



**International Convention on  
the Elimination  
of all Forms of  
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION

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

**Sixteenth periodic reports of States parties due in 2001**

**Addendum**

**NORWAY\***

[18 June 2002]

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\* This document contains the sixteenth periodic report of Norway, due on 5 September 2001. For the fifteenth periodic report of Norway and the summary records of the meetings at which the Committee considered that report, see documents CERD/C/363/Add.3 and CERD/C/SR.1426, 1427 and 1434.

The documents enclosed with the report submitted by the Government of Norway may be consulted in the secretariat's file.

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## **Introduction**

1. Reference is made to Norway's previous periodic reports, in particular to the fifteenth periodic report (CERD/C/363/Add.3). During the preparation of the present report, due regard has been paid to the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD) (CERD/C/304/Add.88) adopted on 23 August 2000. Due regard has also been paid to the general guidelines regarding the form and contents of reports to be submitted by States parties under article 9, paragraph 1, of the Convention, as revised by CERD at its 1429th meeting on 21 August 2000 (CERD/C/70/Rev.5).

2. The present report is largely devoted to measures that have been adopted since the examination of the fifteenth periodic report. The suggestions and recommendations made by the Committee in its concluding observations have been taken into account. To assist CERD in fulfilling tasks in accordance with article 9 of the Convention, reference is made to previous documents containing information of relevance to the examination of the present report. In CERD's concluding observations on Norway's fifteenth periodic report, paragraph 20, the Committee recommended that Norway's sixteenth report be a comprehensive report. In order to limit the extent of the report, however, information provided in previous reports has as a rule not been included in the present report. Instead, reference is made to Norway's previous reports.

3. Before the present report was finalized, a draft was submitted for comment to the Government's Advisory Committee on Human Rights. A number of non-governmental organizations working in this field were informed that the report was being drafted and a draft of the report was sent to the non-governmental organizations and other relevant bodies for comment in September 2001.

## **I. GENERAL**

### **A. General legal framework**

4. The general legal framework for the prohibition of racial discrimination has been described in previous reports. See e.g. the third report (CERD/C/R.78/Add.9) and the twelfth and thirteenth reports (CERD/C/281/Add.2), paragraph 4, as well as the initial part of the reports submitted by Norway known as the "core document" (HRI/CORE/1/Add.6). However, some major developments can be reported.

5. Reference is made to paragraph 6 of Norway's fifteenth report, and to paragraphs 11 and 16 of CERD's concluding observations. Following the examination of that report, the Government in March 2000 appointed a committee charged with drafting a bill prohibiting ethnic discrimination. When members of the Committee were appointed, account was taken not only of their legal qualifications and special knowledge about ethnic discrimination, but also of the legitimacy they enjoy among groups that often experience such discrimination. The Committee shall consider how legal protection against ethnic discrimination may be strengthened, and submit proposals for legislation prohibiting ethnic discrimination. In addition to reviewing aspects of criminal law, the Committee shall consider various civil sanctions against ethnic discrimination. The Committee will also discuss how to organize effective

enforcement of the legislation, including what kind of role the Centre for Combating Ethnic Discrimination should have. Another task for the Committee is to consider how the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) may be further implemented in Norwegian law. With respect to CERD's concluding observations, paragraph 15, the Committee will consider measures to combat discrimination in the housing sector, including with respect to renting or purchasing apartments. The Committee is to complete its work by June 2002.

### **1. The Immigration Act**

6. Several important amendments were made to Norway's Immigration Act in 2000, most of which came into force on 1 January 2001. From this date, the responsibility for the Government's immigration policy was transferred from the Ministry of Justice to the Ministry of Local Government and Regional Development. The Government has decided to appoint a committee to revise the entire Immigration Act. The aim is that the committee finishes its work by the end of 2003.

### **2. Appeals Board for Asylum and Immigration Cases**

7. Reference is made to Norway's fifteenth report, paragraph 15, and to CERD's concluding observations, paragraph 18. An Immigration Appeals Board was established on 1 January 2001. It will deal with all appeals of decisions made by the Directorate of Immigration under the Immigration Act. The intention is to improve the legal protection of asylum-seekers, increase public confidence in the treatment of asylum cases and ease the Ministry's workload, enabling it to concentrate more on general policy issues. It is still too early to say much about the functioning of the board. The first cases were only dealt with at the end of February 2001. The functioning of the Immigration Appeals Board will be evaluated in 2002.

8. The Immigration Appeals Board is headed by a director, who is appointed for a six-year period. The Board has board leaders in full-time or part-time posts. Both the director of the Immigration Appeals Board and the board leaders must satisfy the requirements for judges in the Norwegian judicial system. In addition, 500 lay people have been appointed for four years, starting from 1 January 2001. Each committee consists of a board leader and two lay people. One of the lay members of each committee is always proposed by an NGO. Committee decisions are by majority vote. Committee meetings are closed to the public, and the participants are obliged to undertake a duty of secrecy.

9. An individual case may be handled in two different ways, either by a committee or by a leader alone. In the latter case, the Board may also delegate the power of decision to the secretariat. The relevant factor in deciding the procedure to be followed in the individual case is whether the case gives rise to significant questions of doubt. The Board itself decides the form of procedure in guidelines. A committee shall handle cases that give rise to significant questions of doubt. A leader alone or the secretariat makes decisions in other cases. Such cases are, inter alia, appeals where the conditions for reversing the Directorate of Immigration's decision must obviously be deemed to be present, appeals deemed to be groundless, and petitions for reversal of any decision made by the Immigration Board where there is no reason to suppose

that the Board will change its decision. In cases handled by a committee, appellants may be allowed to attend in person and speak. The appellant's advocate or another representative of the appellant may attend together with the appellant. Other persons may also be allowed to attend and speak.

10. By 30 November 2001 the Immigration Appeals Board had handled 5,203 cases, including 3,814 asylum cases. The appellants were allowed to attend in 6 per cent of these cases. Ten per cent of the cases were handled by committees. Fifty-three per cent of the cases were handled by Board leaders alone and 37 per cent by the secretariat. The reason why so few cases have been handled by committees is probably that many appeals have been deemed to be groundless and in many cases there has not been sufficient doubt. This is a question that will be discussed in the evaluation of the Immigration Appeals Board that recently started.

## **B. Demography and standard of living**

### **1. Demography**

11. Reference is made to Norway's twelfth and thirteenth reports, paragraphs 5-16, and fifteenth report, paragraph 7. The immigrant population in Norway increased by about 15,200 persons between January 2000 and January 2001, to a total of 297,731 persons, or 6.6 per cent of the total population. The term "immigrant population" is defined as persons residing in Norway with two foreign-born parents. This means that both first-generation (foreign-born persons with two foreign-born parents) and Norwegian-born persons with two foreign-born parents, formerly called second-generation immigrants, are included. As of 1 January 2001, the number of first-generation immigrants in Norway was 249,904 and the number of "second-generation immigrants" was 47,827.

12. The five largest nationalities represented are from Pakistan (23,581), Sweden (23,010), Denmark (19,049), Viet Nam (15,880) and Yugoslavia (15,469) (enclosure No. 1). The latest figures on foreign nationals who have acquired Norwegian citizenship are enclosed (enclosure No. 2). The latest figures on the number of asylum-seekers, the number of residence permits and work permits granted and the number of persons granted protection and accompanying persons who have been granted family reunification are also enclosed (enclosure Nos. 3-5).

13. The Saami are the indigenous people of Norway. The Jews, the Kvens (Finno-ethnic minority population), the Roma/Gypsies, the Romani people/Travellers and the Skogfinns (people of Finnish descent living in southern Norway) are recognized as national minorities. Accurate statistics on the size of the Saami population and the national minorities of Norway are not available, as ethnic affiliation is not recorded in the censuses. Any number depends on the definition that is being used. However, it has been estimated that there are between 50,000 and 100,000 persons of Saami descent in Norway. A recent report estimates that there are approximately 25,000 people in Norway who understand Saami; 9,520 persons had registered themselves in the Saami electoral register prior to the 2001 elections to the Samediggi (the Saami Parliament). The Saami electoral register contains, however, only persons over the age of 18 who have registered with a view to taking part in elections to the Saami Parliament.

## **2. Standard of living**

14. Reference is made to Norway's fifteenth report, paragraph 8. Some of the subject areas in Statistics Norway's study from 1996 have been updated since the fifteenth report was submitted. For information about the participation of people with immigrant background in elections, the labour market and people's attitudes toward immigrants, reference is made to paragraphs 115, 133-138 and 38-41, respectively.

## **3. Income**

15. The average disposable income of families by the head of family's country of origin shows a clear distinction between different immigrant groups. Families from Western Europe, excluding Turkey, had an average disposable income of NOK 411,500 in 1998, which was far more than the average in Norway (NOK 328,400). Immigrants from the Third World (Asia, Africa, Central and South America and Turkey) have the lowest incomes. In 1998, families from this region had an average disposable income of NOK 284,200.

## **C. Main policy principles**

16. Reference is made to Norway's fifteenth report, paragraphs 9-17. The following information may be added.

### **1. White Paper on the Government's policy in respect of national minorities**

17. Reference is made to Norway's fifteenth report, paragraph 55. On 8 December 2000 the Government presented a report to the Storting on its policy in respect of national minorities (Report No. 15 (2000-2001) to the Storting on National Minorities in Norway). The report deals with policy in respect of Jews, Kvens, Roma/Gypsies, the Romani people/Travellers and Skogfinns.

18. The report to the Storting on national minority policy is part of the follow-up to Norway's ratification of the Council of Europe's Framework Convention for the Protection of National Minorities. Among other things, it contains a review and evaluation of Norway's international obligations in this field, and examines the principles and legal foundation on which the policy is based. The report discusses ways of ensuring equal conditions for participation in society and the preservation of language, culture and cultural identity, and describes the Government's plans for further work in this field.

19. Government policy is based on the principle that cultural diversity is positive. Everyone living in Norway, regardless of their background, shall have genuinely equal opportunities, equal rights and equal obligations to participate in society and make use of their resources. Racism and discrimination must be combated actively. In its report to the Storting, the Government also states that it will undertake to promote a society that creates appropriate conditions enabling persons belonging to minorities to express, preserve and develop their identity, both within their own group and in community with society at large.

20. The Government considers it a goal to ensure, as far as possible, that the needs of minority groups are met within the framework of the general policy, for instance by adapting general schemes that also meet the needs of national minorities. However, the Government recognizes that some minority needs can only be met by means of special measures designed for these groups as a community, for instance in the media and education sectors. Dialogue with minority organizations is an important feature of the policy-making process. In its report to the Storting, the Government strongly condemns the abuses committed against the Romani people/Travellers. Moreover, the Government regrets the Norwegianization policy to which all the national minorities have been subjected, and apologizes on behalf of the State for the way in which the minorities have been treated.

21. The report was debated in the Storting on 20 February 2001. The political principles in the report were supported by a large majority of the members of the Storting.

## **2. White Paper on the general principles underlying Norwegian policy towards the Saami people**

22. A White Paper on the general principles underlying Norwegian policies towards the Saami people is submitted to the Storting once every parliamentary term (once every four years). Three such White Papers have been submitted so far. The latest one was presented in August 2001. Some of the vital issues dealt with in this White Paper were the competence and authority of the Samediggi (the Saami Parliament), the situation of the Saami language, Saami minorities, and knowledge of, and attitudes towards, the Saami people.

23. The basis of the Government's policies towards the Saami people is that the Norwegian State was originally established on the territory of two peoples: the Norwegians and the Saami. They both have the same right to maintain and develop their language and their culture. The aim of the Government's policies is thus not to give the Saami a special position, but to reverse the negative effects of the previous policy of Norwegianizing the Saami culture.

## **3. White Paper on the asylum and refugee policy in Norway**

24. The Government submitted a White Paper on the asylum and refugee policy in Norway on 15 December 2000 (Report No. 17 (2000-2001) to the Storting). Measures with regard to asylum policy, settlement and qualification are proposed in this White Paper. The White Paper was adopted by the Storting on 23 April 2001.

## **4. Plan of Action to Combat Racism and Discrimination (1998-2001)**

25. Reference is made to Norway's fifteenth report, paragraph 11, and to CERD's concluding observations, paragraph 18. In 1998, the Norwegian Government presented its Plan of Action to Combat Racism and Discrimination for the period 1998-2001. Currently, in autumn 2001, almost all of the 32 specific measures set out in the action plan have been implemented. Some of the measures have been given a different form from that described in the action plan, but they still follow the plan's intentions. The authorities consider that the plan has proved to be an effective tool in the efforts to combat racism and discrimination. The action plan will be evaluated in 2002.



## 5. New priority measures presented by the Government

26. In June 2001, the Government presented 12 new measures for combating racism and discrimination in Norway. These measures can be grouped into the following three categories:

### Children and youth

1. Increased efforts will be made in schools to combat racism and discrimination.
2. Extra funding will be provided for building sports facilities.
3. Financial support will be provided for a project designed to disrupt right-wing nationalist groups.
4. Financial support will be provided to "Riverside" - a new youth centre in Oslo, for young people between 16 and 20 with questions related to work and education.

### State recruitment policy

5. All government agencies in their job advertisements must encourage persons with a minority background to apply.
6. For a trial period of one year, all ministries must interview at least one qualified applicant with a minority background for each vacant position they are filling.
7. The education of diplomats concerning racism and discrimination will be strengthened.

### General measures

8. Information on legislation concerning discrimination in restaurants, discotheques and bars will be compiled and distributed.
9. A system of work-related skills testing will be established.
10. Legislative amendments to prohibit discrimination in the housing market will be proposed.
11. A new plan of action to combat racism and discrimination will be submitted (cf. paragraph 27).
12. The Centre for Combating Ethnic Discrimination will be continued on a permanent basis (cf. paragraph 28).

## **6. New plan of action to combat racism and discrimination (2002-2006)**

27. The Ministry of Local Government and Regional Development is currently cooperating with several other ministries on a new government plan of action to combat racism and discrimination. The Government will present the new plan of action in 2002, when the current plan of action ceases to apply.

## **7. The Centre for Combating Ethnic Discrimination**

28. Reference is made to Norway's fifteenth report, paragraph 13. The Centre for Combating Ethnic Discrimination was established on 11 September 1998 and officially opened in February 1999. The Centre is an independent government body that provides legal assistance to individuals who are victims of discrimination on the basis of religion, belief, race, colour, or national or ethnic origin. It also monitors the types and extent of racial discrimination in Norway. The Centre has submitted its own report to CERD in connection with Norway's fifteenth report. In June 2001, the Government proposed that the Centre should continue after the trial period, (cf. the 12 measures described in paragraph 26). The exact functions of the Centre will be reviewed after the trial period and may be adjusted.

## **8. Plan of Action on Human Rights**

29. Reference is made to Norway's fifteenth report, paragraph 17. Report No. 21 (1999-2000) to the Storting, *Focus on Human Dignity. A Plan of Action for Human Rights*, was adopted by the Storting in January 2001. The plan of action reflects a coherent approach to efforts to promote human rights both in Norway and internationally. The plan focuses on factors that can further strengthen the overall protection of human rights in Norway, regardless of whether they are civil and political rights or economic, social and cultural rights. The plan will be evaluated in the annual report on Norway's efforts to promote human rights. The plan consists of more than 300 concrete measures, which are scheduled to be implemented by 2005. Discrimination and racism are given a good deal of weight in the plan.

## **9. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

30. Norway's involvement in international efforts to combat racism has mainly been channelled through the preparations for and participation in the 2001 World Conference.

31. Norway prepared for the World Conference on a broad, grass-roots-oriented basis. A national preparatory committee with 70 participants representing the authorities, specialized agencies and civil society was established. Combating racism is an ongoing task in Norway too, and the preparations for and the follow-up to the World Conference are an inspiration in this regard. During these activities, strong efforts have been made to link this international event to national policy and efforts to combat racism.

## 10. Documentation and monitoring

32. Reference is made to Norway's fifteenth report, paragraph 14, and to CERD's concluding observations, paragraph 12. Some progress has been made in the documentation and monitoring of racism and discrimination, though the situation is not yet regarded as satisfactory. The work on developing satisfactory documentation will be given priority in the new plan of action to combat racism and discrimination (2002-2006).

33. In September 2000, the Directorate of Immigration presented its first report on racism and discrimination in Norway. The Directorate will present a report on the situation every second year. Further, in October 2000, the Centre for Combating Ethnic Discrimination presented its second annual report, entitled Moving Toward Better Protection 2000. In June 2000, the Antiracist Centre, an NGO that receives government funding, presented its second report, entitled The State of the Nation. The report analysed the positive and negative trends in the preceding year in a culturally diverse Norway.

34. These three reports show that racism and discrimination exist in various sections of the Norwegian society. The problem is not primarily racist groups spreading terror in the streets, but more subtle forms of everyday discrimination, especially in the labour and housing markets. One major challenge is to strengthen the legal protection against racism and discrimination. All three reports conclude that there is a higher level of awareness among central government and local authorities of the existence of racism and discrimination in Norway, and of the need to address these issues.

### D. Racial discrimination/racist attitudes/racially motivated violence

35. Reference is made to Norway's fifteenth report, paragraphs 18-21.

36. Increased attention is being paid to the issue of discrimination of ethnic minorities. Several research reports on this issue were published in 2000, and they particularly addressed the need for and the quality of interpretation services in courts and public services.

37. The above-mentioned reports (cf. paragraphs 33-34), together with reports from non-governmental organizations operating in the field, have provided a relatively good picture of the kind of racial discrimination being practised and of the areas of society where discrimination most often takes place. A number of surveys have also been carried out showing the extent of discrimination, and both the Centre for Combating Ethnic Discrimination and the NGOs keep records of the cases they deal with in the course of the year. However, the information collected is so wide-ranging and so divergent that it is difficult, for example, to compare one year with another.

### Discriminatory attitudes

38. Reference is made to Norway's twelfth and thirteenth reports, paragraph 45, and Norway's fifteenth report, paragraph 20. Each year since 1993 Statistics Norway has measured people's attitudes toward immigrants and immigration policy by asking a representative sample

of the population whether Norway should accept at least as many refugees as at present, whether they believe immigrants receive more social benefits than they are entitled to, whether immigrants should enjoy the same job opportunities as Norwegians, and whether they believe immigrants to be more prone to criminal behaviour than Norwegians.

39. The only significant change from 1999 to 2000 concerns the first statement. The percentage of Norwegians who agree that Norway should accept at least as many refugees as at present declined from 1999 to 2000. This may reflect the large number of new refugees accepted in 1999, but also the media focus on widespread crime among certain groups of asylum-seekers. There were only insignificant changes from 1999 to 2000 in the answers to the other three questions.

40. The same questions have been asked every year since 1993. Even though there are basically small changes from one year to the next, the responses to these questions show that attitudes toward immigration and immigration policy have become generally somewhat more positive in the course of the 1990s.

41. There has also been a positive trend in the majority population's attitudes towards the Saami minority during the past 20-30 years. However, negative attitudes towards the Saami still exist. In certain local communities, there have been some incidents of discrimination against Saami people. The Government is closely monitoring developments in these communities, and will consider measures to combat discriminatory attitudes and ethnic harassment of the Saami minority. The Ministry of Local Government and Regional Development has financed a survey on the Norwegian population's attitudes towards the Saami people and Saami issues. On the basis of the results of this survey, the Government will devise an information strategy on Saami issues.

## **II. INFORMATION RELATING TO ARTICLES 2 TO 7**

### **A. Article 2**

42. The following information refers to paragraph 1 (a) of article 2. Reference is made to Norway's fifteenth report, paragraphs 22-29.

#### **Increasing multicultural understanding in key service sectors**

43. Reference is made to CERD's concluding observations, paragraph 18. The Norwegian Directorate of Immigration started a diversity-training project in 1998 aimed at employees with extensive contact with the Directorate's visitors, i.e. clerks and executive officers in the Directorate's legal department. The programme consisted primarily of a series of courses on multicultural understanding and cross-cultural communication. After a trial period, the Directorate decided in 1999 to include the main elements of these courses in the mandatory introductory programme for the officers responsible for interviewing newly arrived asylum-seekers.

44. Reference is made to Norway's fifteenth periodic report, paragraph 26. The Directorate of Immigration has taken the initiative to invite a number of professionals from a wide variety of public institutions who are interested in introducing diversity training into their agencies to a workshop in order to provide a forum for the exchange of experience. The Directorate continues to provide advice and guidance to agencies that want to develop methods for this type of training.

45. The following information refers to paragraph 1 (c) of article 2.

46. Due to the increase in the number of asylum-seekers in recent years, combined with the lack of capacity in the Directorate of Immigration, the processing time for all applications under the Immigration Act has increased. For instance, the processing of family reunification applications now takes between 6 and 13 months. The processing time often varies for applications from different countries (but also within countries), and the Government has been criticized for this. It has been claimed that this practice is discriminatory. The reason why it takes longer to process applications from some countries is that it takes more time to collect information/documentation and to investigate cases from some countries than from others. Due to lack of capacity, the Directorate has been given extra resources. The Directorate has also been reorganized, and a number of measures have been implemented to streamline the processing of applications. At the same time, the Directorate is continuously monitoring the situation, and tries to reallocate resources if the processing time for certain countries becomes unacceptable.

### **The Security Act**

47. Reference is made to Norway's fifteenth report, paragraph 38. A new Act relating to protective security services (of 20 March 1998) is expected to enter into force in 2001. This Act will give the authorities the possibility of applying the rules concerning security clearance in a more flexible manner, thus making it easier for persons with an immigrant background to obtain jobs that require security clearance.

### **Study on official measures implemented in respect of the Romani people**

48. Reference is made to Norway's fifteenth report, paragraph 42. In autumn 2000, the Research Council of Norway concluded a study on measures implemented by the Government in relation to the Romani people. The sterilization of Romani women is one of the topics investigated. The study establishes that Romani women were significantly more likely to be subject to compulsory sterilization than Norwegian women in general.

49. After the war, the Romani people were largely forced to abandon their traditional itinerant occupations due to regulations imposed by the authorities. One example is the Animal Protection Act of 1951, which prohibited the Romani people from keeping horses. The research on the Romani people carried out under the auspices of the Research Council of Norway shows that the threshold for punishment was low in the institutions run by the Norwegian mission for the homeless (*Norsk misjon blant hjemløse*), and that some of the children fell ill and were sent to psychiatric institutions. On the whole, the policy pursued in respect of the Romani people,

particularly in the 1900s, has been one of active assimilation. The goal was a well-regulated society in which every person had a fixed address, went through the same system of schooling, received the same benefits and contributed equally to economic development. The policy has actively undermined the traditional way of life and culture that were characteristic of this ethnic group, with the result that even today many Romani people are hesitant to pursue their way of life and culture openly.

50. In the past decade, the general public has taken a strong and growing interest in the history and fate of the Romani people in Norway. This is probably due to the general interest in minority issues and, more particularly, to the strong media focus on eugenics and the various measures that have been carried out over the years in Norway. Particular attention has been paid to the Sterilization Act of 1934 and the consequences this Act had for the Romani people/Travellers.

### **Registration of national minorities**

51. Reference is made to Norway's fifteenth report, paragraph 43. Apart from the Saami electoral register, the Norwegian authorities currently have no registers based on ethnic origin. However, the central government authorities formerly kept registers containing this type of sensitive information ("Register of Mentally Retarded Persons" and the National Bureau of Crime Investigation's old "Register of the Romani people/Travellers"). The "Register of Mentally Retarded Persons" is now stored in the National Archives of Norway, which is the administrative agency responsible for the archives of the central government administration. The register is subject to strict rules governing access to information. There have been complaints that the practice is too strict, and that it is difficult for persons belonging to the Romani people/Travellers who were adopted, or whose children were adopted, to get access to the registers to find out who their parents, brothers and sisters or children are. From the authorities' point of view, this is not an instance of racial discrimination, as the rules governing adoption and protection of privacy are the same for everyone, irrespective of ethnic background. The register will be neither erased nor made anonymous, as doing so might mean erasing documentation of past abuses. This is in keeping with the wishes of the Romani People's Association of Norway (*Romanifolkets Landsforening*), which is one of the voluntary organizations of the Romani people/Travellers, and with those of the Roma foundation. Much of the National Bureau of Crime Investigation's old "Register of the Romani people/Travellers" has been destroyed for data security reasons. The Romani People's Association of Norway has expressed the wish to have the remains of this register transferred to the National Archives, rather than being destroyed. The matter is under consideration by the Ministry of Justice.

52. The following information refers to paragraph 1 (d) of article 2.

### **The Interdisciplinary Advisory Group on Community Relations and Anti-Racist Work**

53. Reference is made to Norway's fourteenth report, paragraphs 27-29, Norway's fifteenth report, paragraphs 23-24, and CERD's concluding observations, paragraph 18. Over the past 10 years, a number of local communities in Norway have experienced violence from

members of racist groups. Most of these communities have worked together with the Directorate of Immigration's Interdisciplinary Advisory Group and have taken measures to stop any further racially motivated acts of violence in their municipality. The services provided by the group fall into three categories:

- (a) Acute conflict situations where xenophobia or racially motivated violence, harassment or slander appears to be part of the problem (these cases have usually involved neo-Nazi/racist groups);
- (b) Pinpointing and analysing problems and reviewing possible solutions;
- (c) Preventive activities to combat xenophobia, racially motivated violence, harassment and slander.

54. "Early intervention" is the main principle of this advisory group. The experience gained during the first five years of the group's activity indicates that conflict levels have been reduced in the municipalities that have availed themselves of this service. In some cases, the advisory group can also be consulted on problems of blatant everyday racism, such as obviously racially motivated harassment. However, the group's expertise does not lie in addressing concrete incidents or particular issues of discrimination.

55. Since 1997 the Directorate has provided free initial consultations (approximately 10-16 hours provided by two consultants) to local authorities. In 1999 it was decided that this offer would be made available to other public agencies, schools, and neighbourhood organizations wishing to survey, analyse and deal with difficult situations involving racial issues. The Directorate wants to encourage "early intervention" in order to prevent more serious conflicts from developing.

56. Though exact figures are not available, there is a high correlation between the number of incidents of extreme right-wing violence and the number of cases where members of the advisory service have been consulted. In 2000, the Directorate covered the costs of free consultations for five municipalities or urban districts. In addition, other municipalities received assistance from the members of this group as part of a larger research project funded by other government agencies. Some of the consultations involved multi-ethnic conflicts and problems related to gang violence.

57. The police are involved in an effort to combat violence, gang crime, bullying and discrimination among children and young people in the schools, especially in some larger towns.

58. The following information refers to paragraph 1 (e) of article 2.

59. Reference is made to Norway's twelfth and thirteen reports, paragraphs 77-80. The Liaison Committee between Immigrants and the Authorities (KIM) is a government advisory body consisting of representatives from immigrant organizations, political parties, relevant government agencies and ministries. The Committee is a forum for contact and dialogue on a wide range of issues concerning immigrants, refugees and their families. Important issues are immigrants' participation in decision-making processes, and the situation of women and young

people in a culturally diverse society. NOK 3,350,000 have been allocated to the Committee in 2001. An independent research institution has evaluated the Committee. The evaluation report focuses on the forms and possibilities of participation. Based on this report, the Government will propose a reorganization of the Committee so as to enhance its ability to influence political processes in relevant areas.

60. Government funds for anti-discriminatory activities, dissemination of information and programmes that promote a positive attitude towards immigrants and ethnic minorities are now distributed by the county administration. To help the counties manage these funds, the Directorate of Immigration has produced a 100-page manual on best practices, which has been distributed to various agencies, interest groups and local government authorities. In addition, the Directorate has invited all the county authorities to attend seminars about how to make best use of these funds, how to assign priorities and how to establish good routines for reporting results. The Directorate has also published a leaflet providing national guidelines for the year 2001, which has been distributed to the parties involved in allocating the funds.

### **Young people with an immigrant background**

61. Reference is made to Norway's fifteenth report, paragraph 53. In 1998, the Norwegian Youth Council established a Multicultural Committee and a Multicultural Youth Forum for representatives from organizations and local groups of young people with an immigrant background. In 2000 the Youth Council also established a Multicultural Working Group. In August 2001 the Council arranged a conference for young people with an immigrant background in cooperation with the Liaison Committee between Immigrants and the Authorities. The aim of the conference was to promote self-confidence among these young people and help them form and run their own organizations. The conference also made a contribution to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

62. The following information refers to paragraph 2 of article 2. Reference is made to Norway's fifteenth report, paragraphs 46-53.

### **Grant schemes for NGOs**

63. Reference is made to Norway's fifteenth report, paragraph 46. Approximately NOK 21 million have been allocated in 2001 to immigrant organizations and activities. NOK 9 million were allocated to nationwide immigrant organizations, and NOK 12 million to local immigrant organizations and voluntary bodies that work in local communities to promote dialogue and cultural understanding. The nationwide immigrant organizations have been evaluated, and a broad range of institutions and organizations have been asked for their comments on the conclusions and proposals of the evaluation report. Financial support for the organizations and their activities will be reviewed and updated in the light of the report.

64. Reference is made to Norway's fifteenth report, paragraph 47. There is a special central government grant scheme for national minorities, which is administered by the Ministry of Local Government and Regional Development. The scheme is divided into two categories, basic support and project support. The aim of the basic support is to assist non-governmental organizations with a basis in national minorities that safeguard the interests of national minorities



and promote dialogue and cooperation between national minorities, non-governmental organizations and the public authorities. The project support aims to facilitate the dissemination of information on the situation of minorities and to document discrimination, efforts to promote positive attitudes, self-help activities and contact and cooperation between national minorities across national borders. Experience has shown that this grant scheme is an important means of increasing the visibility of national minority groups and that it has strengthened the activities of minority groups.

### **Indigenous and minority groups**

65. With regard to the Saami people, reference is made to Norway's previous periodic reports. The following information may be added.

#### *The Saami People's Fund*

66. In 2000, the Storting established a fund for the Saami people, with a capital of NOK 75 million. The Saami Parliament will administer the profits of the fund. The fund has been established in order to compensate for some of the negative effects of previous assimilation policies which have weakened the position of the Saami language and culture. The purpose of the fund is to improve the situation of the Saami people by enhancing their opportunities to practise their own language and culture, which will lead to a positive development of Saami language and culture. The intention is not to give individual compensation to people who have suffered from the assimilation policy. The profits of the fund will be allocated to projects that are not financed by existing public budgets and are in accordance with the Saami Parliament's priorities. The establishment of the fund signifies an assurance on the part of the Norwegian Government that the policy of assimilation towards the Saami people will not be continued or repeated.

#### *Centre for the documentation and presentation of Traveller culture*

67. Reference is made to Norway's fifteenth report, paragraph 56. The Glomdal Museum in Elverum has drawn up plans to establish a permanent cultural history centre for the documentation and presentation of Traveller culture as a new department of the museum. The efforts of the Ministry of Cultural Affairs to preserve Traveller culture have been concentrated primarily on the Glomdal Museum project, for which the central government authorities have granted funding for several years. The planned exhibition will focus on the history and culture of the Romani people, while a small section of the exhibition will revolve around the attitudes of society at large towards this minority and the measures that were imposed on them. The museum wishes to illustrate clearly what a minority is, and to promote greater awareness of abuses and oppression as well as increased tolerance and understanding of what is different. The Government will propose funds for investment in and the operation of the Glomdal Museum with a view to commencing construction in 2002. In this way, the Government wishes to redress the wrongs that have been done to the Romani people/Travellers in the past.

### Article 3

68. Reference is made to Norway's previous reports. There are no changes or new developments to report under this article.

### Article 4

69. The following information refers to paragraph 1 (a)-(c) of article 4.

#### Dissemination of racist ideas

70. Reference is made to paragraph 110. In 2000, a total of 32 instances of racial discrimination pursuant to section 135 a of the General Civil Penal Code, which deals with dissemination of racist ideas, were reported. A total of 66, 47, 45 and 38 cases were reported in 1996, 1997, 1998 and 1999, respectively. Of these, 32, 51, 26 and 35 cases respectively were investigated by the police. There was one conviction in 1998. During the first half of 2001, 39 cases pursuant to section 135 a have been reported.

71. On 31 January 2001 the Minister of Justice appointed an ad hoc committee with a mandate to examine the legal situation regarding dissemination of racist ideas, racist organizations and racist marches in Sweden and Germany. On the basis of the legislation in these two countries, the committee was asked to recommend necessary amendments to Norwegian legislation regulating these issues. The committee was appointed in response to the allegedly racist motivated murder of a 15-year-old boy in Oslo at the end of January 2001 (cf. paragraph 111).

72. The committee submitted its report on 9 March 2001. The committee recognized the difficult questions of principle that arise when the State wishes to combat racist activities by limiting freedom of expression, freedom of peaceful assembly and freedom of association with others (cf. the European Convention on Human Rights, articles 10 and 11, and the International Covenant on Civil and Political Rights, articles 19, 21 and 22).

73. The committee concluded that the Swedish and German legislation regarding freedom of peaceful assembly seems to protect this right better than Norwegian legislation. One reason seems to be that freedom of peaceful assembly is guaranteed in both the Swedish and the German constitutions, but not in the Norwegian Constitution. Thus, the enactment of Swedish and German rules in this field would *not* give the authorities in Norway a better chance of banning racist or potentially racist demonstrations in advance.

74. The committee came to the conclusion that the Swedish and German statutes banning racist utterances are easier to enforce than section 135 a of the Norwegian Penal Code. It specified three reasons for this:

(a) Due to more comprehensive case law in Sweden and Germany, what constitutes illegal racist utterances is clearer;

(b) The Swedish and German provisions concerning racist utterances also apply to expressions of racism in the form of symbols and signs, for example the swastika or symbols connected with Nazi organizations such as the SS and the SA. In courts it is often easier to prove that an illegal symbol was used than to prove exactly which verbal utterances the accused made at the time and to establish that the actual wording represents a racist threat against - or a racist libel of - a minority group;

(c) Thirdly, the scope of the Swedish and German provisions seems to be wider than section 135 a of the Norwegian Penal Code. While it is established case law in Norway that the Norwegian provision against racist utterances must be interpreted narrowly to be in line with article 100 of the Norwegian Constitution (freedom of speech), this does not seem to be an issue of the same importance in Sweden and Germany. If this observation is correct, the Swedish and German provisions prohibiting racist utterances are more stringent than the Norwegian provisions.

75. On the basis of these observations, the committee recommended an amendment to section 135 a of the Penal Code that would make the same distinction between lawful and unlawful dissemination of racist ideas in Norway as that made in Sweden. The Ministry of Justice published the report on 16 March 2001 and invited all interested parties to comment on it and its proposals before 16 June 2001. In accordance with the recommendations of the committee and the comments received, the Government will consider proposing that section 135 a of the Penal Code be amended to making racist symbols unlawful.

76. Reference is made to CERD's concluding observations, paragraph 12. In a letter of 31 January 2001, the Director General of Public Prosecutions instructed public prosecutors to report all prosecutions concerning racism and racially motivated violence and threats. This will eventually provide a good overview of the type of cases that result in a penal reaction. However, it will not give an overview of the reasons why many cases are not prosecuted. Therefore, the Director-General has appointed a working group to consider the practice of the police and prosecuting authority with regard to cases concerning sections 135 a (dissemination of racist ideas) and 349 a (refusal of goods, services or admission to public gatherings) of the Penal Code. The group will review all contraventions of sections 135 a and 349 a that were reported over a certain period of time, and will assess the quality of the investigation and the decisions of the prosecuting authority in these cases. Among other things, the assessment will include the following:

(a) What are the reports about - are they possible real contraventions of sections 135 a and 349 a of the Penal Code, or are incidents reported that are clearly not prohibited by law?

(b) Which cases are being investigated?

(c) What is the standard of the investigation?

(d) Is the decision whether or not to prosecute correct?

- (e) If the case is dropped, is this decision made on the correct legal basis?
- (f) What is the standard of the statistics?

77. The working group started in October 2001, and will finish by November 2002.

### **Racist organizations**

78. Reference is made to CERD's concluding observations, paragraph 14. The ad hoc committee that was appointed on 31 January 2001 (cf. paragraph 71) considered whether racist organizations should be banned in Norway. It concluded that the Swedish approach to the question of whether or not to ban racist organizations seemed most suitable for the Norwegian situation. The committee acknowledged that Germany had shown that banning racist and neo-Nazi organizations and political parties could be a useful tool for combating racism. On the other hand, a similar effect could be obtained by making the racist *activities* of these organizations unlawful and punishable. In addition, it was argued that it would be difficult to find a workable definition of racist organizations, and that the number of well-organized racist organizations in Norway is limited compared with the situation in Germany. Thus, a ban on organizations that does not include loose neo-Nazi networks could have the indirect effect that these networks appear to be lawful. On the basis of these arguments, the committee refrained from recommending the implementation of the German rules in this field in Norwegian law. Instead, the committee recommended an extended prohibition against racist speech and symbols (cf. paragraph 75). Based on the recommendations of the committee and the comments that were made on the committee's report, the Government's preliminary conclusion is not to propose a ban on racist organizations at present. The Committee charged with drafting a bill prohibiting ethnic discrimination will consider this issue, and a final conclusion can only be made after this committee has presented its report (cf. paragraph 5).

### **Project "EXIT" - breaking away from violent and racist groups**

79. Reference is made to Norway's fifteenth report, paragraph 75. "EXIT" was established in Norway in 1996/97 by the organization Adults for Children. The project was granted funds by several government agencies for a three-year period. A project report was published in August 2000 and a manual for professionals working with young people was produced in June 2001. "EXIT" is now a permanent programme run by Adults for Children. The aim of this programme is to induce young people with connections to such groups to break away from them as soon as possible, to prevent recruitment to these groups, to develop rehabilitation measures and to establish new, constructive social networks, sometimes through relocation. The project focused on young people in racist groups or violent gangs, parents with children in such circles and professionals working with young people, including the police, teachers and child welfare personnel. The project held seminars and conferences that focused on the phenomenon as well as the methods and approaches. Approximately 800 professionals working in local communities/urban neighbourhoods where neo-Nazi groups are established have attended these seminars and conferences.

80. It is difficult to say just how many young people have been rescued, due to the fact that “EXIT” methods and approaches aim at steering them away from these groups or getting them out before they are well established in them. “EXIT” measures and approaches have a significant influence on young people but they are not the only factors causing them to successfully leave racist groups. The Ministry of Children and Family Affairs also supports two other similar projects. Individuals and antiracist organizations have also done much to reveal racist activities.

81. Reference is made to Norway’s third report. There are no changes or new developments to report under paragraph 1 (c) of article 4.

### **Article 5**

82. The following refers to paragraph 1 (a) of article 5.

#### **Equal treatment by bodies administering justice**

83. Reference is made to Norway’s fifteenth report, paragraphs 77-78, and to paragraph 240-241 of the present report.

#### **Judges and jurors - in-service training**

84. Reference is made to Norway’s fifteenth report, paragraph 29. The Council for Judicial Education arranges courses in professional ethics intended for judges. The courses are arranged on a regular basis, and deal with ethical questions in general, including issues relating to ethnic discrimination. Additionally, a separate course on multicultural issues in the courts of justice has been arranged, most recently in January 2001. The Ministry of Justice has two representatives on the Council, which gives the Ministry an opportunity to ensure that efforts to combat discrimination of ethnic minorities are on the agenda in future courses.

#### **Guidelines on professional ethics**

85. The Ministry of Justice has presented a proposal for a new complaints and disciplinary procedure in respect of judges. It was presented in a proposition to the Odelsting in March 2001 that covered a number of issues relating to judges. The Government has not proposed a fixed set of ethical rules for judges, but assumes that such rules will be developed through decisions made by the disciplinary body over a period of time. Any person who has been subject to the misconduct of a judge in the performance of his or her office should be able to file a complaint to the disciplinary body.

#### **Recruitment of lay judges and jurors with ethnic minority backgrounds**

86. Lay judges are appointed by the municipalities subsequent to the ordinary local government elections every fourth year. In connection with the previous election (1999), the Ministry of Justice has laid down supplementary rules for the municipal councils concerning the

election of lay judges and jurors. According to these rules, the panels should be assembled so as to represent all strata of society and various age groups. The importance of ensuring that the panels represent the whole community, including ethnic minorities, is emphasized.

87. The Ministry of Justice has appointed a committee to revise the rules governing the appointment of lay judges and jurors, and one of the issues it will be considering is the use of lay judges and jurors with ethnic minority backgrounds. The committee will present its report by summer 2002 so that the necessary amendments can become operative prior to the next local government elections in 2003.

### **Lay judges' attitudes to ethnic minorities**

88. Newly appointed judges are required to complete a course which deals among other things with the judge's duty to guide lay judges. In addition to general information on the proceedings in a court case, the guidance will emphasize what is relevant to a court case, and what is not to influence the result.

### **The police**

89. Reference is made to Norway's fifteenth report, paragraph 25, and to Norway's twelfth and thirteenth reports, paragraph 55. The educational programme on multicultural understanding taught at the Police Academy has been continued, and a one-week course on cultural understanding and the legal rights of foreign nationals is run locally in different parts of Norway. This is an introductory course for police officers intending to take the longer (three-week) course at the Police Academy.

90. The three-year basic curriculum at the Academy includes topics related to better understanding of different cultures, efforts to combat racism, confidence-building and awareness raising. In addition, it is possible for students to choose a non-compulsory course on the topic in question.

91. The Norwegian Police Academy also runs a course for employees in charge of police arrests (these are neither police nor prison officers), where the understanding of foreign cultures is one of the subjects.

92. The Police Academy is continuing its efforts to recruit students from immigrant backgrounds. In 1999, 248 students were admitted to the Academy, of whom 6 had an immigrant background. In 2000, 240 students were admitted, of whom 7 had an immigrant background. In 2001, the Academy hopes to admit 240 students. There are 35 applicants with an immigrant background who fulfil the basic admission requirements. Of these 22 have been called in for an interview. In spite of the fact that there is a decrease in the number of students in the relevant age groups, the Academy has managed to keep up the numbers of applicants and students with immigrant backgrounds.

93. The Ministry of Justice is considering implementing a system for registering police control activity, based on the "stop-and-search" practice in the United Kingdom. This means that a person who is stopped by the police receives a receipt that states that he or she has been

checked. The intention is to balance the use of such checks, but cannot be used to prevent later controls. Further, a receipt may not be used as proof that the police have executed the control in a reprehensible manner. If such an arrangement is to be implemented, all people who are checked by the police must be given a receipt. Thus, such an arrangement would involve considerable extra work for the police.

94. The Ministry of Justice has appointed a working group to draw up a plan with proposals for an information strategy and measures to prevent racism and discrimination being practised by the police. The aim is to increase understanding and knowledge of the legislation governing racism and discrimination and international human rights conventions, and to give police officers a better understanding of multicultural societies. One of the reasons for setting up this working group is the criticism raised in the report of the European Commission against Racism and Intolerance in December 1999. The report criticized the Norwegian police for failing to address adequately the needs of new groups of the population. The Ministry, the Police Academy and the police trade unions are represented in the working group, which completed its work in October 2001.

### **Prison and probation staff**

95. The Prison and Probation Staff Education Centre teaches ethics and professionalism as a special subject. Human rights, awareness raising, discrimination, persecution and harassment are special subjects. The students receive training in cross-cultural communication in general, and especially with regard to inmates.

96. Cross-cultural communication is linked with ethics as a subject. English is also taught, with special emphasis on communicating with inmates and explaining their rights, duties and opportunities. The Central Prison Administration has not received any complaints regarding racial discrimination in recent years.

### **The Directorate of Customs and Excise**

97. Reference is made to Norway's fifteenth report, paragraph 26. The Directorate of Customs and Excise has started a process to enhance custom officers' cross-cultural understanding. Cross-cultural understanding has been included as a subject in the curriculum at the National Customs Academy. In order to ensure correct and ethically sound customs control, the Directorate of Customs and Excise has also developed an education programme for employees involved in drug control. The Directorate of Customs and Excise reports that the results of the training programmes are positive. The employees find the training useful and the number of complaints regarding racial discrimination has declined.

### **New security situation**

98. The terrorist attacks in the United States of America on 11 September 2001 have had consequences for security and control measures in Norway as in many other countries. Norway has implemented new measures in accordance with United Nations resolutions. The necessary changes in routines for handling asylum and visa applications and the control of persons entering the country have been put into operation. In light of the new security situation, which requires

stricter procedures concerning visa applications and more extensive border control, the authorities and the Liaison Committee between Immigrants and the Authorities (KIM) have established a working group to monitor the consequences of the new security situation for minorities. The Government is also engaged in a dialogue with representatives of affected groups.

### **Legal safeguards and interpreting**

99. The interpreter function is mentioned in Norway's Courts of Justice Act of 1915. According to this Act, the services of an interpreter are necessary when someone who cannot speak Norwegian is participating in court proceedings. Explicit mention of interpreting is only made in two other Norwegian Acts, i.e. the Saami Act (1987) and the Immigration Act (1988). Norway's Public Administration Act of 1967, for instance, does not explicitly mention interpreting. The Act states, however, that it is the public servant's duty to keep the client informed about the matter in hand, and to gather sufficient information before making decisions. Indirectly, therefore, the emphasis on the public servant's responsibility to provide information implies that he or she has a duty to use the services of an interpreter when necessary. The principle of the public servant's duty to seek and impart information before closing a case is further emphasized in several special Acts governing taxation, health care, dentists, etc.

100. Although explicit mention of interpreting is rare in Norwegian legislation, the above principles indirectly make up a legislative basis for the provision of interpreting services. This is explicitly formulated in recent government documents. For instance, Report No. 17 (1996-97) to the Storting on immigration and a multicultural Norway emphasizes communication as a key to equal opportunities.

101. In spite of this, we know from recent reports that language difficulties pose a threat to legal safeguards. The use of competent interpreters and translators is crucial for ensuring that non-native-speakers enjoy the legal protection to which they are entitled. The Oslo City Court in particular, which deals with a large number of cases involving persons with no knowledge of the Norwegian language, has worked on improving interpreting services. In November 2000 Oslo City Court introduced a new quality control procedure to ensure that the interpreters who appear before the court are qualified. In the longer term, this register of qualified interpreters will be available for all courts of justice in Norway. The Ministry of Justice has contributed financially to this work.

102. The connection between securing legal safeguards and the need for interpreting services is obvious in the courtroom. Reports from other public services also indicate an awareness of this connection. It must nevertheless be emphasized that the lack of qualified interpreters is a problem.

103. Reference is made to Norway's fifteenth report, paragraph 78. The problem of providing interpreters occurs in many legal settings. For instance, a report focusing on communication in courtrooms and police hearings published in 2000, referred to cases where the defendant's or witness's Norwegian, was according to the observer, too poor to allow communication. The proceedings continued nonetheless, because providing an interpreter would have meant postponing them. The quality of the interpreting provided in these settings was also very poor in



all the eight cases studied. The judges and public servants in charge either lack the ability to evaluate the quality of the interpreting, or ignore the problem in order to cut expenses and promote efficiency.

104. One of the tasks being given priority by the Directorate of Immigration in the field of interpreting is informing public servants and professionals that they are “co-responsible” for the language problem when they communicate with clients who are not fluent in Norwegian. Hence, it is their duty under the law to provide adequate language services. The Directorate has also initiated a project to evaluate the application of modern technology to interpreting.

### **Measures for the investigation of racially motivated criminal offences**

105. In a circular dated 23 January 2001, the Director of Public Prosecutions instructed the police and the prosecuting authority to give priority to racially motivated crime. He states that such crimes are to be thoroughly investigated and punished severely and consistently.

### **New court of justice in Tana**

106. In Report No. 23 (2000-2001) to the Storting, the Norwegian Government proposes the establishment of a new court of justice in Tana to improve the Saami people’s access to and confidence in courts of justice. The court of justice in Tana will be an ordinary Norwegian court and will serve all the inhabitants in this area.

### **Information in Saami**

107. According to section 3-2 of the Saami Act, legal information aimed specifically at the Saami people must be presented in both Saami and Norwegian. Public announcements aimed at the population in the Saami linguistic administrative area (six municipalities in the two northernmost counties of Norway) must be published in both languages. The Ministry of Local Government and Regional Development has financed a research project to evaluate the need for information in Saami. The Ministry has also carried out a survey of the effects of information from central government authorities to the Saami and about the Saami. The survey indicates that there are no general routines for translation of public information from Norwegian to Saami. The results of the survey and the research project will be used in the Government’s work to improve the routines for information in Saami.

108. The following refers to paragraph 1 (b).

109. Reference is made to Norway’s twelfth and thirteenth reports, paragraph 139, and to paragraphs 76-77 of this report. Racial motivation is one of several aggravating circumstances in cases involving violence, threats or vandalism, but the statistics do not indicate how many reports concern racially motivated offences.

110. Two separate cases where it is believed that racial hatred led to the death or homicide of two teenage boys have been under investigation. The first death took place in April 1999 in a small rural town in the western part of the country. It is believed that a young boy, who had been adopted from India at birth and raised in Norway, jumped to his death to escape racial

harassment and taunting from other local youth. He was later found drowned in the Sogndal River. Two teenagers were sentenced to one and three years in prison for bullying the Indian-born boy because of his skin colour and ethnic background, and for exposing him to racist violence and threats. However, the accused were acquitted of charges brought under section 135 a of the Penal Code, which prescribes penalties for any person who “by any utterance or other communication ... threatens, insults, or subjects to hatred, persecution or contempt any person or group of persons because of their religion, race, culture, national or ethnic origin”. Both the public prosecutor and the convicted teenagers have appealed against the verdict. The verdict is enclosed (enclosure No. 6).

111. The second incident involved the death of an African-Norwegian 15-year-old boy at Holmlia in Oslo in January 2001. The boy was allegedly chased and stabbed to death by a neo-Nazi gang. Two members of the gang have been indicted for homicide. The case is scheduled to be tried before the Oslo City Court in December 2001.

112. In a speech made soon after the death of the 15-year-old boy, the Norwegian Prime Minister called for a greater awareness of “everyday racism”. In the aftermath of the death of this boy, a large number of commemorative events have been organized by NGOs and other voluntary groups. The response of the general public seems to indicate a new awareness of the existence of injustices that have been suffered by immigrants and ethnic minorities.

113. The Directorate of Immigration has funded research to document and analyse methods and approaches that have been used to deal with racially motivated acts of violence. Several studies have been commissioned by the Directorate from the Norwegian Institute for Urban and Regional Research (NIBR). In 1999, the Directorate supported the publication of a book for people working in this field, which provides systematic information on how to manage violence, racism and youth gangs. In 2000, the Directorate provided funding to the same authors to publish a book in English about methods and approaches in the management of violent youth gangs and hate crimes. The Directorate has also provided support for the project “Gangs in Cities” in order to better document the nature of urban gangs in Norway and the extent of the problem.

114. The following refers to paragraph 1 (c). Reference is made to Norway’s fifteenth report, paragraph 80.

### **Participation in local elections**

115. As from 1999 foreign nationals from the other Nordic countries have the right to vote if they have moved to Norway by 31 March of the year of the local election. Other foreign nationals have to have been resident in Norway for more than three years in order to have the right to vote in local elections. In 1999, 43 per cent of foreign nationals who were entitled to vote did so. This is an increase compared to 1995, when the figure was 39 per cent. In the run-up to the local elections in 1999, the Government’s strategy included an information campaign to increase participation in local elections among foreign nationals and Norwegian nationals with an immigrant background. Information concerning voting rights and how to vote has been produced in several languages. The Government also funds projects run by immigrant organizations that aim to increase participation in elections by the above-mentioned groups. As

in 1995, the pre-election political debates in 1999 focused a great deal on immigration and integration policies.

116. The following information refers to paragraph 1 (d) (iii) of article 5.

#### **Proposal for a new Nationality Act**

117. A committee appointed by the Government has evaluated the legislation in regard to Norwegian nationality. A bill for a new Nationality Act will be submitted to the Storting, and is scheduled to be debated in spring 2003.

118. The following issues are central in the committee's proposal for a new Nationality Act:

- (a) Equal legal status for children born in and out of wedlock;
- (b) There will still not be any requirements with regard to proficiency in the Norwegian language or financial status for obtaining nationality. The present requirement of good conduct will, however, be maintained;
- (c) The principle of dual nationality should be recognized. People should not have to give up their previous nationality in order to become Norwegian nationals, and they should not lose their Norwegian nationality if they acquire another nationality.

119. The following refers to paragraph 1 (d) (iv) of article 5.

#### **Action plan against forced marriages**

120. There have been several cases of young girls and boys from ethnic minorities who have been returned to their parents' home country and married against their will. The young people had spent all or most of their lives in Norway. According to both Norwegian legislation and international conventions, society has both a right and a duty to protect young people who are being forced by their parents to become engaged or married against their will. In response to the problem, the Ministry of Children and Family Affairs presented an action plan against forced marriage in 1998. The three-year plan was drawn up in close cooperation between several ministries, public bodies, minority groups and non-governmental organizations. The main objectives of the plan are to prevent young women and men from being forced into marriage and to improve the assistance provided to young people who are or have been subject to forced marriage. A key element of the action plan is prevention through information, conflict resolution, mediation and skill-enhancement.

121. The following information refers to paragraph 1 (d) (vii) of article 5.

#### **Education and religion**

122. Reference is made to Norway's fifteenth report, paragraphs 82-84.

**Evaluation of the subject “Christian knowledge, including religious and ethical education”**

123. The Storting asked the Ministry of Education, Research and Church Affairs to conduct an evaluation of the subject “Christian knowledge and religious and ethical education” and the right to partial exemption within three years following its introduction (1997/98). The evaluation, which was conducted by three independent research institutions and was presented in October 2000, focused on:

- (a) How the teaching has been conducted;
- (b) How the rule of partial exemption has been practised;
- (c) How parents have been enabled to exercise their parental right to bring up their children in accordance with their particular religious convictions.

124. According to the report, parents, pupils and teachers are in general satisfied with the subject, but the evaluation has revealed great variations at the local level, as regards both the content and the extent to which partial exemption is granted. The report has been submitted to the relevant religious communities, the Norwegian Humanist Association and teachers’ associations, etc., for comments. Their comments reveal that most of them endorse in principle the idea of a common school subject of this kind, which provides a common foundation for knowledge, dialogue, respect and tolerance for all pupils, irrespective of religious, social and cultural background. Most parents, in fact, find it valuable that their children are taught respect for and understanding of different religions and beliefs. The great majority of parents, irrespective of their religious belief, also find that the subject functions well for their children. More pupils seem to be positive than negative towards the subject, and most teachers say they try to teach the different religions in an objective manner.

125. Partial exemption from the subject has been granted to about 5 per cent of pupils. There are, however, considerable local variations in the way schools deal with applications for exemption, and some parents have complained of insufficient information about the subject and the exemption rules. For obvious reasons there are more complaints from parents belonging to religious minorities and non-believers than from parents belonging to the State church.

126. The Ministry of Education, Research and Church Affairs has reviewed the report, and taken into account the comments and recommendations of the religious communities and the Humanist Association concerning adjustments they feel are necessary for the subject. The Government presented Report No. 32 (2000-2001) with proposed adjustments to the subject to the Storting in March 2001. Most of the proposals were endorsed by the Storting in June 2001, including a proposal to revise the syllabus for the subject. A committee including representatives of religious minority groups has thus been set up for this purpose. As a follow-up to the debate in the Storting, guidelines for teachers in the subject will also be developed, and the exemption rules will be simplified, in order to avoid local variations and discriminatory practices. The right to partial exemption from activities of a religious nature (hymn-singing, prayers, etc.) will henceforth be granted automatically to all applicants. Finally, a majority in the Storting agreed to modify slightly the name of the subject, although they did not endorse the name proposed by the Government (“Faith and beliefs”). The current name of the

subject (“Christian knowledge, including religious and ethical education”) and the syllabus have been criticized for giving too much prominence to Christianity. As from the next school year the various religions will be placed on a more equal footing, and the subject will be entitled “*Kristendoms-, religions- og livssynskunnskap*” (“Christianity, Religion and Ethics”).

127. Both the Islamic Council of Norway and the Norwegian Humanist Association have brought charges against the Norwegian State in the Oslo City Court, claiming exemption from all parts of the subject for pupils whose parents are members of these organizations. They also claimed that the decisions to refuse certain applications for exemption were invalid. The Norwegian Humanist Association lost the case both in the Oslo City Court in April 1999 and in the Borgarting Court of Appeal in October 2000. The case, limited to the question of the refused applications, was appealed to the Supreme Court by the parents. The Supreme Court rejected the appeal unanimously on 22 August 2001. The Court maintained that the legal provisions concerning partial exemption from the subject cannot be regarded as contrary to Norway’s obligations under international law when it comes to religious freedom and rights of parents. The Islamic Council lost the case against the State in November 1999. The verdict was appealed, but the appeal was later withdrawn.

#### **Resource group for advice and guidance on family- and women-related religious issues**

128. This project has been carried out by an NGO called the Mira Resource Centre for Immigrant and Refugee Women (MiRA). MiRA set up an expert group whose task is to study the relationship between Islamic law (Shariah) and Norwegian law, and identify areas of conflict. The expert group also functions as an information centre, and provides advice and guidance to Muslim women in Norway. The group, which consists of experts from different professions, also aims to guide and influence the Norwegian authorities in issues concerning women and Islam. The goal of the project is to safeguard the rights of Muslim women in Norway. The group published a report in March 2001.

129. Concerning paragraph 1 (e) (i) of article 5, reference is made to Norway’s fifteenth periodic report, paragraphs 87-99.

130. Reference is made to paragraphs 70 and 225. There are no corresponding statistics for section 55 a of the Working Environment Act, since this provision is not a criminal law provision and cases that fall within the provision are therefore not included in the police register of criminal cases.

#### **Amendments to the Working Environment Act**

131. Section 55 a of the Act of 4 February 1977 relating to Worker Protection and the Working Environment (the Working Environment Act) was amended by an Act of 4 May 2001. There was felt to be a need to strengthen the rights of persons who claim to have been discriminated against when applying for work. The amended Act came into force on 1 July 2001.

132. According to section 55 a of the amended Act, persons who feel that they are discriminated against because of their race, colour, national or ethnic background or a series of other grounds have the right to receive written information on the formal qualifications of the person appointed. Furthermore, when persons who consider themselves discriminated against establish facts from which it may be presumed that there has been direct or indirect discrimination, it is for the employer to prove that there has been no breach of the principle of equal treatment. And finally, a person who has been discriminated against may file a claim for damages against the employer.

### **The labour market situation for immigrants and refugees**

133. In general, immigrants encounter more problems in the labour market than ethnic Norwegians do. The unemployment rate among immigrants is higher than among Norwegians, and the unemployment periods last longer. Moreover, immigrants are represented to a much greater extent in low-status professions and they more often have work that does not accord with their education and qualifications. Young immigrants have greater problems in finding a first job after having completed their training/education than young newly educated people in general. All the above applies to non-western immigrants in particular.

134. The average unemployment rate among ethnic Norwegians was 2.8 per cent in the first quarter of 2001, while the unemployment rate among immigrants was 7.3 per cent. The employee rate for all immigrants was 50.9 per cent in 2000, as compared with 61.1 per cent for the population at large.\* Participation in labour market measures is far more common among immigrants than among ethnic Norwegians. Thirty-two per cent of those who participate in labour market measures are registered unemployed immigrants, and 16 per cent of registered unemployed persons are immigrants. The trend in the labour market from 1993 to 2001 has had a positive effect on both the employee rate and the unemployment rate. The employee rate for immigrants has risen by 10 percentage points, from 41 per cent in 1993 to 51 per cent in 2000. The increase for the population at large in the same period was 8 percentage points.

135. The probability of immigrants finding jobs varies significantly between the different immigrant groups and according to the period of residence in Norway. Labour market participation is especially low among recently arrived immigrants.

136. Immigrants from Western Europe, North America and Oceania have about the same rate of unemployment as Norwegian non-immigrants. Immigrants from South and Central America, Asia and Eastern Europe have unemployment rates that are three to four times higher than that of Norwegian non-immigrants. Immigrants from Africa have the highest unemployment rate (13.4 per cent in February 2001).

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\* In the analysis of labour market participation, we use employee rates because there are no official statistics on employment rates for immigrants. Employee rates do not include self-employed persons. Employee rates are consequently lower than employment rates. In 2000 the employment rate in Norway was 71 per cent (75.1 per cent for men and 66.6 per cent for women).

137. Participation in the workforce is higher among male than among female immigrants. Women with an immigrant background have a higher unemployment rate than ethnic Norwegian women. In 2000, the employee rate for male immigrants was 54.7 per cent and the rate for female immigrants was 47.1 per cent. The employee rates for Norwegians were 63.3 per cent for men and 58.9 per cent for women. The explanation behind the relatively high employee rates among immigrants lies in the fact that around 40 per cent of immigrants are from the Nordic and other Western countries. Immigrants with a non-Western background have employee rates of around 50 per cent for men and 40 per cent for women.

138. The explanation of the situation of immigrants in the labour market is complex. On the one hand, persons with an immigrant background more often have a university or college education than ethnic Norwegians, while on the other some immigrants have not completed their education or have not attended school at all. Twenty-seven per cent of immigrants have a university or college education, compared with 21.5 per cent of Norwegians without an immigrant background. The level of education among immigrants varies greatly according to the home country. Thus, some immigrants encounter more problems in the labour market because of insufficient training/education. Other first-generation immigrants have problems in documenting their training/education from their home country, or in having such education/training recognized in Norway. In some cases where previous education/training is not fully recognized, it may be difficult to place the immigrant at a suitable level in the Norwegian educational system. Furthermore, newly arrived immigrants lack adequate experience of the Norwegian labour market and knowledge of the norms and culture in Norwegian working life. They also have no social network that can be used in a recruitment situation. Insufficient or allegedly insufficient knowledge of the Norwegian language is also an obstacle for immigrants. Gender differences in work participation between immigrants and differences between ethnic Norwegian women and immigrant women owe much to cultural factors. Discrimination, prejudice and scepticism with regard to immigrants as a group are also a major reason for the slow integration into working life.

### **Reducing barriers to employment**

139. Reference is made to Norway's fifteenth report, paragraphs 12 and 98, and to CERD's concluding observations, paragraph 18. In 1998, the Government presented an Action Plan for Recruitment of Persons with an Immigrant Background to the Central Government Sector for the period 1998-2001. The plan includes measures to reduce structural barriers to employment, and to raise awareness and upgrade the expertise of employers. The objective of the plan is to help to increase the number of persons with immigrant backgrounds employed in State agencies.

140. The plan consists of 20 measures. Some of them are designed to assist government agencies in their work on recruitment, e.g. by passing on experience from agencies that have used local action plans and by improving the assessment of educational qualifications from abroad. Other measures are designed to make the procedure for security clearance more efficient and simple, and at improving the contact between job centres and State agencies in order to facilitate recruitment of immigrants.

141. 141. Establishing training positions in government agencies to give persons with an immigrant background work experience is of great importance. In this regard, the Ministry of Labour and Government Administration has worked closely with the labour market authorities. The latter have arranged a course for immigrants, who afterwards have been brought into various training positions in several government agencies.

142. During 1996-1998 and 1998-2000, NOK 6 million were allocated through the main wage agreement for measures to give government agencies an incentive to ensure that immigrants had the same opportunities with regard to recruitment and career development as other employees in the government sector. This work will be continued for the period 2000-2002. The measures include:

(a) The formulation and implementation of local plans of action for greater integration of immigrants;

(b) Surveying the need for immigrants' skills and expertise;

(c) Instruction in the Norwegian language in a work-related context;

(d) Covering expenses for various local conferences and seminars for motivating government employees.

143. The Ministry of Labour and Government Administration is financing a research project on diversity in the labour market, which is being carried out by the research institution SINTEF. Statistics Norway has compiled employment statistics on persons with an immigrant background by combining two central registers. The statistics give an indication of the employment rate for persons with an immigrant background in the public and private sectors. For persons with an immigrant background from Western countries, the employment rate is about 33 per cent in the public sector and about 66 per cent in the private sector. For persons with an immigrant background from non-Western countries, the employment rate is about 32 per cent in the public sector and about 68 per cent in the private sector.

144. Statistics have also been compiled on the employment rates for persons with an immigrant background in ministries and subordinate agencies. The proportion of persons with immigrant backgrounds employed in such institutions, especially from non-Western countries, is small. The highest proportion of persons with an immigrant background from non-Western countries is 3.7 per cent in the Ministry of Health and Social Affairs (3.8 per cent from Western countries), followed by 3.3 per cent in the Ministry of Education, Research and Church Affairs (the proportion from Western countries is 5.7 per cent), and 3.6 per cent in the Ministry of Local Government and Regional Development (the proportion from Western countries is 2.5 per cent). These figures include the figures for subordinate agencies.

145. The Directorate of Labour (Aetat) has implemented new guidelines to prevent discrimination in connection with services provided by Aetat at the local level.



146. 146. Greater and more systematic efforts are being made by the local employment offices in relation to recently arrived immigrants. The aim is to qualify immigrants for the Norwegian labour market as soon as possible after they have been settled in a municipality. A whole range of labour market measures is available to immigrants, some of which are specially targeted at or designed for immigrants (cf. paragraph 180).

147. Young immigrants are assisted through the youth guarantee scheme, which offers labour market measures to young people who are under 20 years of age, have no job and do not attend school. Older immigrants benefit from the general priority assigned to the long-term unemployed (job seekers who have been unemployed for more than six months) with regard to labour market measures.

### **Diversity in the workplace: the Norwegian Directorate of Immigration's Plan of Action to Recruit Immigrants and Refugees to the Directorate**

148. Three years ago the Directorate of Immigration initiated a project to ensure equal opportunities for persons with an immigrant background during the recruitment process and in terms of promotion and opportunities for further training.

149. The Directorate's goal was to increase the number of employees with an immigrant background to 10 per cent by the end of the year 2000. This goal has been achieved, and the Directorate has reported that over 14 per cent of its permanent staff have an immigrant background. Although over 10 per cent of the executive officers and advisers have an immigrant background, persons with an immigrant background fill only 6.5 per cent of the management positions. The majority of employees with an immigrant background in the Directorate are secretarial staff (38 per cent).

150. The Government has decided that all government agencies must encourage persons with a minority background to apply for positions in their job advertisements. For a trial period of one year, all ministries must interview at least one qualified applicant with a minority background for each vacant position they are filling (cf. paragraph 26).

### **Recognition of educational qualifications from abroad**

151. Reference is made to Norway's fifteenth periodic report, paragraphs 91-93. To improve the system of recognition of educational qualifications from abroad, the Ministry of Education, Research and Church Affairs has established a national database on foreign education (cf. paragraph 192).

152. During 2000, Norway has simplified the procedures and requirements for recognition of foreign diplomas and other documents showing formal qualifications. Persons with training as health personnel from an EU/EEA country no longer have to be nationals of the country in order for the application to be considered according to EU/EEA legislation. Further, passing a Norwegian language test is no longer required in connection with the recognition of qualifications. Language skills are now the concern of the employer.

**The Act relating to trade in second-hand goods**

153. The Commercial Activities Act of 6 June 1980 was repealed on 22 December 1999 and replaced by a more limited Act relating to trade in second-hand goods. The new Act, the purpose of which is to combat trade in stolen goods, simply repeats those provisions of the previous Act that related to trade in second-hand goods. Following the repeal of the Commercial Activities Act, there are no longer any restrictions on the right to sell new goods. This has made it easier for the Romani people and itinerants in general to engage in commercial activity. However, the new Act entails that a few conditions are still imposed on trade in second-hand goods, such as a requirement for permanent business premises, which can make it difficult for Romani people and itinerants in general to engage in this kind of commercial activity.

154. Concerning paragraph 1 (e) (ii), reference is made to Norway's twelfth and thirteenth reports, paragraphs 156-158. There is no new information to report under this article.

**Discrimination in the housing market**

155. Concerning paragraph 1 (e) (iii) of article 5, reference is made to Norway's fifteenth report, paragraphs 101-107, and the concluding observations, paragraph 15. Reference is also made to the Committee's decision at its fifty-eighth session concerning communication No. 18/2000 (CERD/C/58/D/18/2000). The author of the communication claimed to be a victim of a violation by Norway of the Convention in a case concerning alleged discrimination in the housing market. The Committee decided that the communication was inadmissible, due to the failure to submit a communication within the time limit set out in rule 91 (f) of the rules of procedure. The Committee also took the opportunity to urge the state party to take effective measures to ensure that housing agencies refrain from engaging in discriminatory practices and not accept submissions from private landlords who discriminate on racial grounds.

**Legislation**

156. In 1997 the Government appointed a committee to draw up proposals for a new Housing Cooperatives Act. In its proposal for a new Act, the committee suggested a provision that prohibits discrimination based on race, religion, colour, nationality or ethnic origin. The Government is working on amendments to the Housing Cooperatives Act and the Act relating to cooperative building associations, based on the committee's proposals. Reference is also made to paragraph 5 of this report.

157. According to the Act of 23 May 1997 relating to owner-occupied housing units and the Housing Cooperatives Act of 4 February 1960, the state or municipality has the right to acquire up to 10 per cent of the units/sections. These provisions had effect from 1 January 1998 and 1 January 1999, respectively. The provisions have recently been evaluated. The evaluation shows that the provisions are being actively used, especially by large urban municipalities, and that the municipalities consider them very important in the efforts to provide housing for refugees and immigrants.

## **Information**

158. A seminar on multicultural neighbourhoods took place on 7 March 2001. The final report of a research and development programme on the topic was presented.

159. A circular on housing policy was distributed to the municipalities in spring 2001. The circular has a section on discrimination in the housing market.

## **Health**

160. Concerning paragraph 1 (e) (iv), reference is made to Norway's fifteenth report, paragraphs 109-112.

161. The Norwegian Country Report for the EU project "Social Inequalities and Health in Europe" indicates that several disadvantaged groups in Norway are at risk of marginalization. Among these groups are immigrants and refugees/asylum-seekers. The study did not find many research or other publications assessing group-specific needs for health services or possible barriers preventing people from seeking care. Generally there seems to be little information on the effectiveness of the current public health programmes and health-care services for disadvantaged groups. This applies especially to groups of immigrants and refugees/asylum-seekers. High rates of unemployment, poverty, the language barrier, difficulties in participating in social activities and other aspects of Norwegian society do not make the situation easy for many immigrants and refugees/asylum-seekers. These factors are of the utmost importance for health and well-being.

162. The Oslo Health Report (1997) showed that the babies of non-Western women had higher rates of low birth weight, serious deformities, perinatal mortality and infant mortality than babies of Norwegian women in the period 1985-1996. However, the difference in infant mortality between non-Western and Norwegian babies had been greatly reduced during the 12-year period studied.

163. In 1996, 46 per cent of new cases of tuberculosis in Norway were detected in the immigrant population. In 1997 and 1998, 53 per cent of new cases were detected in this population. Immigrants from Africa and Asia account for most of the new cases.

164. The incidence of diabetes type II, cerebrovascular diseases, obesity, high blood pressure and high levels of cholesterol seems to be increasing in some groups of immigrants.

165. The Ministry of Health and Social Affairs is making preparations for a National Plan of Action for Health Promotion for the period 2002-2011. One of the targets of the plan is to improve health promotion and disease prevention for immigrants and refugees/asylum-seekers.

166. As regards general guidelines for examining recently arrived asylum-seekers and refugees, the Norwegian Board of Health has issued guidelines that specify the right of newly arrived refugees and immigrants to health care that take into consideration the specific needs of these groups. These were revised and expanded in 2000, and are currently under consideration in the Ministry of Health and Social Affairs.

167. Under the national action plan to prevent unwanted pregnancies and abortions, the Board of Health has carried out activities to train health personnel to meet the health-care needs of immigrant adolescents. In addition, information and educational activities for adolescents from various immigrant groups are being carried out on sexuality and related matters in close cooperation with NGOs. Methodology development has been a central topic.

168. Reference is made to Norway's fifteenth report, paragraph 41. Since African immigrants account for a considerable percentage of HIV-infected people in Norway, there has been long-standing cooperation between the Norwegian Board of Health and African individuals, groups and NGOs on prevention and care for patients.

169. Since 1995 there has been a specific Act prohibiting female genital mutilation in Norway. The Norwegian Board of Health has also drawn up guidelines, which were published in 2000. The guidelines deal with legal matters, give detailed instructions for examinations and clinical interventions regarding women who have undergone female genital mutilation, outline the risks posed by mutilation, give advice on prevention, and provide an overview of the sociocultural aspects of the tradition and the activities being carried out in other countries to eradicate the practice. Training based on the guidelines is being planned for, among others, the professional associations concerned.

#### **Action plan against female genital mutilation**

170. In 2000 the media brought to light cases of young girls in Norway who live in fear of female genital mutilation, and the Storting asked the Government to draw up a plan of action against female genital mutilation. Responsibility for this was assigned to the Ministry of Children and Family Affairs, in cooperation with other relevant ministries. The plan was presented in December 2000 and will continue for three years. The objective of the action plan is to prevent female genital mutilation in Norway, provide assistance to girls who have been subjected to genital mutilation, establish cooperation with organizations and individuals and contribute to the eradication of female genital mutilation internationally. The action plan focuses on information to bring the Act of 1995 prohibiting genital mutilation to the attention of relevant target groups, and describe what genital mutilation entails and the complications often associated with the procedure. Furthermore, it is important to inform and assist girls and women who have been genitally mutilated prior to marriage, pregnancy and childbirth. The action plan is being implemented in the form of a specific project with a project coordinator and a steering committee.

#### **New health-care Acts**

171. A new Act of 2 July 1999 relating to specialized health services entered into force on 1 January 2001. The Act regulates specialized health care provided in Norway by the county, the State or the private sector. Equality is one of the main aims. Equality is understood as equal access to services, regardless of place of residence, financial situation, social status, age, gender, ethnic background, etc. The new Act of 2 July 1999 relating to patients' rights, which also came into force on 1 January 2001, is intended to ensure that the population has equal access to health care of good quality by granting patients a right to certain health services. One of the provisions of special interest to persons with a minority background is that information is to be tailored to

the capabilities of the recipient, such as age, maturity, experience and cultural and linguistic background. The Ministry of Health and Social Affairs has published a brochure regarding patients' rights, which the authorities are considering translating into Saami and Urdu.

### **Regular general practitioner reform**

172. As of 1 June 2001, a nationwide regular general practitioner (RGP) reform will be implemented. Asylum-seekers and their families, like the rest of the population, have the right to be registered with an RGP.

173. Reference is made to Norway's fifteenth report, paragraph 109. The RGP scheme will give preferential treatment to Saami-speaking patients who choose a Saami-speaking RGP in the six Saami municipalities, where 12 RGPs with such skills have been registered. The mental health care in the area of central Finnmark will be built up as a national centre for competence with regard to Saami patients. A centre for Saami health research is also being established, which will hopefully improve the quality of the health services for the Saami population.

174. The National Council on Nutrition and Physical Activity has carried out a diet survey among immigrants, on the basis of which specific measures will be designed.

175. The Ministry of Health and Social Affairs is engaged in a regular dialogue with representatives of immigrants and their organizations. The contact forum on health for persons with an immigrant background meets twice a year to discuss issues primarily raised by the immigrant representatives. Immigrants' organizations are also represented in the contact forum on issues relating to HIV/AIDS.

176. Reference is made to Norway's fifteenth report, paragraph 110. There is a low level of awareness among elderly immigrants of their right to receive care and services for the elderly. The Ministry of Health and Social Affairs has therefore initiated several projects targeted at elderly immigrants, where the aim is to improve their access to care and services for the elderly, and to give them information about preventive health care. The Grünerløkka Multicultural Centre for the Elderly has been established in Oslo, and provides valuable advice and assistance as regards the integration of elderly people with an immigrant background into Norwegian society. The project "Care for the elderly" has focused on the important role of NGOs in the care of elderly immigrants. This has resulted in a survey, which will be concluded in 2002, entitled "Elderly immigrants and their expectations, needs and experience of ageing".

177. Reference is made to Norway's fifteenth report, paragraph 110. Report No. 8 (1998-1999) to the Storting on the Plan of Action for Persons with Disabilities 1998-2001 acknowledges the importance of highlighting the special needs of persons with disabilities who have an immigrant or minority background. A project run by the Norwegian Federation of Organizations of Disabled People (FFO) has established contact with approximately 100 families with an immigrant background who have disabled family members, with the aim of raising awareness and providing information about the rights of persons with disabilities and the services available. A similar project for elderly immigrants is run by Norwegian Peoples' Aid. The aim of the project is to develop and disseminate information material among immigrants on Norwegian policy towards persons with disabilities.

178. Several seminars have been held in various immigrant languages during 1999-2000 to assist families who have disabled children in various care institutions. The booklet "The Rights of Children and Young People with Disabilities" has been translated into Urdu, Somali and Arabic in addition to Saami and English. The English copy is enclosed (enclosure No. 7). The United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities have been translated into Saami.

179. Reference is made to Norway's fifteenth report, paragraph 111. The case regarding denial of hospital treatment on the grounds that such treatment would have little effect for persons of "alien cultures" was concluded on 15 March 1999 by the Director-General of Public Prosecutions, who upheld the decision of 5 January 1999 by the police to drop the case on the grounds that there had been no contravention of section 349 a of the Penal Code.

180. Report No. 50 (1998-1999) to the Storting on equitable distribution points out that recipients of public benefits and non-Western immigrants are two of the largest groups in the proportion of the population (around 1.5 per cent - approximately 60,000 persons) who have a cumulative 10-year net income that is lower than half of the median income of the population. The most important cause of low income is a weak affiliation with the labour market. The Government has launched projects targeted at, for example, long-term recipients of social welfare benefits and social services personnel, and has drawn up guidelines for the level of social assistance and the coordination of public assistance. Joint guidelines to the public employment service, the local government authorities and the social insurance offices have been issued, which focus on improving cooperation routines and practices within the municipalities in order to promote activation, development of skills and job placement among social welfare clients. The evaluation report on the plan of action "Knowledge and Bridge-building" (1998-2001) will soon be appearing. In 2001 the Ministry of Health and Social Affairs introduced central government guidelines for the granting of social welfare benefits. In the majority of municipalities the level of service to users has been improved by means of public service offices and a service declaration in all public agencies has been introduced. These measures are all general and are not specifically targeted at persons with an immigrant background. In its comments on Report No. 50 (1998-1999) to the Storting, however, the parliamentary committee said that the time has now come to introduce measures directed specifically at refugees.

181. In 1999, a committee was appointed to draw up a proposal for an Act relating to economic support for newly arrived immigrants in need of basic qualifications, as an alternative to social welfare. The committee submitted its report on 26 June 2001. The purpose of the proposed Act is to qualify immigrants to prepare them for integration into regular working life or education, instead of being passive recipients of social welfare. Immigrants who participate in the qualification programme will receive payment, which is taxable and not means tested. After a consultative round on the committee's report, a formal proposal for a new Act will be drawn up. Since 1998 the Government has also given financial support to 26 community projects for testing out models for qualification programmes for newly arrived immigrants.

182. Reference is made to Norway's fifteenth report, paragraph 112. The final decision on a scheme for providing means-tested supplementary benefits to immigrants who do not qualify for a regular pension in Norway is still pending.

183. Reference is made to Norway's fifteenth report, paragraph 12, and the Committee's concluding observations, paragraph 6. The Norwegian Institute of Public Health has taken part in several activities under the Plan of Action for Recruitment of Persons with an Immigrant Background to the Central Government Sector (1998-2001). Approximately 15.5 per cent of the Institute's personnel have an immigrant background. The National Health Screening Service has recently held a course on multicultural communication for personnel involved in the Oslo health survey. The Norwegian Board of Health has recently initiated discussions on possible mechanisms for recruiting persons with an immigrant background to the Board in specialized and administrative posts, so that the Board is a better reflection of a multicultural society. Reports from other health institutions show that the proportion of persons with an immigrant background among their personnel ranges from 6 to 15 per cent.

### **Education**

184. The following refers to paragraph 1 (e) (v) of article 5. Reference is made to Norway's fifteenth report, paragraphs 114-122.

185. The proportion of young people attending upper secondary school (16-18 years old) has decreased slightly from 1998 to 1999 (from 91.4 to 90.9 per cent) for the total population of Norway, whereas it decreased by as much as 7 per cent (from 69.6 to 62.6 per cent) for first-generation immigrants. The proportion of second-generation immigrants attending upper secondary school is much higher (83.6 per cent) and has been stable for the last three years. The proportion of young women with an immigrant background in upper secondary school is now slightly higher than the proportion of young men.

186. Norwegian university and college education is also far more common among second-generation immigrants than among first-generation immigrants. In 1999, the proportion of first-generation immigrants (19-24 years old) registered as students at universities and colleges was 11.9 per cent, while the proportion of second-generation immigrants was 23.1 per cent. The corresponding percentage for the total population in Norway was 27.9. In 1998 and 1999, more women than men in the age group 19-24 years have completed education at this level, and this also applies to first- and second-generation immigrants.

### **Plan of action to ensure the equality, integration and full participation of children and youth with refugee or immigrant background**

187. In January 1996, the Ministry of Children and Family Affairs presented, together with other relevant ministries, a plan of action to ensure the equality, integration and full participation of children and youth with refugee or immigrant backgrounds. This plan covers measures for leisure and cultural activities, education, child welfare and health. The plan includes about 70 different initiatives and most of these have been implemented or carried out.

### **Proportion of minority language pupils in primary and lower secondary school**

188. In the 1999/2000 school year, a total of 28,242 pupils in primary and lower secondary school have been registered as belonging to minority language groups entitled to supplementary

teaching in their mother tongue and in Norwegian as a foreign language. The proportion of minority language pupils still varies considerably from one region to another, from 16.4 per cent in Oslo to an average of less than 2 per cent in other counties. There have been complaints about the way the subject Norwegian as a foreign language has been administered and taught. For example, it has been argued that too many pupils with a minority background receive instruction in the subject, even those whose Norwegian is quite fluent, and that they are not being transferred to ordinary Norwegian classes when their Norwegian is good enough. The Ministry of Education, Research and Church Affairs is considering practices in relation to this subject.

### **Students with an immigrant background in higher education**

189. The number of students with an immigrant background has been relatively stable in recent years in Norway. In 1999 about 500 students with an immigrant background were studying at Norwegian universities and colleges. This means that 22 per cent of young people aged 19-24 years with an immigrant background were students. The corresponding figure for the same age group in the population as a whole is 27 per cent. Fifty-three per cent of students with an immigrant background are female.

190. The Ministry of Education, Research and Church Affairs is preparing a project to recruit more students with an immigrant background to higher education. The project will be run in cooperation with the higher education institutions. The Ministry has also funded a pilot project for immigrant students in teacher training and in health and social care programmes in order to improve the students' proficiency in Norwegian.

### **Establishment of a national system for assessing non-formal learning**

191. A project has been initiated in order to establish a system for documentation and recognition of adults' non-formal learning at the level of upper secondary education. The social partners, counties and public and private providers of education are all involved in this project. Over the last two years, a total of NOK 30 million has been allocated for the testing of models for assessing non-formal learning. Twenty-five subprojects are in progress, and the non-formal learning at upper secondary level of about 1,000 adults has been assessed. In the national budget for 2001, NOK 20 million have been allocated to this project.

192. In June 2001 the Government decided to launch a package of measures to combat racism and discrimination in Norwegian society, including the establishment of a system for evaluating and testing immigrants' professional qualifications from their home country. Within the framework of the national project described in paragraph 191, two projects have been initiated to survey, test and evaluate immigrants' overall qualifications (formal and non-formal), with a view to facilitating their access to the labour market. This is done by means of a practical test, whereby immigrants' previous qualifications are compared with criteria used in the Norwegian system for awarding a trade certificate (certificate awarded on successful completion of a vocational training course, and entitling the holder to practise the trade concerned) or similar certificates at upper secondary level.



193. The Storting has passed a legal amendment that enables applicants of more than 25 years of age and without formal upper secondary education to be enrolled at a university or college as from the academic year 2001/02, provided that their non-formal learning is approved as equivalent to the formal educational qualifications.

194. The institutions themselves are to determine whether the applicants have the necessary qualifications to be admitted to the relevant courses. If the applicant is accepted and passes an examination for a programme of at least one year's duration, this will serve as a formal entrance qualification. Non-formal learning may also lead to a reduction in the duration of a programme or an exemption from examinations or tests.

### **Apprenticeship contracts with pupils with an immigrant background**

195. Reference is made to information provided in Norway's fifteenth periodic report, paragraphs 119 and 120. As part of the follow-up to an evaluation of the 1994 reform of upper secondary education, the Ministry of Education, Research and Church Affairs has funded a study carried out by the Norwegian Institute for Studies in Research and Higher Education (NIFU) entitled "Access to apprenticeship training for youth with ethnic minority backgrounds in a Norwegian urban setting". The report was published in January 2001. One of the findings is that access to apprenticeship training for young people with a minority background seems to be problematic, particularly for male applicants (with low grades from school) seeking apprenticeships in private companies and trades. Female applicants with a minority background on the other hand have in general little problem in being accepted. They are mainly recruited to apprenticeships in public institutions in the health-care and social welfare sectors. The Ministry is considering following up the report.

### **Establishment of a Centre for the Development of Competence in the Multicultural School**

196. In order to increase teachers' knowledge of how to teach pupils with different backgrounds, a new resource centre has been established at Oslo University College, called the Centre for the Development of Competence in the Multicultural School. The Centre's main objective is to organize courses to develop and increase teachers' competence in matters relating to the education of linguistic minorities at all levels. The Centre is also responsible for providing counselling and guidance and for disseminating information in its sphere of competence (cf. paragraph 242).

### **Educational provision to pupils with a Saami or Finnish background**

197. The new Education Act, adopted in 1998, includes provisions on how to define a person belonging to the Saami population as well as the areas described as Saami districts. According to this definition a Saami is a person who is entitled to be registered in the Saami electoral register pursuant to the provisions of the Act relating to the Saami Parliament and other Saami legal matters, and the children of those who may be registered.

198. The new Education Act gives all Saami pupils in Norway, and all pupils in Saami districts, at the primary and lower secondary level the right to receive tuition both in the Saami language and through the medium of Saami. Outside Saami districts, if at least 10 pupils in a

municipality wish to receive tuition in and through the medium of Saami, they have the right to such tuition as long as there are at least six pupils in the group. According to the Ministry of Education, it is not necessary that the parents of the pupil meet the requirements in the Saami Act, or that the pupil is old enough to be registered in the electoral register, as long as the objective requirements in the Saami Act are met.

199. The Ministry of Education provides extra funding to municipalities in Saami districts to cover costs related to Saami tuition in primary and secondary school.

200. In connection with the implementation of Reform 97, a reference group was established at the National Education Office, Troms County. The office is responsible for running a network-based development programme with the aim of providing tuition in Finnish at the primary and lower secondary level. The programme will be extended to the upper secondary level in 2002.

201. The Ministry of Education also provides special funds for enabling local municipalities in the two northernmost counties of Norway (Troms and Finnmark) to teach Finnish as a second language to primary and lower secondary pupils of Finnish or "Kven" descent.

202. The measures described in the fifteenth report, paragraph 122, on recruiting Saami-speaking students to the health services continue.

### **Education for pupils belonging to the Romani people/Travellers and the Roma people**

203. According to section 2-8 of the Education Act, the Ministry is to issue regulations concerning the obligation of municipalities to provide special tuition for pupils from language minorities, including both Norwegian as a foreign language and instruction in the mother tongue. A report to the Storting on this issue was submitted in 1998, which emphasized the need to provide support to pupils with a minority language background, and thus helping them to get more benefit from attending school.

204. As regards pupils belonging to the Roma people, the Oslo Education Committee and the Ministry of Education have carried out a project within the framework of the Socrates programme of the European Union in a local primary school with a view to developing a strategy for improving the provision of education to these pupils.

205. So far, there have been few specific claims from the Romani people/Travellers for special treatment from the school authorities. The Ministry of Education and representatives of the Romani people have discussed modalities for offering distance teaching while the families are travelling.

### **Culture**

206. The following refers to paragraph 1 (e) (vi) of article 5.

207. In Report No. 22 (1999-2000) to the Storting on sources of knowledge and experience, archives, libraries and museums are defined as institutional conveyors of history. This entails an obligation to reflect historical and cultural pluralism and requires careful scrutiny of how the progressively more diverse Norwegian society is reflected in what core cultural institutions have to offer. The report points out that Norway is a culturally diverse society in a historical context, due to the existence of several national minorities, but also that the mainstream culture has failed to recognize this.

208. The report concludes that currently the interests of the traditional majority dominate institutions and their material. The cultural diversity of Norwegian society is insufficiently represented as far as national minorities are concerned. The same applies to ethnic minorities who have immigrated more recently.

209. The report states that archives, museums and libraries should reflect cultural pluralism. Examples of institutions where this is being done are the Deichman Library, the main library in Oslo, which is responsible for the library services for immigrants and refugees, and the Glomdal Museum in Elverum, where a projected Romani documentation centre is being added to the existing folklore museum with the participation of the national minority concerned.

210. The report establishes that a great deal has been done in the last few decades to ensure that the Saami cultural heritage is given its rightful place in Norwegian history, for example by strengthening relevant institutions. Further measures will nonetheless be considered, such as the establishment of a Saami Museum of Art in connection with the Saami Collections in Karasjok. The Saami Parliament has stressed the desirability of enhancing the efforts to enhance the Saami people's knowledge of nature and cultural identity, and to implement measures to promote the Saami language and register Saami cultural monuments, etc.

211. Even though the Vadsø Museum - Ruija Kven Museum has had Kven culture as part of its sphere of responsibility, the cultural heritage of the Kven minority has not received sufficient attention. The Kvæntun Centre in Porsanger is a centre for Kven language and culture. Both the Kven museum and the Kvæntun Centre receive State funding. The Government has signalled its intention to support the expansion of the premises of the Kvæntun Centre. Nordreisa municipality also has plans to establish a Kven cultural centre for the documentation and presentation of Kven culture and traditions, particularly in Troms County.

212. The cultural history of the Romani people has long been ignored by the majority culture. The construction of a permanent centre of documentation at the Glomdal Museum (cf. paragraph 67) is thus an important measure.

213. A distinctive feature of the Kvæntun project and the new section of the Glomdal Museum is the fact that the national minorities themselves have influenced and are actively engaged in the planning process, and that the projects are part of the group's own efforts to preserve and strengthen their culture.

214. One of the tasks of the county library of Finnmark in Vadsø is to maintain a substantial collection of literature in Finnish and to ensure nationwide distribution of this material. It has a database which can be accessed from the Internet.

215. The objective of the Norwegian Concert Institute is to present a wide range of music of high artistic standard to the Norwegian public. The Multicultural Music Centre of the Norwegian Concert Institute is artistically responsible for the “Verden i Norden” festival, which presents non-European music, and the Ethnic Music Cafés, which present ethnic music at four different venues in Norway.

216. The Norwegian Council of Cultural Affairs is an advisory body concerned with national cultural issues. In 1998, a three-year programme for encouraging multicultural initiatives in the arts, called “Mosaic”, was launched by the Council. The objective of the programme was to promote and integrate multicultural forms of expression under previously established schemes in the field of art and culture, and to enhance the opportunities for minorities to develop and participate in artistic and cultural life on their own terms. “Open scene”, a national pilot project to promote the integration of artists with a minority background into the field of drama, was launched in 1998 and is now concluded. It has proved successful and has provided valuable experience. In addition, the Norwegian Council of Cultural Affairs also awards grants for individual projects.

217. The Nordic Black Theatre, the Centre for African Cultural Promotion and the International Cultural Centre and Museum have been granted regular annual funding.

218. The Ministry of Cultural Affairs has established that the further development of the multicultural dimension is to be an objective for the Norwegian Council of Cultural Affairs. The Ministry has also requested the scholarship committees to take into consideration artists who work within a non-European/non-western tradition when making recommendations for government grants and guaranteed income for artists.

### **The media**

219. Reference is made to Norway’s fifteenth report, paragraphs 64-67. In 1999, the Norwegian Broadcasting Corporation (NRK) broadcast 1,637 hours of radio programmes and 37.5 hours of television programmes in Saami. NRK is planning to start broadcasting daily news programmes in Saami throughout the country. In addition, nine local radio stations broadcast in Saami. In 1978, a State subsidy scheme for Saami newspapers was established. In 2001, the subsidy was NOK 10 million, an increase of NOK 2 million from 2000. In 2000, three Saami newspapers received subsidies, the Saami language newspapers *Min Aigi* and *Assu*, and the Norwegian language newspaper *Sáogat*. In addition, the religious magazine *Nuorttanaste* received NOK 250,000. The Ministry of Children and Family Affairs has also provided support for a Saami youth magazine and a magazine for Saami children.

220. One Kven newspaper, *Ruijan Kaiku*, which is published monthly, receives public funding. *Ruijan Kaiku* is an important forum for expressions of opinion, information and debate in the Kven community. The grant was therefore raised from NOK 250,000 in 2000 to NOK 350,000 in 2001. In the Troms County NRK broadcasts 12 minutes a week in Kven and Finnish. The broadcasts mainly consist of news, music and cultural topics. In its 1999 annual report on public broadcasting, the Public Service Broadcasting Advisory Council (Allmenn-kringkastingsrådet) proposed that NRK should consider extending the broadcasts and make them nationwide.

221. Between April 1998 and December 2001, NRK transmitted 15 minutes per week of television newscasts in Urdu, Vietnamese, Serbian/Croatian/ Bosnian and Somali, with re-releases the same week. In total per annum, about 4.5 hours were broadcast in each language. From 2002, news in these languages are published on the Internet once a week. In 2000, there were 73 local radio stations serving the various ethnical and lingual communities (Saami stations included). Publications published by and for immigrants to Norway receive public grants through a scheme administered by the Mass Media Authority. In 2000, eight publications received grants. The grants amounted to some NOK 1 million.

222. A proposal for amending the provisions concerning grants for immigrant publications is being circulated for comment in 2001.

223. The complaints commission for the press, including radio and television programmes, is the Norwegian Press Council. In 1999 and 2000, the council received a few formal complaints of racism. In a couple of cases the complaints were related to the identification of the accused in criminal trials.

#### **Discrimination at restaurants, bars, etc.**

224. The following information refers to paragraph 1 (f) of article 5.

225. Fifteen contraventions of section 349 a of the Penal Code (relating to refusal of goods, services or admission to public gatherings) were reported in 2000, 8 in 1999 and 11 in 1998. During the first half of 2001, 13 cases had been reported. However, section 349 a also prohibits discrimination on the grounds of sexual orientation or way of life, and the statistics do not show the grounds for the discrimination. We have no accurate data on how many of these cases resulted in a conviction.

226. Reference is made to Norway's fifteenth report, paragraph 124, and the Committee's concluding observations, paragraph 17. Reference is also made to paragraphs 76-77 in this report.

227. The Act of 13 June 1997 relating to inns and catering establishments sets out certain requirements for owners and managers. These persons must not violate legislation in a way that is incompatible with the management of such an establishment. A person who has repeatedly violated section 349 a of the Penal Code can for instance be denied the right to open/manage an inn or a catering establishment. Likewise, if the violations occur after he has obtained a licence, it may, in serious cases, be recalled. There have been no amendments to the Act relating to restaurants and other eating establishments for the last two years.

228. The municipalities have no obligation to refuse a bar a licence to serve alcoholic beverages if the bar has been convicted or fined for discrimination. In August 2001, however, a bar in Oslo was denied a licence to serve alcohol because of racism. This is the first time racism has been invoked as a central argument for not renewing a bar's licence.

229. Prevention of discrimination in restaurants, discotheques and bars is a priority for the police. Courses have been arranged for doormen both in Oslo and in other towns, aimed at preventing discrimination and enhancing their ability to resolve conflicts. Furthermore, the Ministries of Trade and Industry, Justice, and Health and Social Affairs have recently issued a joint circular explaining the relevant legislation and how this can be used to take measures against racial discrimination in restaurants, discotheques, etc.

230. There have been few court cases concerning discrimination in bars/restaurants. However, there was one such case in Oslo City Court in 2001 (enclosure No. 8). The restaurant in question was found guilty of contravening section 349 a of the Penal Code, and was fined NOK 30,000 and ordered to pay the legal costs. However, the judgement has been appealed to a higher court.

## **Article 6**

### **Historical and moral settlement for the treatment in Norway of the economic liquidation of the Jewish minority during the Second World War**

231. On 11 March 1999, the Storting adopted a proposal for a historical and moral settlement for the treatment in Norway of the economic liquidation of the Jewish minority during the Second World War. This took the form of collective and individual financial settlements. The White Paper was drawn up in close collaboration with representatives of the Jewish community in Norway.

232. The collective compensation amounted to NOK 250 million. Of this, NOK 150 million were granted to the Jewish minority in 1999 to secure the culture and future of the Jewish community in Norway, as a historical and moral settlement for the economic liquidation of the Jewish minority during the Second World War (the so-called Jewish property settlement). This settlement was more than a purely financial settlement based on assets confiscated from Jews during the war. The sum was paid to the Jewish communities in Norway, who will decide how the funds are to be used. As part of the collective settlement, NOK 40 million were allocated for the establishment of a centre for studies of the Holocaust and religious minorities in Norway. The purpose of such a centre is to build up expertise in Norway on the Holocaust in general and on the Norwegian chapter of Holocaust history in particular, as well as to lay the foundation for broad knowledge of the history, beliefs, traditions, culture and status of religious minorities in Norwegian society. Preparations are under way to establish the centre. NOK 60 million were granted in support of Jewish institutions and projects outside Norway.

233. A standard amount of NOK 200,000 has been granted to each person who was born before the end of 1942 and who suffered under anti-Jewish measures in Norway. As many of these people are now dead, the money has been paid to their spouses and direct heirs, who are entitled to inherit pursuant to the Norwegian Inheritance Act.

### **Tort and the Act relating to the limitation period for claims**

234. Anyone who has been exposed to an injustice or encroachment by public authorities can have claims for damages from the authorities in accordance with ordinary rules of tort. It is a condition that the claim is not statute-barred. However, even if a claim for damages against the

Norwegian State is, according to the Act relating to the limitation period for claims, unarguably statute-barred, the Norwegian State sometimes decides that the State will not invoke this as an argument in the process. This is often done in cases where the plaintiff would ordinarily suffer an undeserved loss. In cases where children or youths have been subject to injustice or encroachment by the public authorities, the Norwegian State will, as a general rule, not invoke this as an argument.

### **The Storting's ex gratia payment scheme**

235. Any person who has suffered an injustice inflicted by the public authorities may apply for an ex gratia payment from the Norwegian treasury if they are not covered by other schemes, such as social security, national insurance, private insurance or general principles of the law of damages.

236. Such payments are made through the Storting's ex gratia payment scheme. Applications for ex gratia payments are decided by a committee. No one has a legal claim to an ex gratia payment. The committee's decisions are made on the basis of the reasonableness of the claim and give weight to whether the public authorities are at fault. Other factors that are taken into consideration are whether the applicant's situation has been influenced by the event, and whether the applicant has suffered financial loss or physical or psychological harm.

237. The most common cases are those where the applicants have received insufficient education or have been subject to errors of judgement by the health or child welfare services. There are also cases of ex gratia payments for lobotomy, forced sterilization and forced placement in institutions in defiance of the law.

238. People with a minority background have in many of the above-mentioned cases been given ex gratia payments. In 1996, the Storting decided that members of the Romani community should as a rule be given an ex gratia payment of NOK 60,000 if they have received insufficient education. For generations, the members of this community have been driven out of municipalities and harassed by their fellow citizens and the local authorities. One consequence of this has been that their children often missed their opportunity to receive full education, which in turn has made it difficult for them to adapt to society. When Report No. 15 (2000-2001) to the Storting on national minorities in Norway was debated, a standing committee unanimously called on the Government, together with the Storting's ex gratia payment committee, to assess the criteria with regard to evidence and the basis of comparison in relation to what was accepted at the time of the injustices, and to report on this to the Storting in an adequate way. This issue is currently under consideration.

239. There has been a discussion in Norway of whether old archives containing personal information about people belonging to the Romani minority should be destroyed in order to protect the privacy of the persons in question. Report No. 22 (1999-2000) to the Storting defines archives as an important element in society's collective memory. The report states that a democratic society presupposes that the Government can document its actions. This is important, for example in cases where minority groups make claims for ex gratia payments or claims for compensation through the legal system, because it may enable them to document alleged abuses (cf. paragraph 51).

### **Mediation boards**

240. Reference is made to Norway's fifteenth report, paragraph 126. The mediation boards and their services are available to everyone living in Norway. The information material is translated into 11 different languages. Interpreters are used when necessary or requested. Several mediation boards have over the past few years decided to focus particularly on mediation in multicultural conflicts. A successful project in Sør-Trøndelag County called "Tolerance and conflict resolution in the multicultural community" was completed on 31 December 2000. The project engaged mediators from nine different countries who spoke 18 different languages. The aims of the project were to mediate in conflicts and to build confidence and knowledge between the parties and within the communities, including at the local reception centres for asylum-seekers.

241. The Oslo Mediation Board has since 1998 been involved in a project called "Youth, identity and violence - street mediation". The target group is young people between 13 and 25 with different backgrounds who are involved in violent conflicts. The aim has been to prevent violent conflicts by enhancing young people's ability to handle conflicts and to build networks, so that others can intervene in conflicts at an early stage. In the first stage of the project 225 young people and 116 adults have participated in practical training courses and workshops.

## **Article 7**

### **Education and teaching**

242. Reference is made to Norway's fifteenth report, paragraph 25. The six pilot projects carried out at various colleges in the fields of social work, early childhood education, police work and teaching were completed in 2000. The projects aimed to develop alternative curricula for the teaching programmes in order to promote cultural sensitivity and awareness of prejudice and intolerance. The independent position of the colleges in the educational system has provided an opportunity to experiment with alternative curricula. None of the projects have managed to establish diversity training as a compulsory part of the curriculum. What they have achieved, however, is to stimulate a growing interest in diversity training among college and university lecturers. The conclusions of the projects were presented at a conference in April 2001 (cf. paragraph 196).

243. Reference is made to Norway's fifteenth report, paragraphs 127-131.

#### *Official approval of school textbooks*

244. Previously, textbooks and teaching aids to be used in the schools had to be formally approved by the central government education authorities, who would identify and remove expressions of a racist and discriminatory nature. This approval system was abolished in spring 2000, the idea being that all teaching materials should be in accordance with objectives laid down in the national curriculum. Educational resources used in the schools will thus have to comply with the national curriculum and relevant legislation, and the publishers and writers of school textbooks are henceforth responsible for ensuring the necessary quality control.



245. However, in Report No. 21 (1999-2000) to the Storting, *Focus on Human Dignity: A Plan of Action for Human Rights*, which was debated in the Storting in November 2000, the Government indicated that it intends to ascertain the extent to which the objectives concerning human rights contained in curricula and teaching materials are realized in the classroom. If this survey reveals that the intentions and policies formulated in the curricula are not followed up in the textbooks, teaching materials and practical teaching, certain measures will be implemented. One such measure may be to publish booklets on human rights and guidelines for teachers, or to encourage interdisciplinary projects that focus on human rights issues.

*Lessons learned and knowledge gained from efforts to combat racism and discrimination in the schools*

246. A large number of municipalities and schools have developed plans of action and are currently implementing measures aimed at combating racism among their pupils. The measures taken can be divided into the following categories: general measures designed to promote a good school environment, measures against racism, administrative measures aimed at preventing violence and racism, and measures in which the school cooperates with other (municipal and voluntary) bodies. The measures introduced to combat racism include: excursions to former Nazi concentration camps (“White Buses to Auschwitz”), distant adoption, participation of parents with different cultural backgrounds in extra-curricular activities, student exchanges, current affairs days, topical films and theatrical presentations, project work, multicultural evenings, rapid reactions to racist comments, plans of action to combat bullying, international week, United Nations Day, etc.

*Mediation between pupils in conflict situations*

247. Work on mediation between pupils continues, and is now also being introduced in upper secondary schools.

## **Culture**

*Supporting youth work*

248. Reference is made to Norway’s fifteenth report, paragraphs 132-134. The Ministry of Children and Family Affairs and the Directorate of Immigration provide financial support for the Idea Bank, a project run by the Norwegian Youth Council. The purpose of the Idea Bank is to strengthen multicultural programmes for children and young people by funding local projects. The Idea Bank provides support for activities and information campaigns that emphasize the importance of contacts, cooperation and mutual tolerance between children and young people with different national backgrounds. Priority is given to projects run jointly by ethnic Norwegians and immigrants.

249. Since Norway’s fifteenth report, the Norwegian Youth Council has published a book based on the successful projects funded by the Idea Bank. The projects referred to in the book are intended to inspire young people to start projects that are inexpensive and that they can run

themselves. The grant scheme “Urban Youth Projects” and the “Development Programme to Improve the Conditions under Which Children and Young People Grow Up” are being continued.

250. The Ministry of Children and Family Affairs grant scheme “Urban Youth Projects” provides funding to the 10 largest urban municipalities in Norway. The scheme is designed to improve the conditions under which young people live and grow up in urban municipalities. Great importance is attached to efforts to combat prejudice, racism and discrimination and to promote mutual tolerance. The scheme targets young people aged 12 to 25. A gender perspective is being applied.

251. The Ministry of Children and Family Affairs is also responsible for the “Development Programme to Improve the Conditions under which Children and Young People Grow Up”, which has been designed in collaboration with a number of other ministries. The objective of the programme is to strengthen and further develop the local environment in which children and young people grow up so as to help them participate and cope successfully with their home situation, school, working life and leisure activities. Efforts to prevent violent behaviour, bullying, drug abuse, crime and racism among children and young people will be intensified. In order to gain some experience in this area, financial support was given to 10 municipalities in autumn 1998. In the long term, the aim is to achieve a broad-based effort to improve conditions for children and young people in all Norwegian municipalities.

*“Diversity and Dialogue”*

252. The Norwegian Directorate of Immigration has given financial support to four major NGOs that are collaborating on an awareness-raising programme against prejudice and racism called “Diversity and Dialogue”. The organizations concerned are Norwegian People’s Aid, the Norwegian Youth Council, the Norwegian Union of Teachers and the Oslo diocese of the Church of Norway. From 2001 the Norwegian Red Cross will also join the programme. The target group is youth in general, but the programme also aims to attract police officers, schoolteachers, church officials, NGOs and others.

*Promoting tolerance and understanding through culture*

253. The idea for the “Cities Sports Project” came from Report No. 41 (1991-1992) to the Storting. The project, which was launched in 1993, aims at improving opportunities for children and youth to participate in sports in Norway’s largest cities, i.e. Oslo, Bergen, Trondheim and Stavanger. One of the objectives of the project is to stimulate greater interest among immigrants, as sports may contribute to integration into Norwegian society in general. A total of NOK 50 million has been allocated to the project.

254. Activities under the Cities Sports Project were supposed to focus particularly on non-organized groups. Over the years, the project has grown into a comprehensive and wide-ranging undertaking. Hundreds of activity-enhancing measures have been initiated, ranging from one-off events of various kinds via non-organized activities in sports arenas to ordinary sports activities organized by sports associations and clubs.

255. An evaluation of the Cities Sports Project was carried out in 1997. This showed that the project has succeeded in attracting greater support for its activities among immigrant children and young people. The project has also resulted in greater recruitment to sports clubs from this group in the urban districts included in the project. However, the clubs have difficulty in keeping the young people when they begin focusing on skills, achievements, regular attendance, equipment, and participation in voluntary work by the parents. More people with an immigrant background have become coaches, but the proportion of people with an immigrant background at leadership level has shown little increase, and attempts to encourage support and participation on the part of parents with an immigrant background in the sports activities of their children have been unsuccessful.

256. Involving people with an immigrant background in the work of a sports club or association is a challenge, but it has good results as it often leads to greater knowledge of Norwegian society and thus contributes to more successful integration. This requires, however, that the various clubs encourage this kind of participation. One way of achieving this might be to include a programme for the parents in the low-threshold programmes.

257. In order for these efforts to succeed, information is important. Experience shows that direct communication plays an important role. In addition, cooperation with existing institutions has also been shown to be important for reaching the target groups.

258. The Cities Sports Project will be continued in larger cities. The Ministry of Cultural Affairs has emphasized the importance of actively seeking, together with voluntary organizations and local authorities, permanent solutions with local roots for the relevant target groups.

259. During 2000 and 2001, two NGOs (Norwegian People's Aid and the federation of Norwegian athletes (NISO)) have organized a campaign against racism at most of Premiere League football matches. The message is that racism is unacceptable, both on and off the football field. The campaign has mobilized volunteers, football players and supporters all over the country.

## **Information**

### *Documentation of knowledge and experience in combating racism and discrimination*

260. As part of the Action Plan against Racism and Discrimination, both the Directorate of Immigration and the ministries have given financial support to a large number of innovation and research projects in various fields. These institutions have now acquired a certain amount of knowledge of these matters, and a large number of reports are available. This knowledge now has to be disseminated to the public, i.e. firms, schools, municipalities, government offices, NGOs, etc.

### *Resource Centre for the Rights of Indigenous Peoples*

261. The Government and the Storting have decided to establish a Resource Centre for the Rights of Indigenous Peoples. The Centre will be located in Kautokeino in Finnmark, the northernmost county of Norway. The purpose of the Centre is to increase knowledge about the

human rights of indigenous peoples. One of the Centre's main tasks will be to provide information to schools and other institutions and organizations that need information about indigenous peoples. The Centre will deal with both international and national issues relating to indigenous peoples.

*Information to the general public about Saami issues and national minorities*

262. The general public needs more information about the Saami people and Saami affairs. The Ministry of Local Government and Regional Development will give priority to information activities in this regard, and has started publishing a newsletter on Saami issues in Saami and Norwegian. The Ministry has also started publishing a newsletter on national minorities.

263. Reference is made to the Committee's concluding observations, paragraph 19. Norway's previous reports and the concluding observations have been forwarded to relevant governmental and non-governmental bodies and organizations. This was also one of the topics discussed at a conference arranged by the Directorate of Immigration in autumn 2000.

### **List of enclosures**

1. The five largest immigrant nationalities in Norway as of 1 January 2000, Statistics Norway (SSB), 2001.
2. The latest figures on foreign nationals who have acquired Norwegian nationality, Statistics Norway (SSB), 2001.
3. The numbers of asylum-seekers entering Norway in 2000 and 2001, Norwegian Directorate of Immigration, 2001.
4. The number of residence permits and work permits granted during the first half of 2001, Norwegian Directorate of Immigration, 2001.
5. The number of persons granted protection and of accompanying persons granted family reunification in 1988-1999, Statistics Norway (SSB), 2001.
6. Indre Sogn District Court ruling of 21 May 2001 (the Beheim Karlsen case).
7. “The Rights of Children and Young People with Disabilities”, Norwegian State Council on Disability, 2000.
8. Oslo City Court Ruling of 19 April 2001 (the Torggata Bar & Nightclub case).

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