children adopted from abroad retained their original nationality, but their adoptive parents could apply on behalf of the child for Norwegian nationality, which would be granted automatically if at least one of the adoptive parents was a Norwegian citizen.

9. Mrs. Bonoan-Dandan had asked, inter alia with reference to paragraph 262 of the third report, what measures existed to prevent domestic violence and child abuse. Violence, including sexual violence and abuse, whoever the victim, was punishable under various provisions of the Penal Code. In addition, the Children's Act specifically prohibited parents from using violence against their children or abusing them physically or mentally. Other measures specially designed to help victims of domestic violence and abuse included the setting up of a number of so-called crisis-centres, crisis-telephones for adults and children, and incest victim support-centres. The crisis-centres provided temporary refuge for victims of domestic violence and were run by voluntary organizations with public funding.

10. The Norwegian Red Cross and Save the Children Fund operated a free contact line for children and adolescents wishing to speak to an adult, whatever the reason. About 3 per cent of the calls in 1992 had been from children suffering abuse or ill-treatment. The line could help children get in touch with the public assistance apparatus. When children were subjected to abuse, the child welfare authorities assumed responsibility under the Child Welfare Act, the primary objective of which was to provide assistance to parents to help them take proper care of their children. Coercive measures - including withdrawal of parental authority - might, however, be applied if the child was subjected to abuse by his or her parents.

11. Mrs. Bonoan-Dandan had asked how many non-nationals were engaged in prostitution. No statistics were available, since the information in question was sensitive and prostitution was, in any case, not illegal. However, the whole question was under discussion and consideration was being given to the possibility of imposing penalties on those who had recourse to prostitutes. According to one unverified local authority estimate, there were 2,000 prostitutes in Oslo. The number of foreign nationals among them seemed to be small. A different picture might emerge if the more hidden forms of prostitution were taken into account, including illegal immigrants brought into the country specifically for prostitution.

12. Under article 11, questions had been asked about the homeless. He had been informed that a research project on the situation of the homeless, initiated by the central authorities in 1995, would be finalized in 1997, at which point it would be possible to provide fuller answers to the Committee's questions on that issue. Meanwhile, his delegation would reiterate that the social services in each municipality were legally obliged to supply housing for everyone who could not provide it for himself. In so far as homelessness existed, it must thus be considered a voluntarily chosen way of life. With regard to homeless children, he referred to what had been said previously concerning the role of the child welfare authorities. Reintegration measures were taken in the light of the underlying cause of the homelessness, whether unemployment, drug abuse, alcoholism or mental disorder.

13. In connection with article 12, Mr. Simma had asked what measures were taken to combat smoking. When the bill referred to in paragraph 411 of the third report (E/1994/104/Add.3) came into force on 1 January 1996, direct and indirect advertising of tobacco products would be prohibited, as would the sale of tobacco products to persons under the age of 18 and the sale of tobacco products from slot-machines. Premises and means of public transport, and meeting rooms, workplaces and institutions (with certain exceptions) where two or more persons were gathered would be designated non-smoking areas.

14. Mrs. Jiménez Butragueño had asked about access to health services for the elderly. A National Geriatric Programme run by the Ministry of Health and Social Affairs and the National Board of Health was now in force, and US\$ 700,000 had been allocated to the Programme for the years 1994 to 1998, with a view to strengthening geriatric services countrywide by the year 2000. The Programme had three targets: to strengthen recruitment of personnel; to improve multidisciplinary knowledge in that field; and to enhance cooperation between hospitals and community geriatric care services. An English-language outline of the Programme would be circulated to Committee members. In 1994,

there had been 10,845 places in ordinary homes for the elderly, or 10 places per thousand inhabitants aged 67 or over; and 32,825 places in homes for elderly sick people, or 50 places per thousand inhabitants aged 67 or over.

15. As to drug abuse, no statistics were available on the number of drug abusers, because the statistics on alcohol abuse and drug abuse were aggregated - the reason being that treatment measures were geared to both forms of abuse, which were usually found in combination.

16. The CHAIRPERSON, speaking as a member of the Committee, said that he was particularly concerned at the number of drug abusers of early secondary school age. What measures were taken, for instance, to prevent dealers from selling drugs to schoolchildren?

17. Mr. WILLE (Norway) said that institutions gave priority to the treatment of young abusers. The police had also carried out a number of crack-downs on drugs in schools. Twenty per cent of adolescents in Oslo had tried some narcotic substance. That figure had been stable for several years. There had been 3,218 places for drugs and alcohol treatment in institutions in 1993, of which an average of 2,500 had been in use at any one time, amounting to 800,000 institution days per year. The number of persons in prison for drug-related crimes had risen significantly from an average of 505 in 1985 to 866 in November 1993.

18. As to the use of alcohol by minors, he would refer the Committee to paragraphs 445 to 447 of Norway's initial report to the Committee on the Rights of the Child (CRC/C/8/Add.7). Statistics for the 15 to 20 age group showed that alcohol consumption had declined since the mid-1980s. Extensive measures had been taken to protect children from both drug and alcohol abuse. A national directorate distributed information to the general public, in particular to schoolchildren, and provided financial support to non-governmental organizations to combat the use of drugs and alcohol. Unauthorized sale of alcohol, including sale to minors, was punishable under the terms of the Alcohol Act by a fine or by imprisonment for up to six months, or for up to two years if the circumstances were particularly aggravated. Restaurants and shops that sold alcohol to minors lost their licences.

19. The CHAIRPERSON asked whether members had any follow-up questions concerning articles 1 to 12 of the Covenant.

20. Mrs. JIMENEZ BUTRAGUEÑO asked whether the programmes to assist young people in the transition from the world of study to the workplace were effective in the sense that they led to long-term jobs, or whether they simply provided temporary on-the-job training.

21. Mrs. AHODIKEPE asked whether any statistics were available on the number of deaths from alcoholism and drug abuse and the number of schoolchildren using drugs.

22. Mr. KOUZNETSOV said that in the discussion with regard to article 7 the Norwegian delegation had said that limited use was made of a preferential

system when promoting women to managerial posts. What was to be understood by a "preferential system", and by the word "limited"? In other words, how was that regime applied in practice?

23. Mrs. BONOAN-DANDAN said that, while it had provided information on government programmes to combat domestic violence and violence against women, the Norwegian delegation had said nothing on the very important issue of the extent of such violence.

24. Mr. EDØY (Norway) said that his delegation considered the programmes to combat youth unemployment to be effective. He would provide detailed figures at a later date. Unemployment among teenagers was undoubtedly decreasing, and at the same time more and more teenagers were entering the programmes, thanks to the reforms in the secondary education system. There was also an apprenticeship system which enabled teenagers to combine jobs in various industries with educational support.

25. Mr. WILLE (Norway) said that he would attempt to provide statistics on deaths due to drug or alcohol abuse. As for the question of domestic violence, it was very difficult to give accurate figures, as the criminal statistics were not broken down in such a way as to indicate where the violence occurred. In recent years the issue had been given much higher priority by the police and the prosecuting authorities and many more cases had been brought to court. It was generally accepted, however, that violence in the home was actually falling off.

26. The CHAIRPERSON, speaking as a member of the Committee, said that there were a number of reasons why cases of violence against women sometimes went unreported. Did any studies exist to show the true extent of violence in the home, both reported and unreported, in Norway?

27. Mrs. JIMENEZ BUTRAGUEÑO asked whether any studies had been made of the sociological causes of violence in the home.

28. Mr. SIMMA asked whether any legal steps were being taken to increase the effectiveness of punishment for marital rape.

29. Mr. WILLE (Norway) said that it went without saying that marital rape was a punishable offence in Norway. He was aware of studies on violence in the home, but was not sure that any clear conclusions emerged from those studies. As to the "preferential system" used in promoting women to managerial posts, the normal result of application of that system was that the under-represented sex received preferential treatment. However, a cautious approach was adopted, in the interests of securing a proper balance and avoiding allegations of discrimination.

30. Mrs. BONOAN-DANDAN said she was still not satisfied with the answers she had received about domestic violence against women. The problem was that, until recently, there had been far too little awareness of the phenomenon. Recent studies revealed that it was in fact a pervasive and hidden violation of women's rights. If, as was claimed, it was taken for granted in Norway that marital rape was a punishable offence, how many cases of marital rape or of violence against women had actually been brought before a court in the past year?

31. Mr. WILLE (Norway) assured Mrs. Bonoan-Dandan that there was indeed great awareness of the problem of violence against women, which was accorded high priority by the police and the prosecuting authorities. Although the statistics in his possession gave no breakdown of kinds of violence, he would do his best to obtain further information.

32. Mr. RATTRAY said that a new Jamaican bill on domestic violence, now before Parliament, was gender-neutral and asked whether the concept of marital rape was gender-neutral in Norway.

33. Mr. WILLE (Norway) replied in the affirmative, adding that all legislative provisions under the Marriage Act were gender-neutral.

34. The CHAIRPERSON invited the Committee to proceed with its consideration of the list of issues (E/C.12/1994/WP.26), taking articles 13 and 14 of the Covenant together.

Articles 13 and 14 (Issues 28-31)

35. The CHAIRPERSON, speaking as a member of the Committee, referred to article 13 and asked about the size of the Sami population in Norway and whether the Samis were considered a separate entity, with some form of self-government, or merely part of the population, with a different way of life and language.

36. Mr. THAPALIA, commending Norway's human rights record, asked whether human rights education was provided to the police, indigenous people and migrant workers. Which body was responsible for monitoring human rights education?

37. Mr. ADEKUOYE, referring to paragraph 446 of the third periodic report, asked why there was a higher proportion of women than men students in higher education (universities and colleges), whereas the reverse applied in upper secondary education. He would also be grateful for an explanation for the steady rise in the number of private schools and universities in a country in which he believed the quality of State education to be high. What criteria were applicable to entitlement to outright grants to students as opposed to loans which they were required to reimburse?

38. Mrs. JIMENEZ BUTRAGUEÑO requested information on human rights teaching in primary education. Non-discriminatory, egalitarian attitudes should be inculcated in children from a very early age. Did Norway foster a traditional image of gender roles in the family and what was being done to combat stereotyped gender roles?

39. Mr. KOUZNETSOV said he was particularly interested in European experience regarding the independence of the universities and asked to what extent universities in Norway, especially those financed fully or partly by the State, were subject to government influence.

40. Mr. TEXIER, noting the statement in paragraph 433 of the report that illiteracy affected mainly the immigrant population, and the very low illiteracy figures given, asked whether illiteracy, or at least functional

illiteracy, did not affect Norwegian nationals too, since the figures given seemed to show that a number of adults attended special adult education classes.

41. Mr. CEAUSU spoke of the reported increase in the number of students in post-secondary education and asked whether access to university was completely free, whether there were any faculties in which the number of places was limited and whether there was any form of competitive system for admission to university. In view of the large number of students now enrolled in higher education, as reported in paragraph 439, did Norway not face a problem of graduate unemployment? From paragraphs 457 and 458 of the third report, it was apparent that there was a steady increase in the number of private schools. What special or alternative form of education did they provide that warranted the increase?

42. Mrs. VYSOKAJOVA asked whether there were any particular guidelines or special schools for the integration of pupils with special needs, such as the disabled.

43. Mr. TEXIER requested further information about Norway's technical cooperation with the countries of the South and about the extent to which cooperation programmes were funded on the protection of the human rights of the populations concerned, especially their economic, social and cultural rights.

44. Mr. WILLE (Norway) said that it was difficult to determine the exact size of the Sami population in Norway, but it was generally estimated at between 30,000 and 40,000. There were also Samis living in Sweden, Finland and Russia. The Norwegian Samis were considered to be a separate people and indeed an indigenous people. Under a special provision incorporated in the Constitution in 1988, the Government had the obligation to protect and promote the Sami culture and way of life. In 1987, the Sami Act had established the Sami Assembly, or parliament, consisting of 39 representatives elected by universal suffrage among people of Sami origin all over the country. Its function was primarily advisory, but it was increasingly being given decision-making authority, especially in such matters as culture, education and crafts, as was corroborated by a recent government report. Under a law adopted in 1991, the Sami language was accorded the same status as Norwegian in the areas in the north of the country where most Samis lived and could be used in dealings with the municipal authorities, in the courts, in hospitals and in other official bodies. More information could be supplied on request.

45. On the subject of human rights education, the basic rule was that the general education authorities were responsible for human rights teaching, although educational establishments had been accorded a fair amount of latitude in that regard in recent years. Human rights education programmes had been introduced in the military and police academies, and the university law faculties now included human rights studies as part of their core curriculum.

46. With regard to Mrs. Jiménez Butragueño's question, substantial efforts had been made, including the preparation of guidelines for teachers, to break down traditional stereotypes of gender roles in the family. School textbooks had been revised in line with that approach.

47. As to Mr. Texier's question, illiteracy was chiefly a problem among the immigrant population. With compulsory schooling, very few nationals were illiterate or functionally illiterate. He mentioned the case of five illiterate Samis who had been given remedial education and also compensation.

48. In response to Mrs. Vysokajova's question, he said that Norway had a policy of full integration of mentally and physically disabled persons in regular schools, although special education was given to those who required it.

49. In respect of Mr. Texier's question about bilateral cooperation, Norway was a major contributor to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights and also contributed to Council of Europe technical cooperation programmes, especially for the new democracies in Eastern Europe and the Baltic States, and to programmes of the Organization for Security and Cooperation in Europe (OSCE). Most bilateral projects under the development aid programme were in Central and Latin America and their emphasis was on indigenous peoples, women and the poor, especially in rural areas. Further information could be provided on request.

50. Mr. EDØY (Norway), on the subject of the independence of the universities, explained that they were basically financed by the State, although university projects, such as research and development projects, could be financed or co-financed by other partners, including industry. In response to Mr. Ceausu's questions about access to higher education, an increasing number of faculties had been opened in universities, allowing for free access by students. There was still, however, a limited number of places in certain faculties, such as medicine, psychology and dentistry, in which a competitive system of admission was in operation, based on grades obtained in secondary school and the acquisition of additional points for work experience. Although unemployment primarily affected those with a lower level of education, there was evidence that Norway might face the problem of university graduate unemployment in certain sectors in the future. However, the labour market depended on supply and demand and there was still a lack of qualified staff in nursing, the health services and teaching.

51. Mr. VIDNES (Norway) informed Mr. Adekuoye that the main reason for the higher proportion of women in higher education as compared with upper secondary education was that, after completing secondary education, more men than women joined practical skills training schemes that were not classified under higher education.

52. Mr. KOUZNETSOV specified that his question about the autonomy of the universities was intended to ascertain the extent to which universities were free to decide on such matters as curriculum content, teaching methods and the recruitment of teaching staff and the extent of State influence where the State was the sole financing body.

53. The CHAIRPERSON, speaking as a member of the Committee, asked, firstly, about the extent of transboundary communication and contact between the Samis of northern Norway and those of neighbouring countries, and secondly, whether the under-supply of teachers was due to low rates of pay.

54. Mr. AHMED likewise expressed interest in the extent of contact among Samis across the borders. Were there any Samis who did not speak Norwegian, and was the use of the Sami language permitted in dealings with the Norwegian authorities? He further wished to know whether there were any specific criteria for granting the right of asylum and quotas for immigration from certain countries for political or other reasons. He referred in that connection to the asylum facilities offered by some of the Scandinavian countries to American conscientious objectors during the war in Viet Nam. Were special facilities accorded to immigrants who were nationals of other Scandinavian countries? Noting with satisfaction the provision of human rights education at university level by the Human Rights Institute in Oslo and the Christian Michelsen Institute in Bergen, he asked what degrees were awarded. Did they include masters or doctors degrees in human rights law, for example?

55. Mrs. JIMENEZ BUTRAGUEÑO, reverting to the question of women in higher education, asked for information on the number of women students in schools of architecture, engineering, medicine and other technical or scientific disciplines and asked whether it was difficult for women to gain admission to such schools. In the case of the medical professions, she commented that women were more often expected to become nurses than doctors.

56. Mr. WILLE (Norway) said a royal decree dating from 1751, when Norway had been a dependency of Sweden, allowed for extensive cooperation among the Samis in the various countries. It also granted them special rights, including free cross-border movement, without having to pass through official frontier posts. The decree had been translated into English and submitted to the United Nations Working Group on Indigenous Populations. Regular meetings between representatives of the Government and the Samis were held through Nordic contact groups. The Ministry of Foreign Affairs also maintained frequent contact with the Samis through the Sami Parliament and the Nordic Sami Council. It was a non-governmental organization which had consultative status with the Economic and Social Council and had participated in the Working Group on Indigenous Populations. There was also a department in the Ministry of Local Administration which dealt with Sami issues.

57. There were several reasons for the shortage of teachers and nurses, although undoubtedly many would agree that salaries were low. After a few years' service, it was common for nurses to acquire further qualifications enabling them to take up administrative posts. Furthermore, there was now greater demand for teachers and nurses.

58. Current legislation on immigration, dating from 1988, set out the general requirements for the granting of asylum. It also incorporated the definition of a refugee given in the 1951 Convention relating to the Status of Refugees. Norway had a tradition of establishing quotas for asylum-seekers and refugees and the selection process was carried out in close cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR). Norway had started a system of establishing quotas when dealing with asylum-seekers from Indo-China, especially Viet Nam.

59. Since the 1950s, nationals of the Nordic countries had had free access to the labour markets of the different countries and thus Nordic citizens were

not required to make any special application. Since Norway's accession to the European Economic Area agreement, Norwegians had access to the labour market in countries of the European Free Trade Association (EFTA) as well as the European Union (EU).

60. At present human rights institutes did not award degrees in human rights studies. However, at one institute in Oslo there were plans to start a degree course which would be taught in English and thus targeted at foreign students, with extensive use of grants. There were currently 208 private primary schools, and 18,000 pupils between the ages of 17 and 19 attended private establishments. Most of them were run by various religious denominations.

61. Mr. EDØY (Norway) said that all students could take advantage of the state loan system. The State paid 25 per cent of loans for students who successfully completed their degree. The remainder could be paid back over a period of 20 years. Universities were fully independent as far as teaching and research was concerned. However, course curricula put forward by the University Council had to be authorized by the Ministry of Education.

62. Mr. VIDNES (Norway), replying to questions regarding the distribution of the sexes in higher education, said that traditionally women were more drawn to the arts, while men preferred the sciences and more technical disciplines. Twenty-four per cent of the students at one of the main institutes of technology in Norway were female. Moreover, 20 per cent of engineering students in the country were women. On the other hand, women made up more than 50 per cent of the students at medical schools. Career guidance counsellors tried to encourage men and women to choose occupations which were not traditionally favoured by their sex, with a view to achieving greater equality.

63. Mr. ALVAREZ VITA inquired whether the Samis were given any document which established their identity as such and enabled them to cross borders whenever they liked without any difficulty. If so, who furnished such a document and was it internationally recognized? Again, were the Samis recognized as having legal personality at international level, allowing them to accede to international treaties along with Samis from other nations? Information on the existence of treaties to protect the Sami people's cultural rights would also be welcome, as would further details on the precise role of the Sami Parliament. Did it have the power to legislate, and if so, what was the territorial scope of its legislation? Could such legislation contradict Norwegian domestic legislation? Lastly, did the Sami have sufficient autonomy to resolve all the environmental problems on their territory.

64. The CHAIRPERSON, speaking as a member of the Committee, asked whether the Sami people had any claim to revenue derived from the exploitation of natural resources on their territory.

65. Mr. AHODIKEPE said he understood that private schools run by different religious denominations were partly financed by the State. Was there any provision for non-discrimination on religious grounds in such schools? For instance, could pupils opt out of religious education classes?

66. Mr. AHMED asked whether the teaching of religion was compulsory or subject to the parents' consent in State-run and private schools. The Norwegian delegation had also failed to answer the question of whether there were any Samis who did not speak Norwegian and were thus allowed to use their native tongue in dealings with the Norwegian authorities.

67. Mr. WILLE (Norway) said that the idea of issuing an identity document to the Samis had been mooted about 12 years ago to allow their freedom of movement over the Finno-Norwegian border. The Samis themselves had opposed the initiative on the grounds that it was discriminatory; they were already entitled to cross the borders as they pleased, and such a right should not be conditional on possession of a document. Thus far the Samis had not acceded to any international treaties in their own right. However, the possibility of drafting a treaty concerning the Sami people in the Nordic countries, and perhaps even in Russia, was being looked into. It would deal with their rights, culture and matters of cooperation and had already been endorsed at ministerial level in the Nordic countries. The Sami Parliament did not have the power to legislate. It was basically an advisory body, but had decisive authority in certain areas. The Parliament was a relatively new body, but the Norwegian Government did intend to grant it greater powers in future.

68. As to the question of the autonomy of the Samis, he pointed out that a Sami Rights Committee had been set up in the early 1980s. Its first task had been to study the issue of constitutional protection, which had resulted in the inclusion of a relevant provision in the Norwegian Constitution and subsequently the Sami Act establishing the Sami Parliament. The Sami Rights Committee was now studying the question of territorial rights. Under present legislation, the Samis had no claim to the natural resources in the territory of Finmark, most of which belonged at present to the State. Claims to land and to revenue from natural resources found there were currently a high-profile issue among the Samis and in the Sami Parliament.

69. Replying to questions regarding religious education, he confirmed the existence of provisions concerning non-discrimination. Furthermore, new guidelines were under preparation and would allow pupils to opt out of religious education. At present, it was compulsory for the children of members of the State Church to attend religious education classes.

70. To his knowledge, only a very few of the older Samis did not speak Norwegian, and they were certainly provided with interpreters, when necessary. Since they normally lived in municipalities where Sami was an official language, it was unlikely that they encountered any particular problems.

71. Mrs. JIMENEZ BUTRAGUEÑO asked whether any members of the Norwegian Parliament belonged to the Sami ethnic group.

72. Mr. ALVAREZ VITA said he still had some additional concerns. About 10 years ago he had made the acquaintance of a representative of the Sami people at a meeting in Geneva on indigenous populations. On that occasion, he had been shown a version in Sami of the International Bill of Human Rights, translated by the Samis themselves. Why was that text not officially recognized and, furthermore, why had the Covenant not been translated into Sami? During the meeting, the issue of free cross-border movement had been

raised and the Sami representative had expressed concern about the absence of an official identity document, which would facilitate exercise of that right. How was one supposed to recognize the Sami people? By their national costume? The question of the right to self-determination, which was covered by the Covenant, had also been discussed during the meeting. Ten years on, he wondered to what extent the views of the Samis were heeded in Norway and whether the situation of the minority was still a cause for concern.

73. Mr. WILLE (Norway) said that one member of Parliament was a woman of Sami origin, who had even made a statement in Sami before Parliament. There were no quotas set for the numbers of Sami and Norwegian members of Parliament: they ran for office under the same conditions. At present, translations of international treaties into Norwegian or other minor languages were not recognized. When questions arose regarding the interpretation of obligations under such instruments, the Norwegian Government referred to the text in one of the official languages of the United Nations. None the less, that practice might have to be changed when such treaties were incorporated into Norwegian legislation. Authorized translations, both in Norwegian and Sami, would be required, since they were also used in Norwegian courts of law.

74. It might seem strange, but there were in fact so few inhabitants living in the border regions that local police were able to recognize them. It had been the practice for many years to allow Samis to cross the border into Sweden and Finland without a passport. In order to avoid any discrimination between Samis and non-Samis, that right had been extended to anyone living within 10 km of the frontier. Admittedly, 10 years ago there had been much debate on such issues, but many changes had occurred since then, including the introduction of constitutional provisions, the establishment of the Sami Parliament and the ratification of ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. It was now fair to say that the views of the Samis were taken into account, as was borne out by the remarks made by the President of the Sami Parliament during the inauguration of the International Year of the World's Indigenous People held on 6 March 1993, which was also national Sami day.

75. Mr. ALVAREZ VITA said that, while he realized that the Norwegian Government must refer to a version of United Nations treaties in an official United Nations language, for internal purposes it ought to have a version of such treaties in the Sami language. The delegation had indicated that the Covenant had not been translated into Sami. Perhaps that could be rectified with the assistance of Sami representatives. He was aware that much water had passed under the bridge in the past 10 years and perhaps the views of the Samis had finally been heeded. However, it was worthwhile remembering the proposal made at that time for a Sami representative on the Norwegian delegation.

76. Mr. WILLE (Norway) said that a volume of legislative provisions had been published in Sami, but it did not include the Covenant. He was aware of the existence of a Sami version of the Covenant, translated by an eminent scholar, so there was no doubt that the translation had been well done. Such matters would be taken up subsequently in connection with the incorporation of

treaties into Norwegian legislation. Although proposals regarding self-determination of the Sami people had been mooted in the 1980s, the Samis now seemed to prefer autonomy to secession and wanted to consolidate the Sami Parliament.

77. The delegation had enjoyed a constructive dialogue with the Committee and ensured members that its views would be brought to the attention of the competent authorities in Norway. He was aware that the delegation had not provided sufficiently detailed information on certain issues. Additional information, particularly with regard to Mrs. Bonoan-Dandan's concerns, would, where possible, be forwarded to the Committee in due course, or otherwise covered in Norway's next periodic report. The delegation had placed a number of documents at the disposal of Committee members.

78. The CHAIRPERSON thanked the Norwegian delegation for its cooperation and willingness in answering the questions raised, which were intended to secure a clearer understanding and to assist the reporting country in finding ways of improving its human rights situation. The Committee's concluding observations on Norway's third periodic report would be adopted and made public at the last meeting of the current session, to be held on Friday, 8 December.

The public meeting rose at 12.20 p.m.