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## U.S. Department of State

### Norway Country Report on Human Rights Practices for 1998

Released by the Bureau of Democracy, Human Rights, and Labor, February 26, 1999.

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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 individual instances of 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 relationship between the church and the state regularly generates discussion. Church officials have spoken up for a division of the state-church relationship. 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 108 persons in 1998. The Government has agreed to resettle a quota of approximately 1,500 persons identified by the UNHCR and granted asylum to 1,124 refugees in this category in 1998. In addition, it provided residence permits on humanitarian grounds to 1,813 persons in 1998. Collective residence permits were granted to 261 Bosnians. After appealing their cases to the Ministry of Justice, 13 persons were granted asylum, and 249 were provided with residence permits on humanitarian grounds. During the year, 1,733 Eastern Slavonian Serbs applied for asylum. By the end of the year approximately 980 applications had been assessed and 161 persons had been granted asylum and residence permits on humanitarian grounds. 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. A female Prime Minister served for 9 of 10 years between 1986 and 1996. The current Prime Minister 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 in Parliament, and lead 3 of the 6 main political parties. The Parliament is headed by a woman.

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.

When the current government took office in 1997, the Prime Minister appointed a Minister of Development, Cooperation and Human Rights. In December the Human Rights Minister presented the Government's Human Rights Report for 1998, the first report of its kind in Norway. The purpose of the report is to present an overview of the Government's efforts to further human rights domestically and abroad.

#### **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 1997 there were approximately 30,000 contacts by telephone by women with crisis action centers and 4,360 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. In 1997 there were 101 written complaints and 485 complaints by telephone to the gender equality Ombudsman. Women filed 50 percent of the complaints, men 18 percent, and organizations 32 percent.

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 postsecondary 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 the 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 1997 the Government created the position of 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 6 strikes in 1997 at the national, regional, local, and company levels, involving 1,305 workers. All strikes were settled through negotiations.

The Government has the right, with the approval of Parliament, 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. Domestic, 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. School is mandatory until 10<sup>th</sup> grade; most children stay in school at least until the age of 18.

#### 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 that endanger their health. The Directorate of Labor Inspections ensures effective compliance with labor legislation and standards.

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