



Compilation of Recommendations to Norway

**The UN Human Rights Monitoring Bodies
(reporting period 2017–2019)**

Preliminary version, November 2018



Norges nasjonale institusjon
for menneskerettigheter

Guidance

The Norwegian National Human Rights Institution (NIM) has a mandate to participate in international cooperation in order to protect and promote human rights in Norway. This includes engagement with the processes of state reporting to the UN human rights mechanisms.

In the period 2017–2019, Norway is due to report to all relevant UN treaty-bodies as well as the Human Right Council. NIM is actively involved in the reporting processes through consultations with state institutions, ombudsman offices as well as civil society. NIM also submits supplementary reports and participates in the proceedings of the UN bodies.

This compilation provides a systematized overview of recommendations to Norway from the UN human rights monitoring bodies in the period 2017–2019 as of November 2018. This is part of NIM's efforts to monitor and support the follow-up of international recommendations.

The recommendations are organized according to human rights themes and specific groups in line with the Human Rights Index developed by the UN Office of the High Commissioner for Human Rights. The assignment of each recommendation to various themes or groups, is determined by practical considerations and the Norwegian context. Cross references are also provided to other rights and groups.

To make the compilation user friendly, symbols are inserted alongside the text to indicate the main types of recommendations:



1 – Law, instruction, guidelines



2 – Strategies, action plans



3 – Institutional practices



4 – Resources



5 – Statistics, survey, research, assessments



6 – Training and capacity building



7 – Dissemination, campaigns and outreach



8 – Monitoring and follow-up

Where to find original documents?

In this preliminary compilation NIM has included recommendations from the Committee on the Elimination of Discrimination against Women (CEDAW, December 2017), the Human Rights Committee (CCPR, March 2018), the Committee against Torture (CAT, April 2018) and the Committee on the Rights of the Child (CRC, June 2018). The compilation will be update in June 2019 when new recommendations have been issued by the Committee on the Elimination of Racial Discrimination (CERD, December 2018), the Committee on the Rights of Persons with Disabilities (CRPD, spring 2019), the Committee on Economic, Social and Cultural Rights (CESCR, spring 2019) and the Human rights Council's Universal Periodic Review (UPR, spring 2019).

All the recommendations for the UN treaty- bodies can be downloaded from the website of the UN Office of the High Commissioner of Human Rights:

The Norway Homepage

<https://www.ohchr.org/EN/Countries/ENACARRegion/Pages/NOIndex.aspx>

Reporting status for Norway

https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/countries.aspx?Country-Code=NOR&Lang=EN

Concluding observations - the Committee against Torture (CAT/C/NOR/CO/8 05 Jun 2018)

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=-CAT%2fC%2fNOR%2fCO%2f8&Lang=en

Concluding observations - the Human Rights Committee (CCPR/C/NOR/CO/725 Apr 2018)

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=C-CPR%2fC%2fNOR%2fCO%2f7&Lang=en

Concluding observations - the Committee on the Elimination of Discrimination against Women (CEDAW/C/NOR/CO/9 22 Nov 2017)
https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fNOR%2fCO%2f9&Lang=en

Concluding observations – the Committee on the Rights of the Child (CRC/C/NOR/CO/5-6 04 Jul 2018)
https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fNOR%2fCO%2f5-6&Lang=en

Contents

1. RIGHT TO PHYSICAL AND MORAL INTEGRITY	10
1.1 Prevention and punishment of violence (gender-based, sexual, domestic)	10
Violence against women and girls CCPR/C/NOR/CO/7	10
Gender-based violence against women CEDAW/C/NOR/CO/9	11
Violence against women CAT/C/NOR/CO/8	12
1.2 Trafficking and exploitation	12
Trafficking and exploitation CEDAW/C/NOR/CO/9	12
2. LIBERTY AND SECURITY OF THE PERSON AND TREATMENT IN CUSTODY	14
Police detention CAT/C/NOR/CO/8	14
Police cells CAT/C/NOR/CO/8	14
Pretrial detention CAT/C/NOR/CO/8	14
Solitary confinement in prison CAT/C/NOR/CO/8	15
Solitary confinement in prison CCPR/C/NOR/CO/7	16
Mental health care in prison CAT/C/NOR/CO/8 CAT	16
Isolation of person with mental disability CCPR/C/NOR/CO/7	16
Detention facilities abroad CAT/C/NOR/CO/8	16
Administration of juvenile justice CRC/C/NOR/CO/5-6	16
Women in prison CEDAW/C/NOR/CO/9	17
3. FUNDAMENTAL FREEDOMS	18
Hate speech and hate crimes CCPR/C/NOR/CO/7	18
Privacy CCPR/C/NOR/CO/7	18
4. ADMINISTRATION OF JUSTICE	19
Legal aid CCPR/C/NOR/CO/7	19
5. EQUALITY AND NON-DISCRIMINATION	20
5.1 Gender equality	20
Wage gap CCPR/C/NOR/CO/7	20
Women Employment CEDAW/C/NOR/CO/9	20
Education – gender segregation CEDAW/C/NOR/CO/9	21
Stereotypes and harmful practices CEDAW/C/NOR/CO/9	21
Children – non-discrimination CRC/C/NOR/CO/5-6	22

5.2 Persons with an immigrant backgrounds	22
Employment and housing CCPR/C/NOR/CO/7	22
Ethnic Profiling CCPR/C/NOR/CO/7	22
6. SPECIFIC PERSONS AND GROUPS	23
6.1 Persons with mental health issues	23
Coercive measures in mental health-care institutions CCPR/C/NOR/CO/7	23
Use of coercive measures in psychiatric health care CAT/C/NOR/CO/8	23
6.2 Women	24
Health CEDAW/C/NOR/CO/9	24
Pension CEDAW/C/NOR/CO/9	25
Participation in political and public life CEDAW/C/NOR/CO/9	25
Women with disabilities CEDAW/C/NOR/CO/9	25
Marriage and family relations CEDAW/C/NOR/CO/9	25
6.3 Children	26
Best interests of the child CRC/C/NOR/CO/5-6	26
Respect for the views of the child CRC/C/NOR/CO/5-6	26
Abuse and neglect CRC/C/NOR/CO/5-6	27
Sexual exploitation and abuse CRC/C/NOR/CO/5-6	27
Harmful practices CRC/C/NOR/CO/5-6	28
Children deprived of a family environment CRC/C/NOR/CO/5-6	28
Children of incarcerated parents CRC/C/NOR/CO/5-6	29
Children with disabilities CRC/C/NOR/CO/5-6	29
Health and health services CRC/C/NOR/CO/5-6	30
Mental health CRC/C/NOR/CO/5-6	31
Standard of living CRC/C/NOR/CO/5-6	31
Rest, leisure, recreation and cultural and artistic activities CRC/C/NOR/CO/5-6	31
Sale, trafficking and abduction CRC/C/NOR/CO/5-6	32
6.4 Rights of indigenous peoples	32
Sami rights CCPR/C/NOR/CO/7	32
Children belonging to minority groups and indigenous children CRC/C/NOR/CO/5-6	33
6.5 Asylum seekers	33
Non-refoulement CCPR/C/NOR/CO/7	33
Immigration detention facilities CAT/C/NOR/CO/8	33
Women CEDAW/C/NOR/CO/9	34

6.6 Asylum seekers minors	34
Unaccompanied minors CCPR/C/NOR/CO/7	34
Asylum-seeking minors CAT/C/NOR/CO/8	34
Asylum-seeking, refugee and migrant children CRC/C/NOR/CO/5-6	34
6.7 Nationality and statelessness	35
Statelessness CCPR/C/NOR/CO/7	35
Nationality CEDAW/C/NOR/CO/9	35
Nationality children CRC/C/NOR/CO/5-6	36
7. GENERAL FRAMEWORK OF IMPLEMENTATION	37
7.1 Ratifications, reservations and incorporation	37
HRC – Reservations CCPR/C/NOR/CO/7	37
CEDAW – Ratification of international human rights instruments CEDAW/C/ NOR/CO/9	37
CAT – Ratification of international human rights instruments CAT/C/NOR/CO/8	37
CAT – incorporation CAT/C/NOR/CO/8	37
CRC – Ratification of the Optional Protocol CRC/C/NOR/CO/5-6	37
CRC – Ratification of international human rights instruments CRC/C/NOR/CO/5-6	38
7.2 Legal framework	38
Freedom of thought, conscience and religion CCPR/C/NOR/CO/7	38
Definition of torture CAT/C/NOR/CO/8	38
Gender – Legislative framework CEDAW/C/NOR/CO/9	38
Sale of children, child prostitution and child pornography CRC/C/NOR/CO/5-6	39
7.3 Institutional framework	39
National mechanism for advancing women CEDAW/C/NOR/CO/9	39
Children – Independent monitoring CRC/C/NOR/CO/5-6	40

7.4 Policies and strategies	40
Women CEDAW/C/NOR/CO/9	40
Women and peace and security CEDAW/C/NOR/CO/9	40
Women – Environment CEDAW/C/NOR/CO/9	40
Women in management positions CEDAW/C/NOR/CO/9	40
Women – SDG CEDAW/C/NOR/CO/9	41
Children – Comprehensive policy and strategy CRC/C/NOR/CO/5-6	41
Children – Allocation of resources CRC/C/NOR/CO/5-6	41
Children – Environment CRC/C/NOR/CO/5-6	41
Children – Cooperation with regional bodies CRC/C/NOR/CO/5-6	41
Children in armed conflict CRC/C/NOR/CO/5-6	42
7.5 Statistics	42
Children – Data collection CRC/C/NOR/CO/5-6	42
7.6 Dissemination, awareness-raising and training	42
CAT – Training CAT/C/NOR/CO/8	42
CRC – training CRC/C/NOR/CO/5-6	43
CRC – Education, including vocational training and guidance CRC/C/NOR/CO/5-6	43
7.7 Follow-up of the recommendations	44
HRC – Implementation and visibility of the Convention CCPR/C/NOR/CO/7	44
CEDAW – Implementation and visibility of the Convention CEDAW/C/NOR/CO/9	44
CEDAW – Follow-up and dissemination CEDAW/C/NOR/CO/9	44
CAT – Follow-up and dissemination CAT/C/NOR/CO/8	44
CRC – Follow-up and dissemination CRC/C/NOR/CO/5-6	45
CRC – National mechanism for reporting and follow-up CRC/C/NOR/CO/5-6	45

1. Right to physical and moral integrity

1.1 Prevention and punishment of violence (gender-based, sexual, domestic)

VIOLENCE AGAIN WOMEN AND GIRLS CCPR/C/NOR/CO/7

15. The State party should increase its efforts to prevent and combat all forms of violence against women and girls and, in particular:



(a) Proceed with plans to launch a new national plan of action to eliminate violence against women and girls, with a focus on eliminating rape and other forms of sexual violence in the State party, including in the Sami community, in consultation with Sami peoples and other stakeholders;



(b) Amend section 291 of the Penal Code to ensure that the lack of free consent is at the centre of the definition of rape;



(c) Facilitate the reporting of rape and gender-based violence cases by, inter alia, systematically informing women and girls of their rights and of the existing legal avenues through which they can access resources, services, protection and justice;



(d) Strengthen its efforts to raise public awareness of the adverse impact of sexual and gender-based violence. Continue to train judges, prosecutors and law enforcement officials on addressing sexual and gender-based violence and strengthen the investigative capacity of law enforcement for such cases. Ensure all reports are promptly and thoroughly investigated, that perpetrators are brought to justice and that victims have access to full reparations;



(e) Investigate further the root causes of higher levels of violence against women in the Sami community. Take effective measures to address these root causes, eliminate cultural and linguistic barriers and build trust between the Sami community and authorities.

GENDER-BASED VIOLENCE AGAINST WOMEN CEDAW/C/NOR/CO/9

25. The Committee recommends that the State party:

(a) Develop and implement comprehensive measures for the prevention and elimination of gender-based violence against women and girls, in particular domestic violence and rape and other forms of sexual violence, and ensure that perpetrators of gender-based violence are prosecuted and punished commensurately with the gravity of their crimes, in accordance with the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19;



(b) Strengthen the capacity of the police, prosecutors and judges on the strict application of relevant criminal law provisions and gender-sensitive investigations of cases of gender-based violence, including cases affecting women with (mental) disabilities and other vulnerable groups of women;



(c) Systematically implement gender training and capacity-building for judges and lay judges in criminal cases involving gender-based violence, in line with the Committee's general recommendation No. 35;



(d) Collect and report to the Committee disaggregated data on the number of:



(i) Cases of violence against women that have been investigated and that have led to prosecutions, including information on the sanctions imposed on perpetrators;

(ii) Women victims of violence who have been provided with legal assistance and relevant support services;

(iii) Women victims of violence who have been compensated;

(iv) Non-contact orders (restraining orders) issued, with a view to improving the State party's ability to address the root causes of all forms of gender-based violence;

(e) Devise an action plan for enhanced prevention, protection and redress of gender-based violence, in particular sexual violence, against Sami women and girl victims, including with a view to overcoming cultural and linguistic barriers, based on further research into the root causes, and allocate sufficient resources for its implementation;



(f) Adopt a legal definition of rape in the Penal Code that places lack of free consent at its centre, in line with the Committee's general recommendation No. 35, *Vertido v. the Philippines* (CEDAW/C/46/D/18/2008) and the State party's obligations under the Istanbul Convention;



(g) Accelerate the development and adoption of a new national plan of action against rape and sexual violence;





(h) Provide sufficient numbers of shelters for women victims of violence to avoid the need for the relocation of women victims in the event of full occupancy of the designated shelter;



(i) Take the necessary measures to overcome the existing practical and legal impediments surrounding reverse attack alarm systems in order to enhance their use as an effective means to prevent violence against women.

Cross-reference: Women

VIOLENCE AGAINST WOMEN CAT/C/NOR/CO/8

24. The State party should:



(a) Amend section 291 of the Penal Code in order to ensure that the lack of free consent is at the centre of the definition of rape, in compliance with international standards and its obligations under the Istanbul Convention, so that rape cases falling outside of the current narrow definition are not treated as a minor sexual offence and closed as “no criminal act proven”;



(b) Strengthen the capacity and training of the police, prosecutors and judges to investigate and prosecute more effectively cases of violence against women, including sexual violence, such as rape;



(c) Investigate the root causes and develop an action plan aimed at the prevention of, protection from and addressing violence, including sexual assault in the Sami community in consultation with the Sami community, and enhance efforts to build confidence in public authorities.

Cross-reference: Women

1.2 Trafficking and exploitation

TRAFFICKING AND EXPLOITATION CEDAW/C/NOR/CO/9

27. The Committee recommends that the State party:



(a) Systematically collect comprehensive data about victims of trafficking and report them to the Committee in its next periodic report;



(b) Adopt a human rights-based approach in its efforts to combat trafficking, and prioritize the prevention of trafficking and re-trafficking, the protection of victims and the prosecution of perpetrators;



(c) Create a uniform national system for identifying and following up on women victims of trafficking, ensuring the continuity of rights and entitlements when there is a change in the residence or legal status of the victim, conducting awareness-raising campaigns about human trafficking and discontinuing the return of victims of human trafficking under the Dublin Regulation;

(d) Revise immigration policies to ensure that laws and policies on the deportation of foreign women are not applied in a discriminatory manner, do not deter migrants, refugees and asylum seekers from reporting crimes of trafficking and do not undermine efforts to prevent human trafficking, identify or protect victims or prosecute perpetrators.



29. The Committee recommends that the State party:

(a) Accelerate the tabling of the white paper on prostitution to Parliament in order to formulate a comprehensive policy, legislative and regulatory framework that ensures legal protection from exploitation for women who engage in prostitution, and ensure that they are not prosecuted for the sale of sexual activity and sexual acts, including for acts that currently amount to criminal acts of “promotion of prostitution”;



(b) Conduct or fund long-term research that provides evidence-based knowledge about the living conditions of women in prostitution in Norway in order to design programmes to improve the safeguarding of their human rights, including their rights to protection against violence, health and access to social security;



(c) Strengthen exit programmes for women who wish to leave prostitution.



Cross-reference: Women

2. Liberty and security of the person and treatment in custody



POLICE DETENTION CAT/C/NOR/CO/8

12. The State party should ensure that all persons deprived of their liberty are afforded in law and in practice all fundamental legal safeguards from the very outset of their detention, in accordance with international standards, including being informed of their rights, receiving at their request a medical examination preferably by a doctor of their own choice, having access to a lawyer or free legal aid in all cases required by the interests of justice, particularly during investigation and questioning, being informed of their right to lodge complaints and about the actual complaints procedure, and being brought before a judge within 48 hours of their apprehension.



POLICE CELLS CAT/C/NOR/CO/8

14. The Committee reiterates its recommendation (see CAT/C/NOR/CO/6-7, para. 10) that the State party should abolish the use of police detention cells beyond the 48-hour term stipulated in law. It should implement rigorously the new guidelines concerning the use of police custody facilities drawn up in July 2015 by the National Police Directorate with a view to reduce to a minimum the number of persons who spend more than 48 hours in police custody after being arrested. The pretrial detention of minors should be used as a measure of last resort, should follow clear guidelines and no children should be held in police facilities beyond the 24-hour limit without a court hearing, as prescribed by the Criminal Procedure Act, and alternative measures to police detention should be sought. The State party should expand or refurbish existing police station facilities with inadequate conditions and transfer all pretrial detainees to prison facilities after the period prescribed by law.

Cross-reference: Children



PRETRIAL DETENTION CAT/C/NOR/CO/8

16. The State party should adhere strictly to the 48-hour custody rule and ensure that pretrial detainees are moved as soon as possible to prison facilities in order to avoid unnecessary isolation during their detention in police cells, which may amount to de facto solitary confinement and give rise to mental health problems. It should apply rigorous criteria for isolation and provide inmates with legal and procedural safeguards to address their situation in order to prevent discretionary assessments, as well as with adequate

mental and other health care, in particular when subjected to isolation. The State party should ensure sufficient prison facilities and staff, as well as adequate material conditions, to address the needs of and accommodate all pretrial detainees.

SOLITARY CONFINEMENT IN PRISON CAT/C/NOR/CO/8

18. The Committee reiterates its recommendation (see CAT/C/NOR/CO/6-7, para. 11) that the State party ensure full conformity with the Convention and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) adopted in 2015, and should:

(a) Implement effectively the revised guidelines enacted by the Government in March 2017 that lay down detailed criteria on the use of solitary confinement and ensure that issues relating to infrastructure and staffing are not used as grounds for exclusion;



(b) Reduce the use of solitary confinement to situations that are strictly necessary and amend the legislative framework in order to limit the use of such confinement to exceptional circumstances;



(c) Ensure that persons subjected to solitary confinement are attended to by medical staff on a daily basis, that their isolation is discontinued if it is found to adversely affect their health, that they enjoy procedural safeguards, and have the right to file complaints and to submit their cases for judicial review;



(d) Evaluate and assess the effects of the practice of isolation or full exclusion on the mental and physical health of prisoners in order to reduce them and use alternative and less intrusive measures whenever possible;



(e) Ensure that de facto isolation of prisoners that is similar to solitary confinement, such as full exclusion, is based on policy, law and guidelines, and set a maximum number of days a prisoner can remain in full exclusion;



(f) Provide prisoners with information about their legal rights and extend the deadline for the administrative appeals of prisoners regarding their exclusion or solitary confinement beyond the current 48 hours;



(g) Review the existing mechanisms of control and legal remedies, provide detailed statistics on the use of isolation and full exclusion from human contact, provide them to the Committee and make them public;



(h) Exempt from and not apply the administration ABE-reform, which has imposed annual budget cuts for all government entities since 2014 as a measure to contribute to the Government's reforms to reduce bureaucratization and increase efficiency, in all places in which persons are deprived of their liberty in order that insufficient building capacities and conditions and insufficient staff do not jeopardize the health and lives of persons deprived of their liberty.





SOLITARY CONFINEMENT IN PRISON CCPR/C/NOR/CO/7

25. The State party should evaluate the effects of full exclusions with a view to reducing them and use alternative measures whenever possible. It should set a maximum number of days a prisoner can remain in full exclusion in its policy, law and guidelines, in accordance with international standards.



MENTAL HEALTH CARE IN PRISON CAT/C/NOR/CO/8 CAT

20. The Committee reiterates its recommendation (see CAT/C/NOR/CO/6-7, para. 13) that the State party take all measures to ensure that prisoners with psychosocial disabilities and serious mental health problems receive adequate mental health care, by increasing the capacity of inpatient psychiatric wards, including the security departments, and providing full access to mental health care services within all prison facilities. It should abolish the use of full isolation of persons with mental and psychosocial disabilities, in particular when their conditions would be exacerbated by such measures.



ISOLATION OF PERSON WITH MENTAL DISABILITY CCPR/C/NOR/CO/7

27. The State party should abolish the use of full isolation for persons with mental disabilities and use alternative methods, whenever possible. The State party should ensure the provision of adequate health-care services to persons with psychosocial disabilities in prison.



DETENTION FACILITIES ABROAD CAT/C/NOR/CO/8

32. The State party should:

(a) Refrain from leasing detention facilities outside its territory and should ensure that State party officials and public monitoring bodies, including the national preventive mechanism and the national human rights institution, are able to carry out fully their obligations under the Convention, including to monitor and keep under review the conditions of detention in all prisons and places in which persons are deprived of their liberty;



(b) Ensure that there are sufficient numbers of prison staff with the required level of competence;



(c) Refrain from any discriminatory detention measures against foreigners in detention facilities outside its territory.

ADMINISTRATION OF JUVENILE JUSTICE CRC/C/NOR/CO/5-6

35. The Committee welcomes the amendments to the Execution of Sentences Act abolishing the possibility of using isolation as a disciplinary measure. With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee recommends that the State party:



(a) Discontinue preventive detention for children;

(b) Where detention is unavoidable, ensure that children are not detained together with adults, both in pretrial detention and after being sentenced, and, in line with the Committee's previous recommendations, withdraw the reservation to article 10 (2) (b) and (3), of the International Covenant on Civil and Political Rights, "with regard to the obligation to keep accused juvenile persons and juvenile offenders segregated from adults" (CRC/C/NOR/CO/4, para. 7);



(c) Strengthen safeguards to ensure that isolation as a preventive measure is avoided to the greatest extent possible;



(d) Make the necessary legislative amendments to extend the application of the alternative form of sanction, the so-called juvenile sanction, to asylum-seeking children.



Cross-reference: Children

WOMEN IN PRISON CEDAW/C/NOR/CO/9

47. The Committee recommends that the State party:

(a) Step up its efforts to improve prison conditions for women prisoners on an equal level with men in prison and in compliance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules), adopted by the General Assembly in its resolution 65/229;



(b) Improve health-care services, including mental health care and substance abuse rehabilitation services, for women prisoners.



Cross-reference: Women

3. Fundamental freedoms

HATE SPEECH AND HATE CRIMES CCPR/C/NOR/CO/7

17. The State party should:



(a) take effective measures to prevent hate speech and hate crimes in accordance with the Covenant, including by increasing efforts to promote tolerance, ensuring full implementation of the Strategy against Hate Speech (2016–2020) and the creation of hate crime investigation units in all districts;



(b) streamline the national registration of reports of hate crimes and hate speech and systematize the regular collection of data on these crimes, including the number of reported cases, investigations launched, prosecutions and convictions;



(c) encourage the reporting of hate crimes and criminal hate speech and ensure that these crimes are promptly identified and registered as such; and



(d) strengthen the investigation capacity of law enforcement officials on hate crimes and criminal hate speech, including on the Internet, and ensure all cases are systematically investigated, that perpetrators are prosecuted and punished and that appropriate compensation is awarded to the victims.

PRIVACY CCPR/C/NOR/CO/7



21. The State party should take all the necessary steps to guarantee that its surveillance activities within and outside its territory are in conformity with its obligations under the Covenant, in particular article 17. Specifically, it should take measures to guarantee that any interference in a person's private life should be in conformity with the principles of legality, proportionality and necessity. It should ensure that the collection and use of data on communications take place on the basis of specific and legitimate objectives and that the exact circumstances in which such interference may be authorized and the categories of persons likely to be placed under surveillance are set out in detail in law. It should also ensure the effectiveness and independence of a monitoring system for surveillance activities.

4. Administration of justice

LEGAL AID CCPR/C/NOR/CO/7

29. The Committee reiterates its previous recommendation that the State party should review its current legal aid scheme and its impact, and make the necessary amendments to this system to ensure that free legal aid is provided in all cases in which the interests of justice so require.



5. Equality and non-discrimination

5.1 Gender equality



WAGE GAP CCPR/C/NOR/CO/7

13. The State party should step up its efforts to implement effective measures to eliminate the gender wage gap by addressing differences in pay between men and women for the same work. It should ensure that family life does not have a negative effect on the wages of women.

Cross-reference: Women



WOMEN EMPLOYMENT CEDAW/C/NOR/CO/9

37. The Committee recommends that the State party:

(a) Continue to take the necessary measures, including implementing section 34 of the new Equality and Anti-Discrimination Act on equal pay for work of equal value, and establish a structure to monitor collective bargaining agreements to ensure that they are not gender discriminatory in order to narrow and close the wage gap between women and men in accordance with the Equal Remuneration Convention, 1951 (No. 100), of the International Labour Organization;



(b) Continue to implement measures to ensure the equal participation of both parents in family life, including good practices such as maternity and paternity leave and shared parental leave quotas, and swiftly reintroduce maternity and paternity leave periods of 14 weeks;



(c) Accelerate the envisaged legislative response to the Supreme Court ruling of 2016 limiting the preferential treatment accorded by the Working Environment Act to part-time employees seeking full-time employment;



(d) Consider abolishing the au pair system with a view to preventing the exploitation of women and girls, in particular in the form of forced labour in households.

Cross-reference. Women

EDUCATION – GENDER SEGREGATION CEDAW/C/NOR/CO/9

35. The Committee recommends that the State party:

(a) Reinforce programmes aimed at combating gender segregation in the education sector at all levels, including with respect to non-traditional educational and occupational choices, while taking into account sociocultural factors;



(b) Consider introducing temporary special measures, such as a mandatory statutory quota, to ensure the equal representation of women in high-level academic posts;



(c) Reduce the dropout rate at the upper secondary level for girls and boys with a migration background or whose parents have lower levels of education.



Cross-reference: Women

STEREOTYPES AND HARMFUL PRACTICES CEDAW/C/NOR/CO/9

23. The Committee recommends that the State party:

(a) Systematically collect disaggregated data on harmful practices in the State party and report them to the Committee in its next periodic report;



(b) Strengthen primary and secondary education on gender stereotypes, prejudice, gender identity and gender roles, including on various forms of stereotypes affecting minority women and girls, in particular Sami women and women with a migrant background;



(c) Allocate resources for research into the root causes and possible impact of over-sexualized representations of girls and women in the media and the possible connections between sexualization and pornography and the root causes of gender-based violence, in particular in relation to girls;



(d) Step up the implementation of the action plan against hate speech, which should provide for a monitoring mechanism to assess the impact of the measures taken and design remedial action, with a special focus on women facing intersecting forms of discrimination based on gender and racially, ethnically, religiously and nationalistically motivated hate speech, lesbian, bisexual and transgender women and intersex persons, and women with disabilities;



(e) Amend section 185 of the Penal Code to add gender to the list of actions that qualify as criminal hateful expressions.



Cross-reference: Women, indigenous people, national minorities, Person with an immigrant background; hate speech; Persons with disabilities

CHILDREN – NON-DISCRIMINATION CRC/C/NOR/CO/5-6

12. The Committee recommends that the State party:



(a) Allocate resources for research into the root causes and possible impact of over-sexualized representations of girls in the media and the possible connections between sexualization and pornography and the root causes of gender-based violence, in particular in relation to girls, in line with the recommendation by the Committee on the Elimination of Discrimination against Women (CEDAW/C/NOR/CO/9, para. 23 (c));



(b) Research and develop specific measures on how to address the particular difficulties and discrimination faced by many children with an immigrant background, and train teachers accordingly, and include the results of the ongoing survey on the living conditions of Norwegian-born children of immigrant parents in its seventh periodic report to the Committee;



(c) Develop a new plan of action for promoting gender equality and preventing ethnic discrimination;



(d) Take awareness-raising measures to foster tolerance and openness about non-conformity with gender stereotypes and the harmful effects of social pressure, targeting the public at large, in addition to awareness-raising campaigns specifically targeting children.

Cross-reference: Children

5.2 Persons with an immigrant backgrounds

EMPLOYMENT AND HOUSING CCPR/C/NOR/CO/7



9. The State party should ensure equal treatment for everyone in its territory, regardless of a person's national or ethnic origin. It should address the high rates of unemployment of persons with an immigrant background through ensuring equal rights to employment and eliminating discriminatory practices in the employment sector. It should evaluate the effectiveness of its strategy on housing and welfare and take measures to eliminate discriminatory practices and barriers, such as higher rents and more restrictive contractual terms, affecting persons with an immigrant background in the housing sector.

ETHNIC PROFILING CCPR/C/NOR/CO/7



11. The State party should revise the Immigration Act to ensure that its laws clearly prohibit ethnic profiling by the police and prevent disparate treatment on the basis of physical appearance, colour or ethnic or national origin. It should continue to provide all law enforcement personnel with training in order to effectively prevent ethnic profiling.

6. Specific persons and groups

6.1 Persons with mental health issues

COERCIVE MEASURES IN MENTAL HEALTH-CARE INSTITUTIONS CCPR/C/NOR/CO/7

23. The State party should guarantee in law that non-consensual psychiatric treatment may only be applied, if at all, in exceptional cases as a measure of last resort and when absolutely necessary to protect the health or the life of the person concerned, provided that he or she is unable to give consent, and for the shortest possible time under independent review. The State party should promote psychiatric care aimed at preserving the dignity of patients, both adults and minors. It should draw on the study funded by the Research Council of Norway on the current use of coercive measures in mental health care, with a view to ensure compliance with human rights standards. The State party should increase procedural safeguards for patients and stipulate in law the circumstances allowing for the limited use of coercive electroconvulsive treatment.



USE OF COERCIVE MEASURES IN PSYCHIATRIC HEALTH CARE CAT/C/NOR/CO/8

22. The Committee reiterates its recommendation (see CAT/C/NOR/CO/6-7, para. 14) that the State party:

(a) Ensure that every competent patient, whether admitted voluntarily or involuntarily, is fully informed about the treatment to be prescribed, including shielding, and given the opportunity to refuse shielding, treatment or any other medical interventions, such as the administration of neuroleptic drugs and electroconvulsive treatment;



(b) Promote psychiatric care aimed at preserving the dignity of patients, both adults and minors, and continue its efforts to end the unjustified use of coercive force, including by further amending legislation;



(c) Employ coercive measures in mental health care only in compliance with human rights standards and prescribe by law any derogations to the principle of free and informed consent, which should only relate to clearly and strictly defined exceptional circumstances;



(d) Ensure that non-consensual coercive measures are formally registered and patients are informed about them in writing;





(e) Ensure that non-consensual psychiatric treatment, if applied at all, is only used in exceptional cases as a measure of last resort, for the shortest possible period of time and when absolutely necessary to protect the health or life of the person concerned, only if he or she is unable to give consent and under independent review;



(f) Provide clear and detailed regulations on the use of restraints, including restraint beds, and other coercive methods in psychiatric institutions, with the aim of substantially reducing their use and duration of use, and prevent geographical differences in these indicators;



(g) Establish clear and effective procedural safeguards for patients, including provisions in law for assisted decision-making by proxy and effective complaints mechanisms, and ensure patients' effective access to legal advice, including free legal aid, as well as obligatory information to patients about this right, for as long as it is required, and that they are not subject to retribution by staff if they avail themselves of complaints mechanisms;



(h) Strengthen the regulatory framework and stipulate in law the circumstances allowing for the limited use of coercive electroconvulsive treatment, and establish a system for the collection and publication of uniform statistical information on the use of restraints and other coercive methods, including electroconvulsive treatment, which should be officially registered and subjected to close scrutiny by the supervisory commissions;



(i) Consider incorporating into law the abolition of the enforced administration of intrusive and irreversible treatments, such as electroconvulsive therapy;



(j) Provide redress and rehabilitation to persons subjected to abusive and arbitrary non-consensual psychiatric treatment without procedural safeguards and independent supervision.

6.2 Women

HEALTH CEDAW/C/NOR/CO/9

39. The Committee recommends that the State party:



(a) Ensure sufficient numbers of midwives to provide appropriate health-care services to women during pregnancy, birth and the postnatal period and to their children;



(b) Ensure that all Sami women are provided with adequate health care and social services, including by disseminating more information about the development of a Sami health centre to the indigenous community, so as to enable a gender-sensitive, consultative and inclusive process;



(c) Provide the Committee with information and data on the health situation of Sami women and on the impact of the measures taken to overcome intersecting forms of discrimination in the health sector in its next periodic report.

Cross-reference: Indigenous people;

PENSION CEDAW/C/NOR/CO/9

41. The Committee recommends that the State party address the disproportionate percentage of women receiving the State minimum pension and take remedial measures to even out gender disparities, if any, after the conclusion of the evaluation of the reformed State pension system and employer-related pension system in 2018 to ensure their equal impact on women and men.



PARTICIPATION IN POLITICAL AND PUBLIC LIFE CEDAW/C/NOR/CO/9

31. The Committee recommends that the State party consider expanding the Local Election Day project with a view to increasing the number of women from ethnic and minority backgrounds in elected municipal bodies.



Cross-reference: Women; Political rights

WOMEN WITH DISABILITIES CEDAW/C/NOR/CO/9

43. The Committee recommends that the State party:

(a) Extend the scope of the white paper on equal terms to all persons, including women, with disabilities;



(b) Evaluate the issue of investigations and prosecutions of cases involving sexual violence against women with cognitive and psychosocial disabilities.



Cross-reference: Persons with the disabilities;

MARRIAGE AND FAMILY RELATIONS CEDAW/C/NOR/CO/9

49. The Committee reiterates its recommendations contained in paragraph 38 of its previous concluding observations (CEDAW/C/NOR/CO/8) and recommends that the State party:

(a) Ensure, in the case of divorce, that the concept of joint marital property extends to intangible property, including pension and insurance benefits and other career-related benefits, and that joint property is divided equally regardless of each spouse's individual contribution, and take further legal measures, as needed, to compensate for the unequal share of women in unpaid work and the resulting losses they may experience in their earning capacity, including by considering extending the possibility of awarding post-separation alimony or support awards, in line with the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution;



(b) Adopt the legal measures necessary to enhance the economic protection guaranteed to all women living in de facto relationships, in the form of recognizing their rights with respect to the property accumulated during the relationship, in line with the Committee's general recommendation No. 21 (1994) on equality in marriage and family relations;



(c) Ensure that gender-based violence against women in the domestic sphere is taken into account in child custody or visitation decisions, especially when alternate residence is contemplated.



6.3 Children

BEST INTERESTS OF THE CHILD CRC/C/NOR/CO/5-6

13. The Committee, with reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, recommends that the State party strengthen its efforts to:



(a) Establish clear criteria regarding the best interests of the child for all authorities that take decisions affecting children;



(b) Ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, as well as in all policies, programmes, projects and international cooperation relevant to and having an impact on children.

RESPECT FOR THE VIEWS OF THE CHILD CRC/C/NOR/CO/5-6

14. While noting with appreciation that the State party's legal framework is, to a large extent, in line with the principles enshrined in article 12 of the Convention, the Committee recommends that the State party:



(a) Increase its efforts to strengthen compliance in practice with the child's right to be heard, in particular with regard to children who are more vulnerable to exclusion in this regard, such as children with disabilities, children of a younger age and migrant, asylum-seeking and refugee children;



(b) Ensure that relevant professionals are regularly trained on implementing an age-appropriate, meaningful and empowered participation of children in decisions affecting their lives and sensitizing parents to the positive impact of respecting the views of their children;



(c) Strengthen the implementation of the child's right to be heard in asylum and expulsion procedures affecting children, particularly with respect to younger children, and ensure that children are given the possibility to be heard individually in all instances in all cases affecting them;



(d) Ensure that children are informed about the possibility of participating in mediation processes in the context of their parents' separation;



(e) Increase its efforts to ensure the meaningful participation of children in youth councils or other forums accessible to all children in all municipalities, address disparities in this regard and consider requiring each municipality to make participation in such forums or other types of participative bodies available to children.

ABUSE AND NEGLECT CRC/C/NOR/CO/5-6

16. While noting with appreciation the many legislative and policy measures taken by the State party to prevent and address violence against children, the Committee, with reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, and target 16.2 of the Sustainable Development Goals, on ending abuse, exploitation, trafficking and all forms of violence against and torture of children, recommends that the State party:

(a) Increase its efforts to promote positive, non-violent and participatory forms of child-rearing and discipline, with the cooperation of the media and by offering information sessions for parents and parents-to-be on that topic and on the illegality of violence against children;



(b) Ensure that children have access to a helpline available 24 hours a day, seven days a week, as well as to other reporting avenues, such as specially designated and trained staff, for example, school nurses, who can be approached confidentially, and special service desks at the municipal level, and ensure that children are informed about those reporting avenues;



(c) In the light of information before the Committee indicating that students have on occasion been subjected to violence from adults in schools, investigate the occurrence of violence and threats by teaching and school staff and develop and implement a zero-tolerance policy with a view to ensuring that each allegation of violence is duly investigated;



(d) Ensure that child victims of violence and abuse are provided with adequate support at the municipal level and strengthen the capacities of municipalities in that regard.



Cross-reference: Prevention and punishment of violence

SEXUAL EXPLOITATION AND ABUSE CRC/C/NOR/CO/5-6

18. The Committee recommends that the State party increase its efforts to prevent the sexual abuse and exploitation of children and support the recovery and social reintegration of child victims and that it:

(a) Adopt a specific plan of action to combat violence against women and girls that focuses on the elimination of rape and other forms of sexual violence, including in the Sami community and includes specific components on preventing and combating sexual abuse and exploitation that occur or are initiated online, and increase efforts to prevent and combat grooming, sexual extortion and child pornography;



(b) Increase the allocation of human, technical and financial resources, including to the National Criminal Investigation Service (Kripos), to improve the protection of children who are particularly vulnerable to sexual abuse and exploitation;





(c) Amend section 291 of the Penal Code to ensure that the lack of free consent is at the centre of the definition of rape;



(d) Undertake awareness-raising campaigns to encourage reporting, with specific components targeted at boy victims, and ensure accessible, confidential, child-friendly and effective reporting channels;



(e) Undertake research and develop specific measures to prevent sexual abuse and exploitation of children by other children and ensure that perpetrators are provided with specific treatment;



(f) Ensure that data collected on sexual abuse and exploitation of children are disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background, and improve policies on the basis of the results of those data;



(g) Accelerate its efforts to ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

Cross-reference: Prevention and punishment of violence

HARMFUL PRACTICES CRC/C/NOR/CO/5-6

19. While welcoming the efforts undertaken by the State party to prevent harmful practices, including through the adoption of the Action Plan to Combat Negative Social Control, Forced Marriage and Female Genital Mutilation (2017–2020), the Committee recommends that the State party:



(a) Develop awareness-raising campaigns and programmes targeted at religious communities that conduct child marriages on the harmful effects of child marriage on the physical and mental health and well-being of girls;



(b) Conduct awareness-raising campaigns targeted at children on how to seek help if they fear being sent abroad to be subjected to female genital mutilation or child marriage and how they can attract the attention of border personnel.

Cross-reference: Prevention and punishment of violence

CHILDREN DEPRIVED OF A FAMILY ENVIRONMENT CRC/C/NOR/CO/5-6

21. Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee emphasizes that financial and material poverty – or conditions directly and uniquely attributable to such poverty – should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration. In this regard, the Committee recommends that the State party:



(a) Ensure that all forms of separation of children from their parents are always in the best interests of the child, including by:

- (i) Reviewing the current practices relating to out-of-home placements, deprivation of parental rights and limitation of contact rights with a view to ensuring that such drastic steps are only used as measures of last resort, are based on the needs and best interests of the child and are subject to adequate safeguards, with a particular emphasis on children of Roma families, who, it seems, are being separated from their families with disproportionate frequency;
- (ii) Ensuring that all municipalities follow the same criteria regarding out-of-home placements;
- (iii) Providing parents with the necessary support to avoid separation from their children;

(b) Review the procedures for removing children in emergency cases and provide for a more sensitive approach, ensure that no form of coercion is used and provide regular training to relevant professionals in that regard;



(c) Conduct research on the reasons behind the significant disparities among counties regarding children subjected to alternative care measures and emergency placements;



(d) Ensure that siblings are not separated when placed in alternative care;

(e) Ensure periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing accessible channels for reporting and remedying maltreatment of children;



(f) Take the measures necessary, including adequate training of personnel, to ensure that children belonging to an indigenous or national minority group who are placed in alternative care learn about and maintain their connection to their native culture;

(g) Improve communication and information exchange between child welfare services and families, in particular migrant families.



CHILDREN OF INCARCERATED PARENTS CRC/C/NOR/CO/5-6

22. The Committee recommends that the State party ensure that children of incarcerated parents are provided with adequate psychological treatment and social support.



CHILDREN WITH DISABILITIES CRC/C/NOR/CO/5-6

23. The Committee welcomes the efforts made by the State party to adopt a human rights approach to disability and to strengthen the social inclusion of children with disabilities, including through the clause in the Equality and Anti-Discrimination Act to expand the universal design obligation to information and communications technology in the education sector. With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party:



(a) Further increase its efforts to combat violence against and abuse and neglect of children with disabilities, including through research on the forms and frequency of violence that children with disabilities are subjected to, and ensure that children with disabilities, in particular those with intellectual disabilities, have accessible and suitable reporting channels at their disposal;



(b) Ensure that all cases of violence, including sexual violence, against children with disabilities, are systematically registered by the authorities, and that child victims have adequate access to redress and rehabilitation measures and support services;



(c) Further strengthen efforts to prevent institutionalization and eliminate the possibility of institutionalization without the consent of the child and/or the child's parents;



(d) Ensure, in the light of the outcome of the report of 1 April 2018 on inclusive education by the expert group for children and young people who need special adaptation, that inclusive education becomes more inclusive, more adapted to the needs of children with disabilities and obtains better results, with higher quality;



(e) Ensure that inclusion is given priority over placement in special education institutions or classes, increase the training and assignment of specialized teachers and professionals providing individual support in inclusive classes and improve the physical accessibility of schools;



(f) Further increase the support provided to parents of children with disabilities and remove obstacles to accessing support, which, reportedly, affect in particular children from families of ethnic minority groups, and eliminate the disparities among municipalities with regard to the provision of personal assistance.

Cross-reference: Prevention and punishment of violence; Persons with disabilities

HEALTH AND HEALTH SERVICES CRC/C/NOR/CO/5-6

24. The Committee notes with appreciation the increase in funds for health centres and school health services. With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:



(a) Ensure that municipalities are allocated sufficient funds for health services for children, on the basis of the individual needs of the municipalities;



(b) Ensure that reception facilities for child victims of violence and sexual abuse have a clearly defined organizational structure in order to guarantee that child victims receive prompt attention;



(c) Provide children who have irregular residence status with immediate access to health-care institutions so that they can receive the necessary treatment, independently of considerations regarding their departure date.

Cross-reference: Prevention and punishment of violence; Right to Health; Asylum seekers

MENTAL HEALTH CRC/C/NOR/CO/5-6

26. The Committee recommends that the State party:

(a) Allocate sufficient resources to the mental health sector, both in general and according to the individual needs of each municipality;



(b) Investigate the causes of suicidal tendencies, particularly among transgender children and children in migration reception centres, and ensure that measures are developed to prevent such tendencies and that health personnel are adequately trained in that regard;



(c) Improve the diagnosis of mental health problems among children and ensure that any initial diagnosis of ADHD is reassessed, that appropriate non-medical, scientifically based psychiatric counselling and specialist support for children, their parents and teachers are given priority over the prescription of drugs in addressing ADHD and other behavioural specificities, with particular attention given to boys, and that parents and children are informed about the negative side effects of treatments with psychostimulants and are provided with information on non-medical treatments.



Cross-reference: Person with mental health issues

STANDARD OF LIVING CRC/C/NOR/CO/5-6

28. While noting the introduction of the strategy "Children Living in Poverty (2015–2017)", the Committee, in the light of ongoing child poverty, draws the State party's attention to target 1.3 of the Sustainable Development Goals on implementing nationally appropriate social protection systems and measures for all, and recommends that the State party increase the resources allocated to combating child poverty, including by increasing child benefit rates and by adjusting them in accordance with wage inflation.



Cross-reference: Adequate standard of living

REST, LEISURE, RECREATION AND CULTURAL AND ARTISTIC ACTIVITIES CRC/C/NOR/CO/5-6

30. The Committee welcomes the Fritidserklæringen declaration, which enables Norwegian children to participate free of charge in an activity in their spare time. It draws the State party's attention to its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, and recommends that the State party increase opportunities for children with limited financial means, those with disabilities, those with a minority ethnic background and those from an isolated religious community to benefit from access to safe, accessible, inclusive spaces for play and recreational activities.



Cross-reference: Cultural rights

SALE, TRAFFICKING AND ABDUCTION CRC/C/NOR/CO/5-6

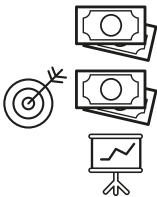
34. The Committee welcomes the efforts undertaken by the State party to combat trafficking in children, including by strengthening the relevant legal regime in the Penal Code, and the plan of action to prevent and combat human trafficking (2016). It recommends that the State party increase its efforts to combat trafficking in children by vigorously tackling the demand for such trafficking, and that it:



(a) Strengthen effective policies and procedures to identify and support child victims of trafficking and sexual exploitation, as well as children who are at particular risk of falling victim to such crimes, and protect children from additional factors that may increase their vulnerability to trafficking, such as unsupervised exposure to the Internet;



(b) Undertake specific efforts to eliminate discrepancies in the application of the definition of trafficking by municipalities, which is particularly necessary with respect to children who are not yet residents;



(c) Allocate additional resources to identify perpetrators of such crimes and bring them to justice;

(d) Improve coordination in providing assistance to child victims of trafficking;

(e) Conduct research to better assess the scope of trafficking in the State party.

Cross-reference: prevention and punishment of violence

6.4 Rights of indigenous peoples

SAMI RIGHTS CCPR/C/NOR/CO/7

37. The State party should:



(a) Step up its efforts to combat stereotypical and discriminatory attitudes and discriminatory practices towards Sami individuals and the Sami peoples;



(b) Ensure meaningful consultation with the Sami peoples in practice and adopt a law for consultations with a view to obtaining their free, prior and informed consent, in consultation with them;



(c) Address any outstanding concerns and facilitate the speedy adoption of the Nordic Sami Convention;



(d) Enhance the legal framework on Sami land, fishing and reindeer rights, ensuring in particular that fishing rights are recognized by law;



(e) Ensure effective and speedy follow-up to the proposals of the Sami Rights Committee of 2007 regarding land and resource rights in Sami areas outside of Finnmark;



(f) Increase the recruitment and training of Sami language teachers and increase the availability of Sami language instruction for Sami children in kindergarten in all regions.

CHILDREN BELONGING TO MINORITY GROUPS AND INDIGENOUS CHILDREN CRC/C/NOR/CO/5-6

33. With reference to its general comment No. 11 (2009) on indigenous children and their rights under the Convention, the Committee recommends that the State party:

(a) Enforce the right of all Sami children of school age to Sami-language education and ensure that the new Education Act significantly strengthens their rights, regardless of their residency status;



(b) Undertake research on violence against and sexual abuse of children among the Sami population, develop specific intervention measures and ensure that the perpetrators of such crimes against Sami children are brought to justice;



(c) Increase its efforts to combat discrimination, hate speech and violence against Sami children, Roma children and children from other minority groups, including specific measures to combat the intersecting and multiple forms of gender-based discrimination that affect girls from minority groups and take measures to increase knowledge about indigenous and minority groups and their rights among the general public.



Cross-reference: Equality and non-discrimination, hate speech, National minorities, Persons with an immigrant backgrounds

6.5 Asylum seekers

NON-REFOULEMENT CCPR/C/NOR/CO/7

33. The State party should amend the Immigration Act to ensure greater protection of asylum seekers from refoulement and chain refoulement, in accordance with international standards. It should consider all asylum applications on the basis of their merits and ensure an in-country appeals system for rejected applications. It should respect the principle of non-refoulement by ensuring that asylum seekers are not extradited, deported or expelled to a country in which there are substantial grounds for believing that there is a real risk of irreparable harm, such as that set out in articles 6 and 7 of the Covenant.



IMMIGRATION DETENTION FACILITIES CAT/C/NOR/CO/8

28. The Committee reiterates (see CAT/C/NOR/CO/6-7, para. 15) that the State party should ensure that persons held at the Trandum Holding Centre, together with those in other immigration detention facilities, are treated in accordance with the law and are held only for the duration prescribed by law, and that the prevailing conditions and treatment are in line with international standards, including the Nelson Mandela Rules. They should also enjoy all safeguards with regard to non-refoulement. The State party should ensure that prompt mandatory offers of medical examinations are provided to persons accommodated in all the centres promptly upon arrival and establish procedures for identifying torture victims among asylum seekers and for assessing the risk of torture in cases of deportation.



Cross-reference: Physical and moral integrity

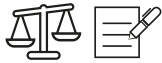


WOMEN CEDAW/C/NOR/CO/9

45. In line with its general recommendations No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women and No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee calls upon the State party to continue to apply a gender-sensitive approach in receiving refugee and asylum-seeking women and in considering asylum claims, thereby ensuring that the protection needs of asylum-seeking and refugee women and girls arriving in the State party are addressed as a priority concern.

Cross-reference: Women

6.6 Asylum seekers minors



UNACCOMPANIED MINORS CCPR/C/NOR/CO/7

31. The State party should eliminate differential treatment of unaccompanied asylum-seeking minors aged between 15 and 18 and provide them with the same level of care as that provided by the Child Welfare Services. It should investigate and take measures to address the underlying causes of disappearances of unaccompanied asylum-seeking minors from reception centres.

Cross-reference: Children



ASYLUM-SEEKING MINORS CAT/C/NOR/CO/8

26. The State party should ensure that unaccompanied asylum-seeking minors aged between 15 and 18 are provided with the same quality of care that is given to children cared for by the child welfare services, and strengthen their protection. It should ensure the effective prevention of such cases in which young asylum seekers go missing, as well as a thorough investigation when they occur, including an effective police investigation and prosecution of cases of trafficking.

Cross-reference: Children

ASYLUM-SEEKING, REFUGEE AND MIGRANT CHILDREN CRC/C/NOR/CO/5-6

32. In the light of its general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin, and joint general comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration, the Committee recommends that the State party:



(a) Consider establishing a system to automatically reassess temporary residency permits of unaccompanied children and issuing residence permits of a longer duration;



(b) Address additional root causes of the disappearance of children from reception centres;

(c) Increase its efforts to search for missing children, provide them with the necessary protection, redress and rehabilitation and ensure that, if they have fallen victim to crimes, the perpetrators are brought to justice;



(d) Under no circumstances deport children and their families back to countries where there is a risk of irreparable harm to the children such as, but by no means limited to, those contemplated under articles 6 (1) and 37 of the Convention;



(e) Place children and their families in reception centres only for the shortest time possible, and increase the human, technical and financial resources allocated to reception centres with a view to ensuring adequate conditions for children during their residency therein and to ensuring in particular that they are protected from violence, that their mental health needs are assessed and that they have access to nutritious food;



(f) Ensure that under no circumstances are children placed in detention on the basis of their immigration status;



(g) Ensure that unaccompanied children in all municipalities, including those above 15 years of age, receive good-quality care.



Cross-reference: Children

6.7 Nationality and statelessness

STATELESSNESS CCPR/C/NOR/CO/7

35. The State party should include a legal definition of stateless persons in its legislation, and establish legal and other safeguards to ensure that all children born in the State party are entitled to a nationality at birth, even if it is not the nationality of the State party, as stated in general comment No. 17 (1989) on the rights of the child. It should also provide for a specific procedure to determine statelessness, in line with international standards.



NATIONALITY CEDAW/C/NOR/CO/9

33. The Committee recommends that the State party:

(a) Adopt the proposed amendments to its nationality and citizenship laws to allow for dual citizenship to reduce the risk for foreign spouses, upon dissolution of a marriage to a Norwegian spouse, of becoming stateless and losing custody of their children born in the State party;



(b) Ensure birth registration of children born to refugee and asylum-seeking women;



(c) Review the threshold for proving partner abuse in the context of the requirement for obtaining permanent residence status of three years of temporary residence, and implement the proposal to grant an independent right to stay to foreign women who are abused by persons other than their partners;





(d) Review immigration laws and policies to ensure that they do not have disproportionate consequences for ethnic minority, refugee and asylum-seeking women and girls.

Cross-reference: Women

NATIONALITY CHILDREN CRC/C/NOR/CO/5-6

15. The Committee, taking note of target 16.9 of the Sustainable Development Goals, on providing legal identity for all, including birth registration, and in line with the recommendation made by the Human Rights Committee (CCPR/C/NOR/CO/7, para. 35), recommends that the State party:



(a) Establish all necessary safeguards to ensure that all children born in the State party are entitled to a nationality at birth if otherwise stateless;



(b) Provide in the law a specific definition of statelessness, in line with international standards.

Cross-reference: Children

7. General framework of implementation

7.1 Ratifications, reservations and incorporation

HRC – RESERVATIONS CCPR/C/NOR/CO/7

7. The State party should review the justifications for, and the necessity of, maintaining its reservations to articles 10, 14 and 20 of the Covenant with a view to withdrawing them.



CEDAW – RATIFICATION OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS CEDAW/C/NOR/CO/9

53. The Committee notes that the adherence of the State party to the nine major international human rights instruments would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.



CAT – RATIFICATION OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS CAT/C/NOR/CO/8

34. The Committee invites the State party to ratify the core United Nations human rights treaties to which it is not yet party.



CAT – INCORPORATION CAT/C/NOR/CO/8

10. The Committee reiterates its recommendation (see CAT/C/NOR/CO/6-7, para. 6) that the State party further consider incorporating all provisions of the convention into domestic law in order to allow the Convention to be directly invoked in court



Cross-reference: Physical and moral integrity

CRC – RATIFICATION OF THE OPTIONAL PROTOCOL CRC/C/NOR/CO/5-6

38. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.



Cross-reference: Children



CRC – RATIFICATION OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS CRC/C/NOR/CO/5-6

39. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments to which it is not yet a party:

- (a) Convention for the Protection of All Persons from Enforced Disappearance;
- (b) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

7.2 Legal framework



FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION CCPR/C/NOR/CO/7

19. The State party should guarantee the freedom of thought, conscience and religion equally to all citizens and should include this right in the human rights chapter of the Constitution, taking into account the Committee's general comment No. 22 (1993) on the right to freedom of thought, conscience and religion.

Cross-references: Freedom of thought, conscience and religion



DEFINITION OF TORTURE CAT/C/NOR/CO/8

8. While taking note of the State party's explanation, the Committee invites the State party to reconsider amending its current definition of torture in domestic legislation, in order to align it fully with the definition contained in article 1 of the Convention. The Committee draws the State party's attention to its general comment No. 2 (2007) on the implementation of article 2, in which it states that serious discrepancies between the Convention's definition and that incorporated into domestic law create actual or potential loopholes for impunity.

Cross references: Right to physical and moral integrity;



GENDER – LEGISLATIVE FRAMEWORK CEDAW/C/NOR/CO/9

13. The Committee calls upon the State party to:



(a) Include a gender-sensitive rather than gender-neutral approach in its legislation, policies and programmes, in line with paragraph 5 of the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention;



(b) Strengthen the gender equality and non-discrimination requirements in the Assessment Procedure Instructions;

(c) Take the necessary measures to ensure that the new Equality and Anti-Discrimination Law does not erode structural activities for the promotion of gender equality, including by closely monitoring its implementation and by reinstating the reporting obligations for private and public employers in relation to gender as a ground of discrimination, as requested by Parliament.

Cross-reference: Equality and non-discrimination

SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY CRC/C/NOR/CO/5-6

36. While noting with appreciation the State party's efforts to implement the Committee's recommendations from 2005 on the State party's report under the Optional Protocol on the sale of children, child prostitution and child pornography (09378), the Committee recommends that the State party:

(a) Bring its Penal Code fully into line with the Optional Protocol, including by ensuring that it explicitly prohibits the sale of children;



(b) Apply sanctions to the purchase of sexual services from children and for activities involving child pornography that take into account the grave nature of those offences;



(c) Adopt specific legislation on the obligations of Internet service providers in relation to child pornography on the Internet;



(d) Abolish the requirement of double criminality regarding extraterritorial jurisdiction for offences related to the Optional Protocol;



(e) Make the necessary legislative amendments to ensure that children who are victims of sexual exploitation abroad and in the context of travel and tourism can also bring claims under the Tort Liability Act;



Cross-reference: Children

7.3 Institutional framework

NATIONAL MECHANISM FOR ADVANCING WOMEN CEDAW/C/NOR/CO/9

19. The Committee recommends that the State party:

(a) Ensure that the restructuring of the Equality and Anti-Discrimination Tribunal and the Equality and Anti-Discrimination Ombud does not weaken their respective mandates for the promotion of gender equality and protection against discrimination, in particular during a transitional period;



(b) Strengthen the resources of the Equality and Anti-Discrimination Ombud, who will be stripped of the mandate of dealing with individual cases, so as to enable the Ombud to assist women in bringing cases, including complex cases such as those based on multiple forms of discrimination, before the Equality and Anti-Discrimination Tribunal (as a form of free legal aid), and extend the authority of the Tribunal to award compensation in cases other than employment discrimination, including cases of sexual harassment;



(c) Renounce the envisaged budget cuts for non-governmental organizations providing legal aid to vulnerable groups of women and allocate sufficient human, technical and financial resources for providing free legal aid to women complainants.



Cross-reference: Women



CHILDREN – INDEPENDENT MONITORING CRC/C/NOR/CO/5-6

8. With reference to its general comment No. 2 (2002) on the role of independent human rights institutions, and in line with its previous recommendations (CRC/C/NOR/CO/4, para. 14) the Committee recommends that the State party take measures to ensure that the Ombudsman for Children and/or the National Human Rights Institution are entrusted with the mandate to receive, investigate and address complaints by children, in all areas that concern them, in a child-sensitive manner.

Cross-reference: Children

7.4 Policies and strategies

WOMEN CEDAW/C/NOR/CO/9



50. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action, in its efforts to implement the provisions of the Convention.

Cross-reference: Women

WOMEN AND PEACE AND SECURITY CEDAW/C/NOR/CO/9



17. The Committee recommends that the State party maintain its dedication to ensuring the effective implementation of Security Council resolution 1325 (2000) on women, peace and security and subsequent resolutions in countries affected by conflict, including through ensuring that the State party's National Action Plans contribute to significantly increasing women's participation in peace processes, in particular in peace negotiations.

Cross-reference: Women

WOMEN – ENVIRONMENT CEDAW/C/NOR/CO/9



15. The Committee recommends that the State party review its climate change and energy policies, specifically its policy on the extraction of oil and gas, to ensure that they take into account the disproportionate negative effects of climate change on the rights of women.

Cross-reference: Women

WOMEN IN MANAGEMENT POSITIONS CEDAW/C/NOR/CO/9



21. The Committee recommends that the State party make use of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, including by providing appropriate incentives, such as gender scorecards, and carrying out campaigns targeting decision makers and shareholders of private companies, in particular of the 200 largest Norwegian companies, to significantly increase the number of women executive board members and chief executive officers.

Cross-reference: Women

WOMEN – SDG CEDAW/C/NOR/CO/9

51. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.



Cross-reference: Women

CHILDREN – COMPREHENSIVE POLICY AND STRATEGY CRC/C/NOR/CO/5-6

5. While noting with appreciation the services provided by local authorities, the Committee recommends that the State party increase efforts to eliminate regional disparities in service provision, and that any plans and measures to increase the autonomy of local authorities be matched with clear guidelines to ensure that services are of equally high quality throughout the State party.



Cross-reference: Children

CHILDREN – ALLOCATION OF RESOURCES CRC/C/NOR/CO/5-6

6. With reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:

- (a) Conduct a comprehensive assessment of the budget needs for children, with a particular emphasis on children in vulnerable and marginalized situations;
- (b) Allocate adequate budgetary resources, in accordance with article 4 of the Convention;
- (c) Significantly strengthen efforts to ensure that each municipality is allocated the necessary funds to fulfil its obligations with regards to implementing children's rights;
- (d) Allocate earmarked funds to local authorities instead of block grants so as to ensure that funds intended for the implementation of child rights are adequately used for their intended purpose.



Cross-reference: Children

CHILDREN – ENVIRONMENT CRC/C/NOR/CO/5-6

27. In the light of the State party's exploitation of fossil fuels, the Committee recommends that it increase its focus on alternative energy and establish safeguards to protect children, both in the State party as well as abroad, from the negative impacts of fossil fuels.



Cross-reference: Children

CHILDREN – COOPERATION WITH REGIONAL BODIES CRC/C/NOR/CO/5-6

40. The Committee recommends that the State party cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other Council of Europe member States.



Cross-reference: Children

CHILDREN IN ARMED CONFLICT CRC/C/NOR/CO/5-6

37. While noting with appreciation the State party's efforts to implement the Committee's recommendations from 2007 on the State party's report under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/NOR/CO/1), the Committee recommends that the State party:



(a) Raise the minimum age of volunteers joining the Home Guard from 16 years of age to 18 years of age;



(b) Provide systematic and recurrent training on the Optional Protocol for all relevant professional groups working with and for children;



(c) Take appropriate bilateral measures to follow up on asylum-seeking children who have been recruited or used in hostilities and returned from Norway to their home countries;



(d) Identify children who have been recruited or used in hostilities who are residing in the State party and provide them with adequate support and supervision, as well as adequate psychological and psychiatric care.

Cross-reference: Children

7.5 Statistics

CHILDREN – DATA COLLECTION CRC/C/NOR/CO/5-6



9. The Committee, while welcoming the availability of disaggregated data on a significant number of issues, encourages the State party to increase its efforts to ensure that its data-collection system allows for the collection of disaggregated data related to all areas of the Convention. In this regard, the Committee recommends that the State party disaggregate data by ethnicity, as the absence of such data prevents the State party from gaining the knowledge needed to measure discrimination based on ethnicity and develop measures to overcome it, in particular regarding children exposed to intersecting forms of discrimination.

Cross-reference: Children

7.6 Dissemination, awareness-raising and training

CAT – TRAINING CAT/C/NOR/CO/8

30. The State party should:



(a) Ensure that the Istanbul Protocol is made an essential part of the training for all medical professionals and other public officials involved in work with persons deprived of their liberty;



(b) Make training on the provisions of the Convention and the absolute prohibition of torture mandatory for law enforcement and prison officials as well as for judges, prosecutors and lawyers;

(c) Develop and implement specific methodologies to assess the effectiveness and impact of training and educational programmes provided to relevant public officials on the provisions of the Convention in terms of reducing the number of cases of torture.



CRC – TRAINING CRC/C/NOR/CO/5-6

10. The Committee notes with appreciation the efforts undertaken to provide training on the Convention to relevant professionals. However, given that the training provided still does not fully cover all professional groups and is not systematic, and that knowledge of the rights of the child among relevant professional groups remains insufficient, the Committee, in line with its previous recommendations (CRC/C/NOR/CO/4, para. 18), recommends that:

- (a) Instruction on the Convention be a part of school curricula at all levels;
- (b) The State party continue and strengthen the systematic dissemination of relevant information to and training of all professional groups working for and with children, including personnel of childcare institutions, health personnel, social workers and law enforcement officials;
- (c) Awareness of children’s rights be increased in policymaking bodies and municipal administrations.



Cross-reference: Children

CRC – EDUCATION, INCLUDING VOCATIONAL TRAINING AND GUIDANCE CRC/C/NOR/CO/5-6

29. In the light of the Committee’s general comment No. 1 (2001) on the aims of education, and target 4.7 of the Sustainable Development Goals on ensuring that all learners acquire the knowledge and skills needed to promote sustainable development, the Committee recommends that the State party:

- (a) Increase its efforts to implement a zero-tolerance approach to discrimination on the grounds of race, migration status, sexual orientation or gender identity in the school context and expand the scope of that approach to include private schools and by ensuring recurrent training for all school staff members on equality and gender identity and addressing all forms of discrimination, as well as civic instruction for students on the importance and methods of combating and reporting instances of discrimination. The State party should also develop a new plan of action for promoting gender equality and preventing discrimination on the ground of ethnicity;
- (b) Continue its efforts to combat bullying and raise awareness of its harmful effects, with particular emphasis on the prevention of cyberbullying and on how children can defend themselves against cyberbullying, introduce mandatory elements into school curricula at all education levels on tolerance for diversity, non-violent conflict resolution skills and the judicious and safe use of the Internet, further build the capacity of teachers and school personnel in that regard and ensure that schools conduct special information sessions for parents on those issues.



Cross-reference: Children, Equality and non-discrimination; hate speech,

7.7 Follow-up of the recommendations



HRC – IMPLEMENTATION AND VISIBILITY OF THE CONVENTION CCPR/C/NOR/CO/7

38. The State party should widely disseminate the Covenant, the two Optional Protocols to the Covenant, its seventh periodic report and the present concluding observations with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public. The State party should ensure that the report and the present concluding observations are translated into its official languages.

CEDAW – IMPLEMENTATION AND VISIBILITY OF THE CONVENTION CEDAW/C/NOR/CO/9

11. The Committee calls upon the State party to:



(a) Devise a comprehensive programme for the implementation of the present concluding observations, and ensure the dissemination of the present concluding observations, the Convention, its Optional Protocol and the Committee's general recommendations among all stakeholders, including Government and law enforcement officials, and the judiciary, and include the views adopted on individual communications and the findings adopted on inquiries under the Optional Protocol as well as the Committee's general recommendations in judicial training and capacity building programmes



(b) Intensify its efforts to raise awareness among women, in particular women belonging to ethnic minority groups and migrant women, on their rights under the Convention and the Optional Protocol.

Cross-reference: Women

CEDAW – FOLLOW-UP AND DISSEMINATION CEDAW/C/NOR/CO/9



52. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant state institutions at all levels (national, regional, local), in particular to the Government, the ministries, Parliament, and the judiciary, to enable their full implementation.

Cross-reference: Women

CAT – FOLLOW-UP AND DISSEMINATION CAT/C/NOR/CO/8



35. The State party is requested to disseminate widely the report submitted to the Committee and the present concluding observations, in appropriate languages, through official websites, the media and non-governmental organizations.

CRC – FOLLOW-UP AND DISSEMINATION CRC/C/NOR/CO/5-6

41. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.



Cross-reference: Children

CRC – NATIONAL MECHANISM FOR REPORTING AND FOLLOW-UP CRC/C/NOR/CO/5-6

41. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.



42. The Committee recommends that the State party establish and/or strengthen a national mechanism for reporting and follow-up as a standing government structure that is mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms, as well as with coordinating and tracking national follow-up to and implementation of the treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution and civil society.



Cross-reference: Children

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