



## Norway

### Country Reports on Human Rights Practices - [2000](#)

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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 armed forces for assistance. In such circumstances, the armed 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. During the year, 80.6 percent of workers were in the service sector (including public service), and 13.3 percent were in the manufacturing sector.

The Government generally respected the rights of its citizens, and the law and judiciary provide effective means of dealing with individual instances of abuse. Violence against women and abuse of children are problems.

#### 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.

The Government in the past has been criticized for its practice of indefinite detention, often in solitary confinement with restricted communications, for suspects during the investigation of criminal cases (most recently in September 1999 by the Council of Europe's Committee for the Prevention of Torture). Restrictions were used sometimes to pressure prisoners to be more cooperative during investigations. In response to international criticism, the Government was reevaluating its practices and by year's end had made some changes. In September the Government tightened the requirements for restricting prisoners' communications and visitation rights. In June two working groups commissioned by the Ministry of Justice presented their recommendations for a more comprehensive reform of the practice. The reports will form the basis for a white

paper, which is expected to be presented to the Parliament in 2001. 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, and exile, and the Government observes these prohibitions.

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 include the Impeachment Court (composed of parliamentarians), the labor court, trusteeship courts, fishery courts, and land ownership severance courts.

All courts, some of which date to laws passed in the 11th 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 the 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 generally respects them in practice.

In August a small, previously unknown neo-Nazi group was denied permission to stage a Rudolf Hess commemorative March in downtown Oslo; the group then staged an illegal march in the nearby town of Askim; a counterdemonstration by 15,000 persons took place in Oslo on August 19.

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 supported financially by the State, and to which 93 percent of the population nominally belong. The Constitution requires that the King and one-half of the Cabinet belong to this church. The relationship between church and State is increasingly debated by the public. The Workers' Protection and Working Environment Act permits prospective employers to ask applicants for employment in private or religious schools, or in day care centers, whether they respect Christian beliefs and principles.

In July 1998, the Government suspended two priests in the Church of Norway and asked the courts for approval legally to terminate their priesthood due to insubordination and disloyalty. The priests openly refused to accept religious and spiritual guidance from their bishop, with whom they were in disagreement on a number of social issues (such as gay rights). In January 2000, the Alta district court ruled that the priests' employment could not be terminated legally. Upon taking office in March, the new Labor Party Government appealed the ruling to a higher regional court, which had not ruled by year's end.

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. In 1995 the Parliament introduced the subject "religious knowledge and education in ethics" into the national school system. The class teaches the ethical values of Christianity, as well as Christian beliefs and the main features of Christianity. All children must attend this mandatory class; there are no exceptions for children of other faiths. Organizations for atheists as well as Muslim communities have contested the legality of forced religious teaching, but the Oslo city court twice has ruled against their arguments. The case was being tried in a regional appellate court. Because of its potential for setting a precedent, the case is expected to go ultimately to the Supreme Court. 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 U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The Government grants refugee or asylee status in accordance with the the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol.

During the year, the Government granted protective residency to 8,231 persons. The total included: Political asylum for 97 persons; temporary collective residency permits for 2,019 Iraqi Kurds; individual residency permits for 2,856 persons; and asylum as U.N. quota refugees for 1,485 persons. Immigration authorities rejected 4,899 applications for protective residency. In addition 1,778 persons received residency status through a family reunification program.

The collective 1-year residency permits that were granted to Kosovar Albanians in 1999 expired in August 2000, and all members of this group were encouraged to return to Kosovo voluntarily. The Government gives financial aid for repatriation to all Kosovar Albanians who do so. Of almost 8,000 Kosovar Albanians who sought refuge in Norway during and after NATO's campaign in Kosovo, 1,500 returned voluntarily in 2000 (3,600 returned voluntarily in 1999). Of those who had previously gone back to Kosovo, 1,063 came back to Norway once again in 2000. When the collective residency permits expired, the Kosovar Albanians could apply for individual permits--and most did. By year's end, most had been rejected. However, in October all Kosovar Albanian families with small children were granted so-called postponed implementation of deportation until after March 1, 2001. The decision was based on complaints made by the UNHCR and other onsite U.N. agencies in October 2000 that Kosovo could not handle a major influx of returning refugees before the winter. However, as the March 1 extension deadline passes, a mass repatriation of Kosovar Albanians is expected in the spring and summer of 2001.

There were no reports of the forced expulsion of persons with a valid claim to refugee status or of persons being 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.

Women are increasingly well represented at all levels of government. However, no restrictions in law or practice hinder their participation. Women lead 8 of the 18 government ministries. They hold 60 of the 165 seats in Parliament (36.4 percent), chair 5 of 12 standing committees in Parliament, and lead 2 of the 6 main political parties. A woman heads the Parliament.

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, the Sameting 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 new Labor Government took office in March, the Prime Minister transferred the human rights portfolio from the Ministry of Development, Cooperation, and Human Rights to the Ministry of Foreign Affairs. The new Government reversed the previous government's decision to appoint a minister for human rights issues. In 1999 the previous government presented a white paper to the Parliament on human rights, which addresses how the country can improve the state of human rights both domestically and internationally. On November 2, 2000, the Parliament's committee on foreign affairs supported the previous government's proposal and stressed the importance of incorporating human rights into law and society in general. The white paper was debated and passed in Parliament on November 14. It then was sent back to the respective ministries for implementation.

#### 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

Violence against women is a problem. Public and private organizations run several shelters that give battered women an alternative to returning to a violent domestic situation. In 1999 the country's 14 shelters registered 9,183 overnight stays. In addition 967 other women contacted the shelters for advice or counseling. During the year, 555 rapes were reported, along with 126 attempted rapes. The police believe that increases in reported rapes and domestic abuse 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 also instituted special programs to prevent rape and domestic violence and to counsel victims.

The rights of women are protected under the 1978 Equal Rights Law and other regulations. According to that law, "women and men engaged in the same activity shall have equal wages for work of equal value." However, the equal rights ombudsman's office, which monitors enforcement of the law, confirms that women generally receive 10 to 15 percent less pay and benefits than men for work of "equal value."

The equal rights ombudsman processes complaints of sexual discrimination. In 1999 there were 254 written complaints and 393 telephone inquiries to the ombudsman. Women filed 40 percent of the complaints, men 28 percent, organizations 23 percent, and the remainder were filed by the ombudsman's office. The increase in men filing complaints is related to an increase in postdivorce child custody cases.

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. Employers who violate these provisions, including the harassment clause, are subject to fines or prison sentences of up to 2 years, depending on the seriousness of the offense.

#### 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.

Abuse of children is a problem. A total of 191 sexual assaults on children by nonfamily members were reported, along with 96 such assaults by family members. The latter is a substantial decrease from the 153 cases reported in 1999. Children's rights advocates have expressed concern that authorities may have found investigation of these crimes so difficult that they have not pursued investigations in some legitimate cases. The Government is examining this problem. In 1999 welfare services assisted 23,800 abused or neglected children (2.1 percent of children under 18). Of these, 4,950 received assistance in the home (such as financial assistance, guidance and support for parents, or temporary stays at respite homes).

#### 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 public 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 indigenous 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 1999 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 Deputy Minister in the Ministry of Local Government and Regional Affairs to deal specifically with Sami issues. When the Labor Party Government took office in March, new State Secretary Steinar Pedersen--of Sami origin like his predecessor--took over responsibility for coordinating government policies for the Sami minority.

#### 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 the wage negotiating process in 1996, shifting negotiations from the national to the local and company level. During the year, almost 100,000 workers in the private and public sectors went on strike, an 80-year high. The strikes were settled mainly through negotiations, although compulsory arbitration was used to settle a 2-week oil workers' strike. The strikers achieved the largest wage settlement in many years and also obtained a fifth week of annual leave.

The Government has the right, with the approval of the 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.

After the 1998 wage negotiations, the Government appointed a committee with representatives from all employer organizations and employee unions to look at the present practice of using compulsory arbitration in especially difficult labor conflicts. Its mandate is to provide a new system for handling labor conflicts and wage negotiations, and avoid situations in future labor conflicts that could lead to the use of compulsory arbitration. The committee is expected to present its proposal by April 1, 2001. The Ministry of Regional Affairs takes the position that it is not the legislation itself that needs to be amended, but the way in which this legislation is interpreted by the parties in labor conflicts and implemented by the Government.

With membership totaling about 60 percent of the work force, unions play an important role in political and economic life, and the Government consults them 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 that extend the contract terms to workers outside 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 no complaints in recent years.

There are no export processing zones.

##### c. Prohibition of Forced or Compulsory Labor

Compulsory labor is prohibited by law and does not exist. The Government prohibits forced and bonded labor by children, and there were no reports that it occurred. The Directorate of Labor Inspections (DLI) ensures compliance and is effective. 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

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 are observed in practice and enforced by the DLI. Education is compulsory for 9 years. School is mandatory through the ninth grade; most children stay in school at least until the age of 18. The Government prohibits forced and bonded labor by children, and there were no reports that it occurred (see Section 6.c.). The Government ratified ILO Convention 182 on the worst forms of child labor in December.

e. Acceptable Conditions of Work

Normal working hours are mandated by law and limited to 37 1/2 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 mandated legally 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 with a decent living.

The 1977 Workers' Protection and Working Environment Act provides for safe and physically acceptable working conditions for all employed persons. Specific standards are set by the DLI in consultation with nongovernmental experts. According to the act, 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 DLI ensures effective compliance with labor legislation and standards.

f. Trafficking in Persons

No law specifically criminalizes trafficking in persons, but existing labor and immigration statutes may be used in such cases.

Norway is becoming a destination country for trafficked women, according to an OSCE report.

[End.]