



## 2008 Human Rights Report: Norway

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

[2008 Country Reports on Human Rights Practices](#)

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Norway is a parliamentary democracy and constitutional monarchy; King Harald V is head of state. The population is approximately 4.73 million. The country is governed by a prime minister, a cabinet, and the 169-seat Storting (parliament) that is elected every four years and cannot be dissolved. Free and fair elections to the multiparty parliament were held in 2005. 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. During the year there were security problems at refugee centers. Violence against women was a problem, and there were reports of trafficking of women, children, and men.

### 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 the government generally respected these provisions in practice.

There was one report that police used excessive force during the year. According to a September newspaper report, police forcibly apprehended and handcuffed a 15-year-old girl who had run away from a home run by social services. The girl spat at one of the police officers, who responded by hitting her in the face and allegedly kicking her while transporting her back to the youth facility she had run away from. Oslo district court found the girl guilty of spitting and using foul language toward the police, and the court also strongly criticized the use of force by the police. The Oslo police authority publicly criticized media coverage of the incident as sensational and biased.

#### 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. The system was considered transparent; prisoners were represented by an ombudsman who could visit at prisoner request or at the

ombudsman's own initiative.

#### d. Arbitrary Arrest or Detention

The constitution and law prohibit 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; the police may call on the armed forces for assistance in crisis situations. In such circumstances, the armed forces are under police authority. The Ministry of Justice and Police oversees the police force.

The police force was generally effective, and corruption was not generally a problem. Adequate measures were in place to investigate police abuses. An independent police complaint commission investigates reports of corruption within the police force.

On June 23, a case was filed with the European Court of Human Rights in Strasbourg concerning Eugene Obiora, a citizen of Nigerian origin, who died in 2006 after four police officers arrested him in Trondheim for disorderly conduct. At year's end, the court had not decided whether to hear the case. Police had used a neck hold to restrain Obiora when he struggled during arrest; Obiora lost consciousness and later died in the hospital. A case against the arresting officers initially was dismissed for lack of evidence, and in December 2007 the public prosecutor cleared the officers of responsibility for the death. The parliamentary ombudsman also investigated the case during the year but had not announced his findings by year's end. In connection with the incident, evidence of a racist attitude--graffiti on the wall of the police station handling the case--was leaked to the media.

##### 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 a justification to hold detained persons in custody within four hours of their arrest, and detainees must be promptly informed of the charges against them. An arrested suspect must be arraigned within 24 hours (not including Saturday and Sunday), at which time the arraigning judge determines whether the accused should be held in custody or released pending trial. Nonresident foreigners are not released pending trial. Arrested persons are allowed prompt access to a lawyer of their choosing or, if they cannot afford one, to an attorney appointed by the government. Arrested persons are generally allowed access to family members.

There is no bail system or similar mechanism. Defendants accused of minor crimes routinely are released pending trial. Defendants accused of serious or violent crimes generally remain in custody until trial.

#### e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence in practice.

##### Trial Procedures

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

Trials are public. Juries are used only in criminal cases heard by the court of appeals. Defendants enjoy a

presumption of innocence. Defendants have the right to be present, to have counsel--at public expense if necessary--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.

There are no military courts; military crimes are tried in a civilian court, with the addition of a military judge to assist the civilian judges in trying the case.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters that can adjudicate cases involving human rights violations.

#### 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 constitution and law provide for freedom of speech and of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

##### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. More than 80 percent of citizens had Internet access; 82 percent of citizens accessed the Internet at home, and over 45 percent accessed the Internet at their workplace.

##### Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

##### b. Freedom of Peaceful Assembly and Association

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

##### c. Freedom of Religion

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

The state church is the Evangelical Lutheran Church of Norway, which was supported financially by the government. The constitution requires that the king and at least half of the cabinet belong to this church. Other denominations operated freely. As a result of an April agreement between the church and the state, the church is able to select its own bishops (but the state still appoints them until and unless the constitution is amended).

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

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. In February 2007 the Ministry of Education allowed schools to prohibit the wearing of the niqab (a veil worn by strictly observant Muslim women that entirely covers the face except for the eyes), but there were no reports that school officials implemented the prohibition.

On May 17, the country's Constitution Day, Petar Keseljevic and Lawrence Keffer were arrested as they attempted to evangelize on the streets of Oslo. They were approached by angry members of the public, who yelled at them not to spread political or religious messages during the parade. The police asked them to move, and when they refused they were arrested. Keseljevic claimed that his right to free speech had been violated, but the Oslo district court found that the two evangelists were effectively engaged in a demonstration and the police were therefore justified in asking them to move. Each was fined 10,500 kroner (approximately \$1,500) plus legal fees of 1,500 kroner (\$200). A similar incident involving Keseljevic in 2007 was appealed to the European Court for Human Rights in March; at year's end the court had not yet decided whether to hear the case.

#### Societal Abuses and Discrimination

The Jewish population is relatively small, with about 1,000 members. In November and December, there was considerable press debate over whether anti-Semitism was increasing in the country and whether press coverage of Israel is balanced. Politicians, religious leaders, and academics spoke out on the question; there was no consensus. Separately, the press heavily criticized a controversial television comedian for telling a joke that trivialized the Holocaust killings. A nongovernmental organization (NGO) reported the incident to the police, but the comedian was not charged with any wrongdoing.

In May a court convicted Arfan Bhatti of conspiracy to commit "serious vandalism" in connection with gunshots fired at the Oslo synagogue in 2006. The court acquitted Bhatti of the charge of terrorism in connection with the shooting and plots to attack several foreign embassies but sentenced him to eight years' imprisonment for attempted murder and threatening behavior—charges unrelated to the synagogue shooting. At year's end Bhatti remained in custody awaiting appeal of his conviction.

The government continued to support organizations that worked to combat discrimination; it supported the foundation "The White Buses," which took students from the country to Auschwitz to educate them about the Holocaust.

For a more detailed discussion, see the 2008 International Religious Freedom Report at [www.state.gov/g/drl/irf/rpt](http://www.state.gov/g/drl/irf/rpt).

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to

refugees, asylum seekers, stateless persons, and other persons of concern. 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 the expulsion or return of refugees to countries where their lives or freedom would be threatened. 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 or the 1967 protocol, and provided it to 1,960 persons in 2007. Through November such protection was provided to 1,721 persons.

On July 18, a sniper firing from a hillside into an asylum center shot and critically injured a 16-year-old asylum seeker from Somalia. In August authorities charged a 50-year-old attorney with attempted murder after he admitted firing the rifle. The shooter was found mentally unfit to stand trial, and was required to undergo psychiatric treatment.

In July asylum seekers and permanent residents of Kurdish and Chechen origin were involved in a violent fight at an asylum center. The media reported that a large number of Chechen men armed with machetes and iron bars broke into the center and that more than 20 persons were injured. Witnesses reported that it took one hour for police to arrive at the center.

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

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

#### Elections and Political Participation

Free and fair parliamentary elections held in 2005 resulted in the formation of a coalition government of the labor, socialist left, and center parties.

Political parties operated without restriction or outside interference.

There were 64 women in the 169-seat parliament and seven women among the 19 Supreme Court justices. Women headed nine of the 19 government ministries. There was one member of a minority in parliament. There were no minority ministers or Supreme Court justices.

#### Government Corruption and Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were no confirmed reports of government corruption at the federal level during the year.

Public officials are subject to financial disclosure laws. The Ministry of Justice and Police and the Ministry of Finance

are responsible for combating corruption.

The law provides for public access to government information, and the government provided 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 generally were cooperative and responsive to their views. The country has a parliamentary ombudsman who had the government's cooperation and operated without government interference. The ombudsman has the authority to hear complaints on actions by government officials, but the office has not issued any reports specifically on human rights issues. Although the ombudsman's recommendations are not legally binding, in practice government authorities generally complied with them.

#### 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

The law criminalizes rape, including spousal rape, and the government enforced the law. The number of rapes reported during 2007 was 1,060, an increase from 2006.

The penalty for rape is generally one to 10 years in prison, depending on the severity of the assault, the age of the victim, and the circumstances under which the crime occurred. Eighty-four percent of rape cases reported to police in 2007 never reached the courts, usually due to reluctance on the part of the victim to press charges.

Approximately 36 percent of rape trials end in acquittal. In March 2007 a task force convened by the chief prosecutor's office to examine rape trends reported that one problem was that the system is male-dominated, but the task force did not propose any concrete steps to improve the system. The Ministry of Defense separately identified a gap in the reporting and investigation of sexual assaults against female enlistees.

Violence against women, including spousal abuse, was a problem. The law provides higher penalties for domestic violence than for simple assault--generally one to six years in prison, with an increased term in more severe cases--and the government enforced the law in practice. In 2007, 948 cases of domestic violence were registered.

The government generally, and police agencies in particular, had programs to prevent rape and domestic violence and to counsel victims. There is a domestic violence coordinator in each of the country's 27 police districts to provide assistance to victims. Public and private organizations ran 50 government-funded shelters and managed five 24-hour crisis hot lines. The shelters provided support and counseling for victims and helped them gain access to social services, doctors, lawyers, and housing authorities.

Parliament passed a law on November 20 outlawing the purchase, but not the sale, of sexual services. This law takes effect on January 1, 2009 and applies to citizens regardless of where in the world the purchase takes place. Organized prostitution and pimping remain prohibited. NGOs and the government estimated that more than 2,600 persons sold sexual services in 2007. NGOs reported that a few persons selling sexual services appeared to be under the age of 18, although they generally claimed to be older. Between 70 and 90 percent of the persons

engaged in prostitution were foreign women.

The law provides that "employees shall not be subjected to harassment or other unseemly behavior," and the government effectively enforced this provision. Employers who violate this law 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 equality and antidiscrimination ombudsman generally was effective in processing and investigating complaints of sexual discrimination. In 2007 the office received 622 complaints. Of these, 545 resulted in guidance being given to one of the parties without a finding of illegality. The remaining 77 cases were still pending. Ombudsman statements can conclude in a finding of illegality.

The law 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 equality and antidiscrimination ombudsman, which monitors enforcement of the law, women on average received 10 to 15 percent less in pay and benefits than men for equal work.

The law mandates that 40 percent of publicly listed companies' directorships were to be held by women. By the end of the year, all public companies had complied.

#### Children

The government was strongly committed to children's rights and welfare; it amply funded systems of education and medical care, with equal access for girls and boys.

In 2007 childcare services investigated 32,700 allegations of abuse and intervened in 6,300 cases that authorities considered to constitute child abuse or failure to care for a child. An independent children's ombudsman office within the Ministry of Children and Families is responsible for the protection of children under the law. The directorate for children, youth, and family affairs provides assistance and support services. With five regional offices and 26 professional teams, the directorate is the government's principal agency for the welfare and protection of children and families.

#### Trafficking in Persons

The law prohibits all forms of trafficking in persons, but there were reports that women, and possibly children under 18 years of age, were trafficked to and in the country for commercial sexual exploitation. There was one reported case of men trafficked for labor.

The country was a destination for women and children trafficked from Nigeria, Russia, Albania, Ukraine, Latvia, Lithuania, Estonia, Brazil, and East Asian countries for sexual exploitation. Victims were sometimes trafficked to the country through transit countries such as Sweden, Denmark, Italy, and the Balkan countries.

Children in refugee centers were vulnerable to trafficking. An April report by the minister of justice said that 37 of the 51 children that were missing between 2005-07 were not found, and 11 were suspected to have become victims of trafficking. When this report was published, Libe Rieber-Mohn, Minister of State for the Labor and Integration Ministry, said there were many reasons why children might "disappear" from asylee/refugee reception centers, including providing false information about their ages, seeking asylum in other countries, and going to live with extended families.

The maximum sentence for trafficking in persons is five years, or up to 10 years for aggravated cases; sentences

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 Police coordinates and implements antitrafficking measures. In 2007 there were 31 complaints of human trafficking, and police districts investigated 23 trafficking cases; there were six prosecutions and six convictions.

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.

In July a UK national was convicted of trafficking two homeless British men to the country to work paving driveways for minimal compensation and under threat of violence. The trafficker was sentenced to a year and a half in prison.

Government officials believed that organized crime groups were responsible for most trafficking. 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 Nigeria, Russia, Albania, Eastern Europe, and the Baltic countries. Suspected victims were often reluctant to press charges, making it difficult for police to identify and assist them and to prosecute traffickers.

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 90-day reflection period to provide time for practical assistance and counseling to the individuals concerned. However, in a widely reported case in September, a trafficking victim was sent back to her country of origin by immigration authorities after cooperating with police and acting as a witness against the trafficker.

Government officials sought to improve public awareness of trafficking, while NGOs conducted outreach programs to provide trafficking victims with information on their legal rights and available health and other services. During the year the Ministry of Children and Equality initiated a "Stop Trafficking" informational campaign to discourage the purchase of sexual services, both within the country and by citizens when abroad. Foreign victims of trafficking have the same legal rights as other foreigners to apply for residency, asylum, welfare, social aid, and emergency health care.

The government's assistance program for trafficking victims included support centers, shelters, and a 24-hour hot line. The government also ran a national network of crisis centers where trafficking victims could seek assistance finding shelter, work, and education.

The State Department's annual Trafficking in Persons Report can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### 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 office for disabled persons in the Ministry of Labor and Social Inclusion was responsible for protecting the rights of persons with disabilities; that office coordinated relevant national policy and managed the social benefits system for such persons.

#### National/Racial/Ethnic Minorities

The media reported complaints from children of immigrants that they were excluded from mainstream society and that they had fewer and inferior job opportunities than did ethnic majority citizens.

There was intense press coverage of an Oslo court's early December ruling in a case that had sparked charges of racism by public servants. The court found an ambulance paramedic not guilty of "inappropriate conduct" in his job when he refused to transport a severely beaten citizen of Somali descent to a hospital. The court found that the paramedic believed the injured man was not seriously injured and that he had intentionally urinated on the driver's colleague. The ambulance personnel's comments to their dispatcher upon leaving the scene, however, were recorded and disseminated in the press, and showed that they knew he was concussed, bleeding from his head, in a cold sweat, and had a possible brain injury. The injured man reached the hospital by taxi and was in a coma for ten days. The court overturned a prior judgment by the police special investigative unit that the paramedics should be fined for acting improperly. In addition to refusing to consider the issue of racism, the judge stated that public employees generally were entitled to "leeway" before their behavior was punishable under the law, and that such leeway was warranted in this case.

#### 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 Labor and Social Inclusion 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 is to meet regularly to deal with "all matters, which in [its] opinion are of special importance to the Sami people."

#### Other Societal Abuses and Discrimination

There were no reports of societal violence or discrimination based on sexual orientation.

There were no reports of societal violence or discrimination against persons with HIV/AIDS.

#### Section 6 Worker Rights

##### a. The Right of Association

The law allows workers to form and join independent unions of their choice without previous authorization or excessive requirements, and they exercised these rights in practice. Approximately 47 percent of the workforce was unionized. The law allows unions to conduct their activities without government interference, and this right was exercised 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 arbitration under certain circumstances. The government did not invoke compulsory arbitration during the year.

##### 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.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children. There were reports that women, and possibly children under 18 years of age, were trafficked to and in the country for commercial sexual exploitation and one report that men were trafficked for labor.

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 adversely affect their health, development, or schooling. Minimum age rules were observed in practice and enforced by the Directorate of Labor Inspections (DLI). There were no other reports of illegal 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 local governments. The average daily wage provided a decent standard of living for a worker and family.

The law limits the normal workweek to 37.5 hours and provides for 25 working days of paid leave per year (31 days for workers 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. Although the law provides the same benefits for citizens and foreign or migrant workers, there were reports of foreign workers, especially in the construction industry, being underpaid or overworked beyond what is legally permissible.

The law provides for safe and physically acceptable working conditions for all employed persons. Specific standards are set by the DLI in consultation with nongovernment experts. Under the law, environment committees composed of representatives 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 data was available on whether they exercised this right in practice. The DLI effectively monitored compliance with labor legislation and standards.