



**International Covenant
on Civil and Political
Rights**

Distr.
GENERAL

CCPR/C/79/Add.112
1 November 1999

Original: ENGLISH

HUMAN RIGHTS COMMITTEE
Sixty-seventh session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT

Concluding Observations of the Human Rights Committee

Norway

1. The Committee considered the fourth periodic report of Norway (CCPR/C/115/Add.2) at its 1785th and 1786th meetings (CCPR/C/SR. 1785 - 1786) held on 19 October 1999 and adopted the following concluding observations at its 1796th meeting (CCPR/C/SR. 1796) held on 26 October 1999.

A. Introduction

2. The Committee welcomes the timely submission of the State party's fourth periodic report, and its detailed information on laws, other measures, and practices relating to the implementation of the Covenant. The Committee also appreciates the further information about developments in the implementation of human rights in Norway subsequent to the submission of
1 the report. The Committee expresses its appreciation for the constructive and open dialogue it had with the Norwegian delegation.

B. Positive aspects

3. The Committee commends the State party for its generally positive record in the implementation of the provisions of the Covenant. It notes with appreciation the extensive legislative activity and other measures that have been taken for the promotion and protection of rights recognized under the Covenant since the examination of the third periodic report.
4. The Committee welcomes the adoption of the Human Rights Act under which the Covenant has been directly incorporated into the legal system of Norway and the fact that it prevails over conflicting statutory provisions. (Art. 2)
5. The Committee also welcomes both the appointment of a new Minister for Development and Human Rights and the new practice of the Government in presenting comprehensive annual reports to the Parliament (the Storting) on the implementation and monitoring of human rights. The Committee looks forward to receiving information in future reports on the Plan of Action which is to be forwarded to the Storting on 10 December 1999, and the measures which will be recommended to further enhance the protection of human rights in Norway. (Art. 2)
6. While noting that the unemployment rate for immigrants is still substantially higher than for the rest of the population, the Committee commends the new legislation and the Plan of Action, both seeking to promote equality in the labour market. (Art. 26)
7. The Committee appreciates the steps taken to increase the number of women in the judiciary, in politics, and in leading positions both in public institutions and in the private sector, and other measures taken to combat traditional gender concentration in certain professions. (Art. 3 and 26)
8. Noting that the Lund Commission uncovered many instances of unlawful telephone-monitoring, the Committee welcomes Law No. 73 of 1999 which after its entry into force on 1 January 2000 will afford the right to

compensation to victims, and a general right to seek information about oneself contained in the records and registers of the Police Security Service. (Art. 17)

9. The Committee commends the State party for the new system which was implemented in 1998 with regard to the issue of questioning of child victims of sexual abuse in judicial proceedings. (Art. 14 and 24)
10. The Committee takes note of the positive developments in the field of protecting and promoting the human rights of members of the Sami indigenous people, including the strengthening of the Sami Parliament, measures aimed at promoting the Sami language, transfer of certain cultural institutions to the Sami themselves, as well as the ongoing legal reform related to lands and resources in Finnmark and other areas with a Sami population. The Committee welcomes the developments to ensure full consultation with the Sami in matters affecting their traditional means of livelihood. (Art. 1 and 27)

C. Principal subjects of concern and recommendations

11. The Committee notes with concern that pre-trial detention in some cases is used for excessive periods of time. The Committee is also concerned at the extent to which the liberty of persons may be withdrawn by administrative detention. The Committee recommends that the enabling legislation and practice be reviewed with regard to both pre-trial and administrative detention, with a view to guaranteeing full compliance with all provisions of article 9 of the Covenant.
12. The Committee welcomes the partial withdrawal of the reservation to article 14, paragraph 5, but recommends that the State party consider a complete withdrawal.
13. The Committee reiterates its concerns over section 2 of the Constitution which provides that individuals professing the Evangelical-Lutheran religion are bound to bring up their children in the same faith. Its inclusion in the Constitution is incompatible with the Covenant. The

Committee therefore recommends that section 2 is modified to comply with article 18 of the Covenant.

14. The Committee recommends early action to review and reform laws relating to criminal defamation. (Art. 19)
15. With reference to the information in the report about alleged lack of proper reaction from law enforcement officials in cases of racial discrimination, the Committee recommends that the situation be thoroughly analysed and requests that further information be made available. (Art. 26)
16. The Committee remains concerned that while legislative reform work in the field of Sami land and resource rights is in progress, traditional Sami means of livelihood, falling under article 27 of the Covenant, do not appear to enjoy full protection in relation to various forms of competing public and private uses of land. Lawsuits by private landowners leading to judicial prohibition of reindeer herding and high legal costs for the Sami are a particular concern in the absence of satisfactory legal aid.
17. As the Government and Parliament of Norway have addressed the situation of the Sami in the framework of the right to self-determination, the Committee expects Norway to report on the Sami people's right to self-determination under article 1 of the Covenant, including paragraph 2 of that article.

D. Dissemination of Information about the Covenant (article 2)

18. The Committee requests that Norway's fifth periodic report be submitted by October 2004. That report should be prepared in accordance with the revised Guidelines adopted by the Committee (CCPR/C/66/GUI) and should give particular attention to the issues raised in these concluding observations. The Committee requests that these concluding observations and the next periodic report be widely disseminated in Norway.