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## U.S. Department of State

### Norway Country Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

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#### NORWAY

Norway is a parliamentary democracy and constitutional monarchy with King Harald V as the Head of State. It is governed by a prime minister, cabinet, and a 165-seat Storting (parliament) that is elected every 4 years and cannot be dissolved. The judiciary is independent.

The national police have primary responsibility for internal security, but in times of crisis, such as internal disorder or natural catastrophe, the police may call on the military forces for assistance. In such circumstances, the military forces are always under police authority. The civilian authorities maintain effective control of the security forces.

Norway is an advanced industrial state with a mixed economy combining private and public ownership that provides a high standard of living for residents. The key industries are oil and gas, metals, engineering, shipbuilding, fishing, and manufacturing (including fish processing equipment). The leading exports are oil and gas, manufactured goods, fish, and metals. This year 72 percent of the labor force was in the service sector (including public service), and 15 percent was in the manufacturing sector.

The Government generally respects the rights of its citizens, and the law and judiciary provide effective means of dealing with instances of individual abuse.

#### RESPECT FOR HUMAN RIGHTS

**Section 1 Respect for the Integrity of the Person, Including**

Freedom From:

**a. Political and Other Extrajudicial Killing**

There were no reports of political or other extrajudicial killings.

**b. Disappearance**

There were no reports of politically motivated disappearances.

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

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

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors.

**d. Arbitrary Arrest, Detention, or Exile**

The Constitution prohibits arbitrary arrest, detention, or exile, and the Government observes this prohibition.

**e. Denial of Fair Public Trial**

The Constitution provides for an independent judiciary, and the Government respects this provision in practice.

The court system consists of the Supreme Court, the Supreme Court Appellate Court (committee), superior courts, county courts for criminal cases, magistrate courts for civil cases, and claims courts. Special courts are the Impeachment Court (made up of parliamentarians), the Labor Court, Trusteeship Courts, Fishery Courts, and land ownership severance courts. There are no religious, political, or security courts. All courts, which date to laws passed in the 11<sup>th</sup> century, meet internationally accepted standards for fair trials, including providing counsel to the indigent. The law provides for the right to a fair trial, and an independent judiciary vigorously enforces this right

There were no reports of political prisoners.

**f. Arbitrary Interference With Privacy, Family, Home, or Correspondence**

Both the Constitution and law prohibit such practices, government authorities generally respect these prohibitions, and violations are subject to effective legal sanction.

**Section 2 Respect for Civil Liberties, Including:****a. Freedom of Speech and Press**

The Constitution provides for freedom of the press, and the Government respects this right in practice.

An independent press, an effective judiciary, and a functioning democratic political system, combine to ensure freedom of speech and of the press, including academic freedom.

b. Freedom of Peaceful Assembly and Association

The law provides for these rights, and the Government respects them in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice.

The state church is the Evangelical Lutheran Church of Norway, which is financially supported by the State, and to which 93 percent of the population nominally belong. There is a constitutional requirement that the King and one-half of the Cabinet belong to this church. The Workers' Protection and Working Environment Act permits prospective employers to ask job applicants in private or religious schools, or in day care centers, whether they respect Christian beliefs and principles.

Other denominations operate freely. A religious community is required to register with the Government only if it desires state support, which is provided to all registered denominations on a proportional basis in accordance with membership. Although the state religion is taught in all public schools, children of other faiths are allowed to be absent from such classes upon parental request. Workers belonging to minority denominations are allowed leave for their religious holidays.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government respects them in practice.

The Government cooperates with the office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum and provided it to six applicants in 1996. Norway also has agreed to resettle a quota of 1,000 persons identified by the UNHCR. Norway granted asylum to 788 refugees in this category in 1996. In addition it provided residence permits on humanitarian grounds to asylum seekers in the first instance to 610 persons in 1996. Norway granted residence to 255 additional individuals who had appealed their cases to the Ministry of Justice. In 1996 the Government announced that all of the approximately 12,000 Bosnian refugees already in the country would be granted permission to stay. During the first half of the year, the Government granted political asylum to 10 persons and provided residence permits to 679 persons. There were no reports of forced expulsion of those having a valid claim to refugee status or of persons forcibly returned to countries where they feared persecution.

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

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

There are no restrictions, in law or practice, on the participation of women in government or in the political arena generally. Norway had a female prime minister who served for 9 of 10 years between 1986 and 1996. The current prime minister has appointed women to lead 9 of the 18 ministries. Women hold 60 out of the 165 seats in parliament (36.4 percent), chair 4 of 12 standing committees, and lead 3 of the 6 main political parties.

In addition to participating freely in the national political process in 1997, Norwegian Sami (formerly known as Lapps) elected their own constituent assembly, the Sameting, for the third time. Under the law establishing the 39-seat body, it is a consultative group which meets 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 cultural rights and in influencing decisions on resources and lands where Sami are a majority.

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

A number of human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are very cooperative and responsive to their views.

#### **Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status**

The Constitution prohibits discrimination based on race, sex, religion, disability, language, or social status, and the Government enforces this prohibition in practice.

##### Women

In 1995 there were 16,314 contacts by women with crisis action centers and 2,380 overnight stays by women at shelters. Police authorities believe that increases in reported rapes and wife beatings in recent years have been largely due to greater willingness among women to report these crimes. The police vigorously investigate and prosecute such crimes. They have also instituted special programs to prevent rape and domestic violence and to counsel victims. Public and private organizations run several shelters which give battered wives an alternative to returning to a violent domestic situation.

The rights of women are protected under the Equal Rights Law of 1978 and other regulations. According to that law, "women and men engaged in the same activity shall have equal wages for work of equal value." An Equal Rights Council monitors enforcement of the law, and an Equal Rights Ombudsman processes complaints of sexual discrimination. There were 89 written complaints in 1996 and 284 by telephone. Of all complaints handled by the ombudsman, 43.5 percent were filed by women, 21 percent by men, and 27.5 percent by organizations; in the latter cases, it is not clear whether the organizations represented men or women (8 percent of the complaints were made anonymously.)

In 1995 the Parliament adopted a harassment amendment to the Working Environment Act, which states that "employees shall not be subjected to harassment or other unseemly behavior."

##### Children

The Government demonstrates its strong commitment to children's rights and welfare through its well-funded systems of education and medical care. The Government provides education for children through the post-secondary level. There is no difference in the treatment of girls and boys in education or health care services. An independent Children's Ombudsman Office, within the Ministry of Children and Families, assures protection of children in law and in practice. There is no societal pattern of abuse against children.

##### People With Disabilities

There is no discrimination against disabled persons in employment, education, or in the provision of other state services. The law mandates access to buildings for people with disabilities, and the Government enforces these provisions in practice.

### Indigenous People

Apart from a tiny Finnish population in the northeast, the Sami constituted the only significant minority group until the influx of immigrants during the 1970's. In recent years, the Government has taken steps to protect Sami cultural rights by providing Sami language instruction at schools in their areas, radio and television programs broadcast or subtitled in Sami, and subsidies for newspapers and books oriented toward the Sami. In a rare political statement in October at the opening of the third Sami Parliament, King Harald V publicly apologized to the Sami people for repression under Norwegian rule. In 1996 the Government appointed a state secretary in the Ministry of Local Government and Regional Affairs to deal specifically with Sami issues.

## Section 6 Worker Rights

### a. The Right of Association

The law provides workers with the right to associate freely and to strike. The Government changed its wage negotiating process for 1996, shifting negotiations from the national to the local and company level. This change resulted in a substantially higher number of strikes. There were 18 strikes in 1996 at the national, regional, local, and company levels, involving 53,257 workers. Almost all strikes were settled through negotiations.

The Government has the right, with the approval of the Storting, to invoke compulsory arbitration under certain circumstances. The Government came under increasing criticism in 1995 for resorting to compulsory arbitration too quickly during strikes. In addition this procedure, which was also invoked several times in the 1980's, particularly in the oil industry, was criticized repeatedly by the Committee of Experts of the International Labor Organization, which argued that the situations were not a sufficient threat to public health and safety to justify invoking compulsory arbitration. The Supreme Court is reviewing a case that will allow it to rule on whether the national process in this regard violates the country's international commitments.

With membership totaling about 60 percent of the work force, unions play an important role in political and economic life and are consulted by the Government on important economic and social problems. Although the largest trade union federation is associated with the Labor Party, all unions and labor federations are free of party and government control. Unions are free to form federations and to affiliate internationally. They maintain strong ties with such international bodies as the International Confederation of Free Trade Unions.

### b. The Right to Organize and Bargain Collectively

All workers, including government employees and military personnel, exercise the right to organize and bargain collectively. Collective bargaining is widespread, with most wage earners covered by negotiated settlements, either directly or through understandings which extend the contract terms to workers of the main labor federation and the employers' bargaining group. Any complaint of antiunion discrimination would be dealt with by the Labor Court, but there have been none in recent years.

There are no export processing zones.

### c. Prohibition of Forced or Compulsory Labor

The Government prohibits forced and bonded labor by children, and there were no reports that it occurred. Compulsory labor is prohibited by law and does not exist. The Directorate of Labor Inspections ensures compliance. Domestics, children, or foreign workers are not required to remain in situations amounting to coerced or bonded labor.

### d. Status of Child Labor Practices and Minimum Age for Employment

The Government prohibits forced and bonded labor by children, and there were no reports that it occurred (see Section 6.c.). Children 13 to 18 years of age may be employed part-time in light work that will not adversely affect their health, development, or schooling. Minimum age rules are observed in practice and enforced by the Directorate of Labor Inspections. Education is compulsory for 9 years. Children are normally in school until the age of 16.

### e. Acceptable Conditions of Work

Normal working hours are mandated by law and limited to 37½ hours per week. The law also provides for 25 working days of paid leave per year (31 days for those over age 60). A 28-hour rest period is legally mandated on weekends and holidays. There is no specified minimum wage, but wages normally fall within a national scale negotiated by labor, employers, and the Government. Average income, not including extensive social benefits, is adequate to provide a worker and family a decent living.

Under the Workers' Protection and Working Environment Act of 1977, all employed persons are assured safe and physically acceptable working conditions. Specific standards are set by the Directorate of Labor Inspections in consultation with nongovernmental experts. According to the Act, working 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 which endanger their health. The Directorate of Labor Inspections ensures effective compliance with labor legislation and standards.

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