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Norway

Country Reports on Human Rights Practices - [2005](#)

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Norway is a parliamentary democracy and constitutional monarchy with King Harald V as head of state. With a population of approximately 4.6 million, the country is governed by a prime minister, a cabinet, and the 169-seat *Storting* (parliament) that is elected every 4 years and cannot be dissolved. Free and fair elections to the modified, multiparty unicameral parliament were held in September. The civilian authorities generally maintained effective control of the security forces.

The government generally respected the rights of its citizens, and the law and the independent judiciary provided effective means of addressing isolated instances of abuse. The following human rights problems were reported:

- violence against women
- trafficking in persons

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Prison conditions generally met international standards, and the government permitted visits by independent human rights observers; however, no such visits took place during the year.

Juveniles aged 15 to 18 were held separately from the general prison population. Social welfare authorities generally cared for those under the age of 15.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The national police have primary responsibility for internal security; however, the police may call on the armed forces for assistance in times of crisis, such as internal disorder or natural catastrophe. In such circumstances, the armed forces are under police authority. The Ministry of Justice and the Police oversees the police forces.

The police force was effective, and corruption was not generally a problem. Adequate measures were in place to investigate police abuses.

Reports of corruption within the police force were investigated by the independent police complaint commission.

Arrest and Detention

The law requires warrants for arrests, and police generally arrested a person based on a warrant authorized by a prosecutor. Police must file charges against detained persons within four hours, and detainees were promptly informed of the charges against them. An arrested suspect must be arraigned within 24 hours, at which time the arraignment judge determines whether the accused should be held in custody or released pending trial. This legal provision was upheld in practice. Arrested persons were allowed prompt access to a lawyer of their choosing or, if they could not afford one, to an attorney appointed by the government. Arrested persons were generally allowed access to family members.

There was no bail system or similar mechanism. Defendants accused of minor crimes are released pending trial. Convicted offenders are put on a waiting list to serve their jail sentence. Defendants accused of serious or violent crimes remain in jail until trial.

There were no reports of political detainees.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice.

The court system consists of the Supreme Court, the appeals selection committee of the Supreme Court, six appellate courts, and a number of district courts which hear both civil and criminal cases. District court rulings may be appealed progressively by either party, but the appeals selection committee refers only cases of great importance to the Supreme Court. There are a few specialized courts, including the labor court and the land ownership severance courts.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right.

Trials are public, but juries are only used in criminal cases heard by the court of appeals. Charges are stated clearly and formally, and defendants enjoy a presumption of innocence. All defendants have the right to be present, to have counsel (at public expense if needed), to confront and question witnesses, to present evidence and witnesses, and to appeal. Defendants and their attorneys have access to government-held evidence relevant to their cases. The law extends the above rights to all citizens. Military personnel enjoy the same rights as other citizens but are tried by military courts.

Political Prisoners

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice and did not restrict academic freedom. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice.

The state church is the Evangelical Lutheran Church of Norway, which is supported financially by the government. The constitution requires that the king and at least one-half of the cabinet belong to this church. Other denominations operated freely.

A religious community is required to register with the government only if it desires financial support, which is provided by the government to all registered denominations on a proportional basis in accordance with membership.

The law provides that "religious knowledge and education in ethics" be taught as a subject in public schools. The course covers world religions and philosophy and promotes tolerance and respect for all religious beliefs; however, the course devotes the most time to Christianity. The course is mandatory, and there are no exceptions for children of other faiths; students may be exempted from participating in or performing specific religious acts such as church services or prayer, but they may not forgo instruction in the subject as a whole. Both Muslim communities and organizations for atheists have contested the legality of forced religious teaching. They lodged formal complaints in 2002 with the UN Human Rights Committee (UNHRC) and the European Court of Human Rights. Following the November 2004 UNHRC decision that the law violated the International Covenant on Civil and Political Rights, the government changed the law to emphasize that the course was intended to educate rather than proselytize. During the year the government implemented a new curriculum for the course and loosened the rules for exemption.

The law permits private or religious schools and day care centers to ask persons seeking employment whether they will respect and teach the denomination's beliefs and principles. Employers may reject applicants on the basis of their responses, but no statistics were available on how frequently this occurred.

Societal Abuses and Discrimination

The Jewish population was relatively small. There were no reports of anti-Semitic incidents during the year.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

d. Freedom of Movement, Travel, Emigration, and Repatriation

The law provides for these rights, and the government generally respected them in practice. The law prohibits forced exile, and the government did not employ it.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against *refoulement*, the return of persons to a country where they feared persecution. The government granted refugee status or asylum, and accepted refugees for resettlement.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol, and provided it to more than three thousand persons in 2004.

The government cooperated with the office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers. The government contracted with nongovernmental organizations (NGOs) to provide information to asylum seekers in their native languages, and to educate them about the asylum application process. Several NGOs offered additional legal counsel to persons whose initial applications were denied. To better communicate with the diverse group of asylum seekers, reception centers employed speakers of a wide range of languages.

The government required asylum seekers to make their claims in "safe countries" through which they traveled. The government used a "fast track" system to process asylum claims from nationals of "safe countries" within 48 hours of application. Persons were not excluded from consideration for asylum because they were from a "safe country."

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

Free and fair parliamentary elections held on September 12 resulted in the formation of a coalition government of the Labor, Socialist Left, and Center Left parties. Labor Party leader Jens Stoltenberg was named prime minister following multiparty negotiations.

There were 63 women in the 169-seat parliament and 6 women among the 19 Supreme Court justices. Women headed 9 of the 19 government ministries. There was 1 member of a minority in parliament and no minority ministers or Supreme Court justices.

Government Corruption and Transparency

There were no reports of government corruption during the year. The law provides for public access to government information, and the government provided this access in practice.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were very cooperative and responsive to their views.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced this prohibition in practice, although violence against women and trafficking in persons were problems.

Women

Violence against women, including spousal abuse, was a problem.

The law provides for higher penalties for violence in cases of domestic abuse and severe acts, and the government enforced the law in practice. During the first half of the year, police registered 1,956 cases of domestic violence. The penalty for domestic violence is generally one to six years in prison, with an increased prison term in more severe cases.

The law criminalizes rape, including spousal rape, and the government enforced the law. The penalty for rape is generally 1 to 10 years in prison depending on the severity of the assault, the age of the victim, and the circumstances under which the rape occurred. Although the number of rapes reported to the police has risen in recent years with 689 reported rapes in 2004, the country has experienced a decrease in the number of rape convictions, with only 25 convictions in 2004, the most recent year for which statistics were available. In October the chief prosecutor's office convened a task force to examine this trend.

The government and the police have instituted special programs to prevent rape and domestic violence and to counsel victims. In June 2004 the government developed an action plan to address the root causes of domestic violence and to establish programs to prevent it. As a result of the plan, a domestic violence coordinator position was created in each of the country's 27 police districts to provide victims with more responsive and knowledgeable assistance. Coordinators aided domestic violence victims in identifying the various services and institutions available to assist them. Public and private organizations ran 50 government-funded shelters and managed 5 24-hour crisis telephones. The shelters provided victims support and counseling, and helped victims access social services, doctors, lawyers, and housing authorities. Each of the country's 19 counties had several shelters. In 2004 the country's shelters registered approximately 47,550 overnight stays by 1,970 women.

Prostitution is legal, but organized prostitution and pimping are illegal. NGOs and the government estimated that 2,500 to 3,000 persons sell sexual services. A few of these persons were men, and NGOs reported that a few persons selling sexual services appeared to be under the age of 18, although they generally claimed to be older. Foreign women comprised at least 60 percent of the country's prostitutes.

Trafficking in women for sexual exploitation was a problem (see section 5, Trafficking).

An amendment to the working environment act provides that "employees shall not be subjected to harassment or other unseemly behavior," and the government effectively enforced this provision in practice. Employers that violate these provisions, including the harassment clause, are subject to fines or prison sentences of up to two years, depending on the seriousness of the offense.

Women have the same legal status as men, and enjoy identical rights under family and property laws and in the judicial system. The office of the gender equality ombudsman was generally effective in processing and investigating complaints of sexual discrimination. In 2004 the office received 517 such complaints and 471 telephone inquiries.

The law protects the rights of women and provides that women and men engaged in the same activity shall have equal wages for work of equal value. According to the office of the gender equality ombudsman, which monitors enforcement of the law, women generally received 10 to 15 percent less in pay and benefits than men for equal work.

In 2003 the parliament passed a resolution mandating that 40 percent of publicly listed companies' directorships be held by women by mid-2005. However, companies were still far from this goal with approximately 16 percent of all directorships held by women at year's end. The government did not intend to penalize non-complying companies by removing them from the Oslo stock exchange until 2007.

Children

The government was strongly committed to children's rights and welfare; it amply funded systems of education and medical care.

The government provides free education for children through the postsecondary level. Education is compulsory for 10 years, or through the tenth grade; most children stay in school at least until the age of 18. The UN Children's Fund (UNICEF) reported a school attendance rate of 100 percent in 2004.

The government provides extensive, free medical care for children.

In 2004 child care services intervened in 536 cases of child abuse. An independent children's ombudsman office, within the ministry of children and families, is responsible for the protection of children under the law. In July 2004 the government established the directorate for children, youth, and family affairs to provide appropriate, high-quality services for children, young persons, and families in need of assistance.

and support. With 5 regional offices and 26 professional teams, the directorate is the government's principal agency for the welfare and protection of children and families. During the year the directorate's primary activities included providing family counseling, managing foster homes and child welfare institutions, and administering funds to NGOs focusing on children.

Trafficking in Persons

Although the law prohibits trafficking in persons, the country was a destination and transit country for trafficking victims, most of whom were from Eastern Europe, Russia, and the Baltic countries. The maximum sentence for trafficking in persons is 5 years, with a maximum sentence of 10 years for "aggravated" cases, which are determined by several factors, including the victim's age, the use of violence or coercion, and any proceeds derived from exploitation. Traffickers can also be charged with violating pimping, immigration, and slavery prohibitions. Victims may sue their traffickers for compensation without impediment.

The Ministry of Justice and the Police coordinates and implements antitrafficking measures.

In February the government prosecuted the country's most significant trafficking case to date, convicting eight men of various crimes related to the trafficking of a Russian woman and a Lithuanian woman for sexual exploitation. The group of men had kept the two women captive in an Oslo apartment, subjected them to rape and assault, and forced them to work as prostitutes. Three of the eight persons were found guilty in April of organized pimping rather than trafficking; the court refrained from sentencing them under the trafficking laws since the victims had known that they would be working as prostitutes. The sentences handed down by the court ranged from 4 months to 11 years in prison, and the convicted men were also required to pay the victims \$170 thousand (NOK 1.1 million) in compensation. In September the court rejected the appeal of two of the defendants who initially had been charged with contributing to trafficking in persons. The court found the two guilty of trafficking, sentencing one of them to five years in prison and the other to three years. At year's end 6 police districts were investigating 25 cases of trafficking.

The government cooperated with foreign governments, Interpol, and Europol in the investigation and prosecution of trafficking cases. The country's collaboration with other Scandinavian countries was particularly strong.

Police identified a number of possible victims trafficked by organized criminals for the purpose of sexual exploitation. Most of these suspected victims were women from Russia, Albania, Italy, Eastern Europe, and the Baltic states. Suspected victims were often reluctant to press charges, making it difficult for police to identify and assist them and to prosecute traffickers.

Government officials believed that organized crime groups were responsible for most trafficking. Traffickers used threats, violence, rape, and confinement to enforce victims' compliance. Government authorities suspected they may also confiscate travel documents and subject victims to debt bondage.

Although trafficking victims may be prosecuted for violating immigration laws, no such prosecutions occurred during the year. Deportation decisions concerning victims of trafficking may be suspended for a 45-day reflection period to provide time for practical assistance and counseling to the individuals concerned.

Government officials sought to improve public awareness of trafficking by raising the issue in speeches and other forums. NGOs conducted outreach programs to provide trafficking victims with information on their legal rights and available health and other services. Foreign victims of trafficking have the same legal rights as other foreigners to apply for residency, asylum, welfare, social aid, and emergency health care.

In January the government launched a formal assistance program for trafficking victims that featured support centers, shelters, and a 24-hour hot line. In the same month, the government opened a national network of crisis centers where trafficking victims could seek assistance finding shelter, work, and education.

In June the government launched a second action plan against trafficking in persons. Several of the plan's goals were implemented during the year, including conducting research on trafficking and improving cooperation between authorities and NGOs. Police working on trafficking issues are required to attend a two-day training seminar.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. The law mandates access to public buildings for persons with disabilities, and the government generally enforced this provision in practice.

The section for disabled persons in the Ministry of Labor and Social Affairs was responsible for protecting the rights of persons with disabilities, and the office coordinated relevant national policy and managed the social benefit system for disabled persons. In January the government increased grants for the disabled by \$14 million (NOK 90.6 million) and provided additional support to individual agencies to provide more enterprises, better transportation, better building access, and increased access to parks.

Indigenous People

The rights of the indigenous Sami were protected by the government, which provided Sami language instruction at schools in their areas, radio and television programs broadcast or subtitled in Sami, and subsidies for Sami-oriented newspapers and books. A deputy minister in the ministry of local government and regional affairs deals specifically with Sami issues.

In addition to participating freely in the national political process, the Sami elect their own constituent assembly, the *Sameting*. The law establishing the Sameting stipulates that this 39-seat consultative group meet regularly to deal with "all matters, which in [its] opinion are of special importance to the Sami people." In practice the *Sameting* has been most interested in protecting the group's language and culture and in influencing decisions on resources and lands where Sami are a majority. The law requires that a report on the activity of the *Sameting* be submitted annually to parliament, and that a report on the main principles of Sami policy be presented to parliament every four years. The 2004 report called for further strengthening the rights of indigenous people on both the international and national levels and asserted that the Sami do not have enough control over the management of natural resources in the northern part of the country known as Finnmark.

Following negotiations with the Sami, the government passed legislation in June resolving many of the resource management issues of concern to the group. Several NGOs also worked to promote Sami rights.

Section 6 Worker Rights

a. The Right of Association

The law allows workers to form and join unions of their choice without previous authorization or excessive requirements, and they exercised these rights in practice. Approximately 55 percent of the workforce was unionized.

b. The Right to Organize and Bargain Collectively

All workers, including government employees and military personnel, have the right to organize and bargain collectively, and they exercised this right in practice.

The law provides for the right to strike, and workers exercised this right in practice; however, the government may, with the approval of parliament, compel compulsory arbitration under certain circumstances. During the year the government invoked compulsory arbitration once in response to an elevator worker strike.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The government implemented laws and policies to protect children from exploitation in the workplace. Children 13 to 18 years of age may be employed part-time in light work that will not affect adversely their health, development, or schooling. Minimum age rules were observed in practice and enforced by the directorate of labor inspections. There were no reports of child labor during the year.

e. Acceptable Conditions of Work

There is no legislated or specified minimum wage, but wages normally fall within a national scale negotiated by labor, employers, and the local government. During the year three-party negotiations led to wage increases of approximately 3.5 percent. The average daily wage provided a decent standard of living for a worker and family. Approximately 200 thousand people lived below the country's poverty line.

The law limits the normal workweek to 37.5 hours and provides for 25 working days of paid leave per year (31 days for those over age 60). The law mandates a 28-hour rest period on weekends and holidays. The law provides for premium pay for overtime and prohibits excessive compulsory overtime.

The law provides for safe and physically acceptable working conditions for all employed persons. Specific standards are set by the directorate of labor inspections (DLI) in consultation with nongovernmental experts. Under the law environment committees composed of management, workers, and health personnel must be established in all enterprises with 50 or more workers, and safety delegates must be elected in all organizations. Workers have the right to remove themselves from situations that endanger their health, but no statistics were available on whether they exercised this right in practice. The DLI effectively monitored compliance with labor legislation and standards.

Although foreign workers were provided the same legal protections, many children of immigrants complained that they were excluded from mainstream society and that they had fewer and inferior job opportunities than did ethnic majority citizens.

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