

INTERNATIONAL
CONVENTION
ON THE ELIMINATION
OF ALL FORMS OF
RACIAL DISCRIMINATION



Distr.
RESTRICTED

CERD/C/R.53/Add.5
5 March 1974

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Ninth session

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

Second periodic reports of States parties due in 1973

Addendum

NORWAY 1/

/26 February 1974/

Reference is made to the initial report by the Norwegian Government issued on 26 October 1971 and to the two additional reports that have been given in the interval in response to the Secretary-General's notes of 9 March 1972 2/ and 18 May 1973. 3/ In the interval between the initial report and the second periodic report no legislative or other measures have been adopted that give effect to the provisions of the Convention. The provisions of the Penal Code that were adopted in order to implement certain of the provisions of the Convention, have so far not been invoked in any criminal case brought before the courts.

The Norwegian Government would, however, like to avail itself of this opportunity to give some additional information about the implementation of certain of the provisions of the Convention.

1 (b): Norwegian legislation does not contain any provisions which make rights or duties contingent upon someone's race, colour, etc. Furthermore, Norwegian administrative practice is based on the established general principle - fundamental in Norwegian administrative law - that requires that similar cases be treated similarly, unless there is an affirmative justification for different treatment. Race, ethnical origin, etc. would never justify such different treatment.

1/ For initial report of Norway see document CERD/C/R.25/Add.4 and for its consideration by the Committee, see CERD/C/SR.96-97.

2/ CERD/C/R.44/Add.1.

3/ CERD/C/R.69.

2 (a)-(c): Article 2.1. (a) and (b) and article 4 (c) impose certain obligations on the States that become members of the Convention. Under Norwegian law, treaty obligations of this nature are considered as binding on the Government in all its actions as soon as Norway is bound by the treaty. Implementation through legislation etc. is hence not considered necessary. The principle mentioned above under 1 (b) assures that similar cases be afforded equal treatment by governmental and local authorities.

4 (b): In the initial report mention was made of the fact that the Norwegian Government had established a permanent commission with the task of studying and proposing measures to ensure the adequate and effective enjoyment by the gypsies of their rights under Norwegian law, and their integration into Norwegian society. In this connexion the Norwegian Government would like to give the following additional information:

The commission has nine members. It is permanent in the sense that no time-limit for its function has been set. Of the nine members, four represent the four ministries most concerned with questions concerning the gypsies. One member represents the city of Oslo, as most of the Norwegian gypsies are living in this city. Two members represent the gypsies, and two members are independent but with special knowledge of, and interest in, questions concerning the gypsies;

In addition to the work provided for by its terms of reference the commission has gathered information on the situation of the gypsies in other countries.
