

INTERNATIONAL
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ON THE ELIMINATION
OF ALL FORMS OF
RACIAL DISCRIMINATION



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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

Fourteenth session

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

Third periodic reports of States Parties due in 1975

Addendum

NORWAY^{1/}

[12 May 1976]

1. Reference is made to the second periodical report by the Norwegian Government (CERD/C.R.53/Add.5). In the interval between the second and third periodical report no further legislative measures have been adopted which give effect to the provisions of the Convention. The provisions of the Penal Code that were adopted in order to implement certain provisions of the Convention have not been invoked in any criminal case brought before the courts. Concerning administrative and other measures reference is made to the information given below concerning the Norwegian Gypsies and Lapps.

2. The Norwegian Government would like to avail itself of this opportunity to answer the request for information which was expressed by the Committee on the Elimination of Racial Discrimination when dealing with the second periodical report of Norway.

3. (a) Article 2.1 (a) and (b) and article 4 (c) impose certain obligations on the States which become parties to the Convention. According to Norwegian law individuals cannot enforce these rules by appealing directly to domestic courts

However, before ratifying the Convention a detailed study was undertaken in order to ascertain that domestic law is consistent with the obligations under the Convention, and certain legislative measures were taken in this respect.

^{1/} The third periodic report of Norway was due on 6 September 1975. For the initial report submitted by Norway, see document CERD/C.R.25/Add.4, and for its consideration by the Committee, see CERD/C/SR.96-97. For the second periodic report, see document CERD/C.R.53/Add.5, and for its consideration by the Committee, see CERD/C/SR.185.

3. (b) The word "association" in section 330 in the Norwegian Penal Code is considered to cover the "organizations" mentioned in article 4 (b) of the Convention.

4. The Lapps constitute a separate ethnic group with their own language, culture and traditions, closely related to the special natural environment and the scant economic base in the most northerly parts of the country. The Lapp pattern of life and culture is largely based on reindeer-breeding, hunting, fishing and agriculture.

The official Norwegian attitude on questions connected with policy towards the Lapps is based on the premise that the Norwegian Lapps are Norwegian citizens with the same rights and obligations as other Norwegians. In regard to suffrage and eligibility for election to public office and for appointment to public and private posts the Lapps have the same status as all other Norwegian citizens. This also applies to compulsory education and educational facilities, both at the primary level and where further education is concerned.

However the language, the scattered pattern of settlement and their economic livelihood, which still necessitates long-distance trekking each spring and autumn, mean that in general terms it is more difficult for the Lapps to make full use of the facilities offered. The meagre economic returns from their primary means of subsistence and the great distances involved pull in the same direction.

The policy now to be followed in questions concerning the Lapps takes account of these factors. The syllabus in the elementary schools in districts with a substantial Lapp element in the population takes its starting point in the Lapps' own language and traditions. In recruitment to establishments of higher education certain allowances are made for applicants with Lappish as their mother tongue. There are various ways of implementing measures and of giving expert and economic support to the development of the primary industries in the Lapp settlement areas, in addition to such schemes as apply to the country as a whole. This applies likewise to measures in the housing sector and with regard to health services, social insurance etc. The expansion of the economic sector based on the exploitation of natural resources, such as waterpower and minerals, and on bringing new land under cultivation, as well as on forestry, road construction and the operation of hotels (tourism) etc., which is also intended to accommodate the surplus population for which the primary industries have no room today, raises special problems since it may conflict with the traditional pattern of life with reindeer-breeding as its basis.

Considerable financial support is granted to Lapp cultural projects.

Lapp organizations receive financial aid and co-operate in dealing with questions of particular interest to the Lapps, as well as in matters which may be regarded as having special consequences for Lapp areas or which affect Lapp interests. The Norwegian Government has appointed a special body, "The Norwegian Lapp Council", to be the advisory organ for the Government in Lapp questions.

There is particular reason to note that the Lapps are in the majority, or represent a substantial proportion of the population, in several municipalities in the main Lapp districts, thus having decisive influence on the composition of the popularly elected bodies which are concerned with the relevant administrative work and the process of decision-making. Many teaching posts and other important government service posts in these regions are held by Lapps. Thus the Lapps themselves share in the shaping of the official policy on Lapp questions.

5. There are about 150 Norwegian Gypsies, all of whom live in Oslo. The situation of the Gypsy group had until recently worsened steadily since World War II, due to their lacking the means of earning a livelihood. Their special nomadic mode of life has increasingly proved to be a handicap in relation to the modern social structure. The fact that they were without any permanent dwelling, school education or income created an ever-widening gulf between them and the community at large. People's attitude in discriminating against them made it impossible for the Gypsies to gain any foothold in the ordinary housing market when they began to seek accommodation, and it was difficult for this ethnic minority to invoke the rights to which they were entitled under Norwegian law. It might be said that the group's special mode of life proved an obstacle to their social integration. The authorities were aware of this problem and recognized that, in order to assist this population group, it would be necessary to take the Gypsies' own premises as a starting point. It was stated in the Government Report to Parliament No. 37 (1972-73) "Concerning measures in respect of the Norwegian Gypsies" that it would be necessary to introduce special measures if the Gypsies were to enjoy the same rights as other Norwegians. Of the measures which have been adopted so far, the following may be mentioned:

An agreement has been entered into with the City of Oslo concerning the integration of the group, in which the settlement of the Gypsies is given the highest priority rating. In accordance with the agreement a separate office for Gypsy affairs has been established in Oslo. This office is to deal with all the practical tasks which have to be carried out. Another project is the building of small houses in various parts of the city. One of the reasons for investing in the building of small houses was that protests from neighbours and discriminatory attitudes made the Gypsies' accommodation in residential blocks extremely difficult. In the future, when the families have become accustomed to being permanent residents, it is expected that it will be possible to place the younger families in ordinary dwelling complexes in flats or apartments. By then there will also be social assistance machinery to aid the families in any situations of conflict.

A school of adult education has been established in which one of the fundamental principles is to base the syllabus and teaching on the Gypsies' own pedagogic traditions. The older Gypsies are therefore engaged as assistant teachers. The problem of gainful employment is regarded as being closely connected with the school for adults, and a Working Committee has been set up to study the possibilities open to the Gypsies for earning a living, since this scheme builds in the main on the Gypsies' own traditions.

The children likewise for the time being have separate classes on account of the language problem and because their school attendance has hitherto been intermittent due to their constant wanderings. In these classes the teachers have fewer pupils than normal.

A principle that underlies all the work in this field is that the culture peculiar to the Gypsies shall be respected and that the process of integration shall be effected voluntarily and in co-operation with the Gypsies themselves.

An inter-ministerial board has also been appointed, "The Board for Gypsy Questions", on which the Gypsies have two representatives nominated by themselves. A private organization, "The Association for the Civil Rights of the Gypsies", has one representative on the Board.

An executive post as adviser on Gypsy questions has been created in the Ministry of Social Affairs. This adviser works in close co-operation with the Gypsies and has co-ordinating functions. He also acts as secretary to the Board for Gypsy Questions.

By and large, social integration of this minority has been found to present so many problems that it has proved absolutely essential to establish a special administrative apparatus to deal with them.

6. Concerning the request for information on the demographic composition of the population (CERD/C/R.60/Add.1), Norway has no exact official statistics giving such information. It is, however, considered that out of a total population of 4 014 000 inhabitants (as of 30 September 1975), there are about 20 000 Lapps and about 150 Gypsies holding Norwegian citizenship.

7. The Norwegian Government has given and will continue to give humanitarian and other forms of economic assistance to refugees and national liberation movements in Southern Africa, as it considers such assistance an important means of combating racial discrimination against the oppressed people of this area. Furthermore, the Government of Norway is a main contributor to the United Nations Trust Fund for South Africa and to the United Nations Educational and Training Programme for South Africa. The Norwegian Government recently also decided to contribute to the newly established Unit on Apartheid Trust Fund. This clearly indicates the interest the Government attaches to the fight against racism and racial discrimination. The Norwegian Government intends to continue to make increased contributions for these purposes in the years to come.

Norway has furthermore ensured the full compliance by Norwegian Nationals to the mandatory sanctions imposed on South Rhodesia by the Security Council, and the Government is in favour of extending the sanctions to cover all measures envisaged under Article 41 of the Charter.

Regarding the situation in Namibia, Norway has proposed the following steps:

- increased assistance to the people of Namibia and their liberation movements,
- extended information on the situation in Namibia,
- a mandatory arms embargo against South Africa,
- a visit to Namibia by the United Nations Human Rights Commission.

8. The Norwegian Government has in March 1976 made a declaration to the Secretary-General of the United Nations recognizing the competence of the Committee on the Elimination of Racial Discrimination as laid down in Article 14 of the Convention on the Elimination of all Forms of Racial Discrimination, with the reservation that the Committee shall not consider any communication from an individual, or group of individuals, unless the Committee has ascertained that the same matter is not being examined, or has not been examined, under another procedure of international investigation or settlement.