

Annual report

Human Rights 2003

Annual Report on Norway's Efforts to Promote Human Rights



MINISTRY OF FOREIGN AFFAIRS

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Front-page photo: Imprisoned without trial, Haiti 1999.

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Human rights are universal. According to international law and the Norwegian Constitution, it is the duty of the central government to ensure observance of human rights. It is also our duty to promote international respect for human rights.

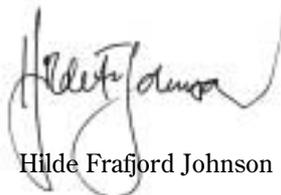
Human rights are a key focus of the Government's work. The Sem Declaration of 8 October 2001 commits the Government to following up the Action Plan for Human Rights that was presented in 1999. The main objective of the Action Plan is to determine how the Norwegian authorities can help to protect human rights as effectively as possible. This Annual Report is a status report on our efforts to achieve this objective in 2003.

The Annual Report is structured according to the different rights and international implementation mechanisms. Domestic and international conditions are described in the same section in order to show the connection between national and foreign policy initiatives.

The rights perspective is pivotal to virtually every governmental function. Consequently, every Ministry has contributed to this Annual Report. Maintaining efforts at a high level on the domestic front strengthens Norway's influence in the international arena where the human rights challenges are greatest.



Jan Petersen



Hilde Frafjord Johnson



China 1996: The modern China

3

Introduction



Conventions and institutions do not in themselves improve the human rights situation of individuals. However, the political priorities adopted by government authorities play a decisive role. The World Conference on Human Rights held in Vienna in 1993 therefore recommended that all countries formulate action plans for and prepare annual reports on human rights. Norway was one of the first countries to follow up these recommendations.

Each ministry is responsible for promoting human rights in its sphere of activity. This Annual Report is based on the information provided by ministries and ombudsmen, and focuses on action taken in 2003.

Minister of International Development Hilde Frafjord Johnson is responsible for coordinating the implementation of the national initiatives described in the Action Plan for Human Rights that was presented in 1999. The Action Plan covers a period of five years and will be evaluated in the Annual Report for 2004.

3.1 Incorporation of conventions

The UN Convention on the Rights of the Child and Protocols were incorporated into Norwegian law by the Act of 1 August 2003 No. 86. Other legislative amendments were also adopted by virtue of this Act, particularly relating to children's right to be heard in legal and administrative proceedings that concern them.

3.2 Norway's accession to new human rights instruments

On 23 September 2003, Norway ratified the Optional Protocol to the UN Convention on the Rights of the Child on the prohibition against participation in armed conflict of children under 18 years of age. The protocol raises the minimum age limit for the recruitment and use of child soldiers.

The UN Convention against Transnational Organised Crime and its Protocols on Trafficking in Persons, the Smuggling of Migrants and the Illicit Manufacturing of and Trafficking in Firearms were ratified by Norway on 23 September 2003.

Norway signed the Optional Protocol supplementing the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 24 September 2003. The Protocol establishes a system of regular visits undertaken by independent international and national bodies to places in which people are deprived of their liberty.

Norway signed protocol 12 supplementing the European Convention on Human Rights on 15 January 2003. The Protocol expands the Convention's prohibition against discrimination.



Norway 1992: Multicultural working environment



Iraq 2000: Pupil under portrait of Saddam

4

Democracy, development and civil society



Democracy, development and civil society are closely interwoven and can be seen as prerequisites for respect for and observance of human rights.

The Government has implemented numerous measures to strengthen democracy, development and civil society at national and international levels. These measures are described in this chapter. Classic civil and political rights, such as freedom of expression and freedom of religion, are also discussed in this chapter. The right to education is another key topic. The chapter concludes with a description of measures to build up civil society and promote rights-based development.

4.1 Democracy and elections

Elections are essential to democracy. Electoral campaigns and public debate are one aspect of the election process, while the technical proceedings are another. Both require lengthy preparations and the development of rules and support schemes. If democracy is to function satisfactorily, it is crucial to have well-functioning party organisations. At the same time, the parties must have the ability and possibility to channel the diverse interests in society into central decision-making processes.

4.1.1 The Norwegian Centre for Democracy Support (NDS)

In order to draw on the expertise of Norwegian political parties in this field, in 2002 the Government took the initiative in establishing the Norwegian Centre for Democracy Support (NDS). The Centre consists of a council and a secretariat. The council comprises representatives of the political parties that are represented in the Storting (the Norwegian parliament) and three independent members (the Norwegian Institute of International Affairs, the Christian Michelsen Institute and the Norwegian Centre for Human Rights). The primary goal of the Centre is to promote representative, multi-party democracies and free elections in Norway's partner countries. The Centre gives priority to activities carried out in Norway's main partner countries under the auspices of Norwegian political parties. These

activities consist of organisational and institutional development, with particular focus on promoting the participation of women and young people in political work. Decisions concerning financial support are made by the Ministry of Foreign Affairs on the basis of the council's recommendations.

In 2003, support was provided for projects aimed at strengthening local democracy in Guatemala and El Salvador under the auspices of the Socialist Left and in Tanzania under the auspices of the Centre Party. The Labour Party, the Socialist Left Party and the Norwegian Labour Youth League received funding for projects in the Palestinian Area to promote women's representation and for electoral campaigns and parliamentary work. The Norwegian Labour Youth League also received support for a project for local trade union representatives in Uganda. The NDS also administers a joint project in Malawi.

The Norwegian Centre for Democracy Support was established as a pilot project and will be evaluated after three years of operation, after which a decision will be made as to whether to make the Centre a permanent institution.

4.1.2 International activities

In 2003, Norway played an active role in international election monitoring in countries where it is desirable to promote democratic development. In the Commonwealth of Independent States (CIS), Norwegian election observers participated in OSCE/ODIHR election observation operations in Armenia, Moldova, Azerbaijan, Georgia and Russia.

Supporting democratisation is a main objective of Norway's international project activities. For instance, when providing assistance for projects in Russia, Ukraine and Belarus, importance is attached to exchanges of knowledge and experience through joint projects carried out by organisations in Norway and in the three countries. Priority areas include the development of non-governmental organisations and political parties, the development of free media, institutional development in the education sector and raising awareness of human rights.

The situation in Belarus still gives cause for concern. Undemocratic elections and widespread media censorship have been the order of the day in recent years. Norway does not have direct, political contact with the Belarus regime, and has therefore used international organisations, especially the Organisation for Security and Co-operation in Europe (OSCE), as a forum for drawing attention to human rights violations in the country.

Supporting democratisation is also a key objective of Norway's cooperation with countries in Central Asia. Many of the major cooperation projects in which Norway is involved are essentially aimed at addressing the problems faced by these countries in connection with illicit trafficking in persons, drugs and firearms. Certain aspects of these projects are clearly designed to promote democracy. For instance, in 2003 Norway became the largest contributor to the OSCE's police training programme in Kirghizstan. The main purpose of this assistance is to introduce international standards and ensure respect for human rights in police work.

The extensive support provided to organisations in Norway's partner countries in Africa is a key factor in processes related to democracy and elections. In Ethiopia, for example, Norway has provided assistance for voter education and democracy training programmes run by local organisations, and has sought to strengthen the parliamentary system in broad-based cooperation with other donors. In this joint effort, in which the UN Development Programme (UNDP) is also involved, a strategy has been prepared to provide support for the elections to be held in 2005, linked to clear indicators for advances in the democratic process.

In Afghanistan, Norway provided support for the constitutional process as part of the follow-up of the Bonn Agreement of December 2001, which regulates the political process leading to national elections in 2004. This assistance went to the Constitutional Commission that prepared the draft of the Constitution and to non-governmental organisations that provided information and consultancy services to civil society in connection with the draft Constitution. Norway also provided

support for the Afghan Human Rights Commission, which performs an important function in terms of safeguarding the rights perspective in the constitutional process. In December, Norway contributed a company of troops to the International Security Assistance Force to guard and protect the Loya Jirga assembly during its work on the Constitution. To be able to hold national elections, a comprehensive voter registration programme administered by the United Nations is required. Norway provided support for this programme and is considering continuing its support in 2004.

Indonesia is entering a historical election year, as both parliamentary and presidential elections will be held in 2004. The UNDP is working closely with the Indonesian authorities to prepare for these elections and Norway provides support for the UNDP's electoral programme in the country.

In Guatemala, Norway has co-financed a programme through the Organisation of American States (OAS) to strengthen the internal democratisation and institutional expertise of the political parties as representative spokesmen in the political system. Efforts were focused on building expertise on decision-making processes, with particular emphasis on legislation, the principles of the rule of law and the Election Act. This programme played a key role in establishing political dialogue during the 2003 electoral campaign in Guatemala.

Norway also provided support for the election process in Guatemala in December 2003 through several projects aimed at maximising the legitimacy of the elections. Assistance was provided for voter registration, an information campaign and the election process itself under the auspices of the Supreme Electoral Council. Norway also supported the national election monitoring efforts of civil society and the OAS' Observer Mission, thereby enabling the OAS to expand its team of observers. Furthermore, two Norwegian observers from NORDEM took part in the European Commission's team.

Elections in the Palestinian Area were last held in 1996. The calling of new elections has been postponed several times due to the situation in the

region. New elections are important in order to continue the reform process within the Palestinian Authority and increase its legitimacy. Norway has therefore chosen to support preparations for elections, both by financing the establishment of an electoral commission in the Palestinian Area and by providing funding for a voter registration project.

4.2 Freedom of expression and freedom of opinion

Freedom of expression and freedom of opinion are protected by the International Covenant on Civil and Political Rights of 1966 and the Council of Europe's Convention on Human Rights of 1950.

In principle, authorities have a duty not to curtail freedom of expression. However, the scope of freedom of expression must be weighed against other rights, such as protection against racial discrimination. To a certain extent, the authorities also have a positive duty to take action to protect genuine freedom of expression.

4.2.1 Article 100 of the Constitution of Norway

In Official Norwegian Report 1997:27, the Commission on Freedom of Expression presented a proposal for a new wording of Article 100 of the Constitution of Norway on freedom of expression. The Ministry of Justice circulated the Commission's report for consultative comment in November 1999.

Based on the report of the Commission on Freedom of Expression and Report No. 42 (1999-2000) to the Storting, in 2003 the Ministry of Justice worked on preparing a new report to the Storting that will contain a more detailed analysis and assessment of the issues raised in the Commission's report. In the new report, the various proposals and alternatives presented in the previous report to the Storting will be examined in greater depth so as to give the Storting a better basis for choosing between the different alternatives. The aim is to present the report in spring 2004.

4.2.2 Section 135a of the General Civil Penal Code on racist statements

Section 135a of the General Civil Penal Code was amended by the Act of 10 January 2003 No. 2. The amendment defines the existing right more precisely by specifying that the provision may also cover statements made by using symbols.

There are currently two ongoing legal processes that concern section 135a of the Penal Code. In the Report to the Storting on freedom of expression (see section 4.2.1), a more detailed description will be given of the impact of the different constitutional proposals on section 135a and other provisions. Furthermore, certain amendments to section 135a of the Penal Code have been proposed in Official Norwegian Report 2002:12 on legal protection against ethnic discrimination. This report will be followed up by a proposition to the Odelsting, which is planned to be presented to the Storting in 2004.

4.2.3 Media policy

The basic principle of Norway's media policy is to protect freedom of expression as a precondition for a vibrant democracy. Other closely related objectives are to secure cultural diversity and Norwegian-language media and to protect children and young people against harmful media content. Instruments such as the regulation of ownership, public grants and public broadcasting are intended to ensure broad diversity of channels and content in the media.

In 2003 the Government established a fifth, nation-wide radio network and allocated it a license subject to general broadcasting requirements for network transmissions with effect from 1 January 2004.

In the Regulations of 20 November 2003, two new grant schemes were established for television series and interactive productions. These schemes are intended to ensure high-quality media productions in Norwegian or Sami for children and young people.

4.2.4 Sami media

Report No. 33 (2001-2002) to the Storting supplementing Report No. 55 (2000-2001) to the Storting on Sami policy proposed that the rates for grants for Sami newspapers be adjusted and that consideration be given to transferring administrative responsibility for support for the press to the Sami Parliament. The Storting supported the proposal to change the grant rates, provided that the strengthening of Sami-language newspapers was not “financed by reducing the support for Sami newspapers written in Norwegian”. The Storting was also in favour of considering transferring administrative responsibility for the scheme to the Sami Parliament, provided that “the grant is administered in a way that ensures the necessary distance and autonomy in the relationship between the Sami political authorities and the Sami press”, cf. Recommendation No. 110 (2002-2003) to the Storting.

On the basis of the Storting’s debate on this issue, the Ministry of Culture and Church Affairs will circulate a draft of amendments to the regulations on grants to Sami newspapers for consultative comment. The Ministry will also contact the Sami Parliament to discuss the possible transfer of responsibility for administering the scheme.

4.2.5 Children and the media

The Norwegian Board of Film Classification is the national and international coordinating body for work related to the Safety, Awareness, Facts, Tools (SAFT) project, which comprises seven main partners in five countries: the Norwegian Board of Film Classification, ICT Norway, MMI, the Media Council for Children and Young People in Denmark, the Council on Media Violence in Sweden, Heimili and Skoli in Iceland and the National Centre for Technology in Education in Ireland. Through the Ministry of Culture and Church Affairs, the project receives funding from the EU’s Action Plan to promote safe use of the Internet.

The SAFT project is a joint European endeavour to disseminate information on the safe use of the Internet to children and young people, parents, teachers and others. The project consists of two main parts: the first part is a survey of children’s

use of the Internet and parents’ knowledge of their use. The second part consists of information projects based on the findings of the survey. The website saftonline.org is one of the main initiatives aimed at focusing attention on safe use of the Internet. The website receives funding under the Ministry of Children and Family Affairs’ plan of measures for children, young people and the Internet.

4.2.6 Persons with disabilities and the media

A report on the subtitling of Norwegian-produced films was circulated for consultative comment in 2003. The Government subsequently presented a proposal in Proposition No. 1 (2003-2004) to introduce a trial arrangement whereby some copies of government-funded Norwegian films would be subtitled and shown at selected cinemas. The purpose of this arrangement is to make Norwegian films more accessible for persons with impaired hearing.

The Norwegian Archive, Library and Museum Authority seeks to promote design for universal accessibility, one of the basic principles underlying its plan of activities, in order to ensure that disabled persons also have access to cultural events. In 2003, a conference was held on the accessibility of archives, libraries and museums based on the concept of design for universal accessibility.

In 2003, the Norwegian Archive, Library and Museum Authority worked on a project relating to libraries and the accessibility of their web-based services for disabled persons. An accessibility template has been designed for libraries. Attention was also focused on the accessibility of archives, including archival material. The Bergen City Archives have received funding for a project for this purpose.

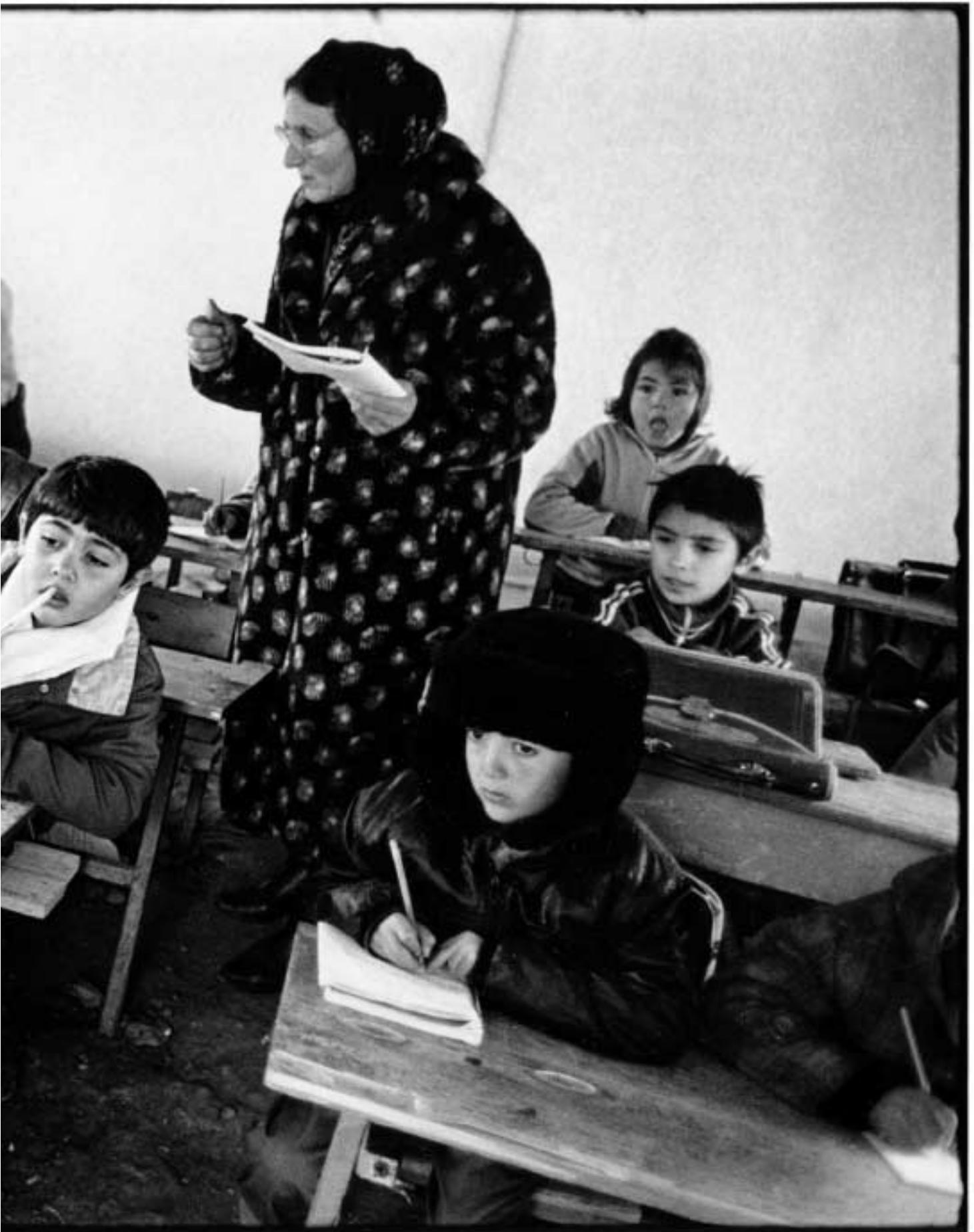
A new version of Culture Net Norway based on the standard rules for design for universal accessibility will be launched.

4.2.7 International activities

In 2003 Norway provided support for a wide range of activities under the auspices of local,



Azerbaijan 1994: Tent classroom in refugee camp



national and international non-governmental organisations to promote freedom of expression and build up free media. Norway continued to support the Index on Censorship, which seeks to protect freedom of expression and monitor authors' right and possibilities to publish their works.

At a seminar on freedom of expression held in May 2003, Minister of Culture and Church Affairs Valgerd Svarstad Haugland presented the *Beacon for Freedom of Expression* bibliographical database to the Bibliotheca Alexandrina in Egypt. The database covers freedom of expression and censorship of literature and newspapers, both past and present. Norway has been the main source of financing for the project. The database was developed by the former Norwegian Forum for Freedom of Expression and is now being maintained by the Norwegian Library Association. The collection consists of two parts: bibliographic information on publications on censorship and freedom of expression, and bibliographic data on individual books and newspapers that have been censored all over the world, and the reason for and nature of the censorship. The database is continuously updated and expanded, and is accessible at www.beaconforfreedom.org. Norway will cover the costs of operating the database until the end of 2005, at which time the Bibliotheca Alexandrina is scheduled to take over.

Supporting the development of media in Africa is directly related to freedom of expression and freedom of opinion. By systematically providing support to the media in Zambia over a period of several years, Norway has helped to professionalise and upgrade the quality of this sector. According to the Media Institute of Southern Africa (MISA), the independent radio stations in Zambia are now the most advanced in the region. In Ethiopia, Norway has provided assistance for the preparation of a major journalism programme at the University of Addis Ababa. The media themselves consider this type of training to be crucial in efforts to develop the media in Ethiopia and promote better conditions and greater scope for professional, critical journalism.

Norway provided substantial support to independent media in the West Balkans in 2003.

4.3 Freedom of religion and belief

Freedom of religion is not just a question of protecting an individual's religion, but also his or her right to express that religion in public and with other people. Freedom of belief, on the other hand, covers humanist approaches or the right not to have any belief or religion. Freedom of religion or belief is mentioned in a number of international instruments, dating back to Article 18 of the Universal Declaration of Human Rights, which has since been followed up by the International Covenant on Civil and Political Rights, the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief, and Article 9 of the European Convention on Human Rights.

The Research Council of Norway presented an overall evaluation report in 2003 on the Ministry of Education and Research's reform of compulsory education (Reform 97). With regard to the project *to evaluate the Christian Knowledge and Religious and Ethical Education (CKREE) subject and the religious and belief-related identity of pupils*, the report states: "In the researchers' opinion, the CKREE subject has focused attention on the plurality of interpretations of life in Norway, an aspect that has not been noted before. The subject raises pupils' awareness of their own and others' religious traditions, and plurality can open the door for acceptance and tolerance."

The report also points out that some pupils do not find their own traditional background presented as an interpretation of life in the CKREE subject. This applies in particular to secular belief systems as interpretations of life. This and other issues were addressed during the revision of the 2001-2002 plan. The revised plan has been in use since autumn 2002 and has, on the whole, been very well received in schools.

In the Council of State on 14 March 2003, the Government appointed a committee to examine the relationship between church and state. The purpose of this study is to provide a basis for deciding whether the system of a state church is to be maintained, reformed or discontinued.

4.4 Education

The right to education is enshrined in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The UN Convention on the Rights of the Child further elaborates on the content of this right, while the UN Convention on the Elimination of All Forms of Discrimination against Women and the UN Convention on the Elimination of All Forms of Racial Discrimination emphasise that the right to education must not be made the object of discrimination. Furthermore, the UN Millennium Development Goals lay down that everyone must have access to primary education by 2015. The right to education is important in order to gain a better knowledge of our own rights. Furthermore, social institutions that play a key role in protecting individuals in society – such as courts of law, ombudsmen and the public administration – are dependent on well-qualified staff in order to function satisfactorily.

4.4.1 *Work in schools to combat racism and discrimination*

As part of the Government's Action Plan to combat racism and discrimination, schools are to mark the anniversary of the Holocaust on 27 January each year. Schools are urged to take advantage of this occasion to focus on efforts to promote human rights and eliminate racism.

On the same day a prize is awarded to a school that has made outstanding efforts to combat racism. This award, which was first presented in 2003, has been named the Benjamin Award in remembrance of the racism-motivated murder of Benjamin Hermansen at Holmlia in Oslo in January 2001. In connection with this award, the Norwegian Board of Education has established a special website (www.lom.ls.no) with a number of teaching resources and links to other relevant websites.

In December 2003, Norway was elected as a member of the Task Force for International Cooperation on Holocaust Education, Research and Remembrance (see section 4.5.6). This membership commits Norway to increase its

focus on disseminating information on the Holocaust in Norwegian schools. In this connection, the Norwegian Board of Education works closely with the Centre for Studies on the Holocaust and Belief Minorities in Norway, partly with a view to developing teaching aids in this field.

4.4.2 *A survey of human rights education in schools*

In 2003, the Centre for Peace-building and Conflict Management in Norway was commissioned by the Norwegian Board of Education to carry out a survey of human rights education in a sample of Norwegian schools. The survey shows that all the participating schools contribute in some way or other towards disseminating information on human rights. Teaching on human rights primarily takes place in connection with subjects such as Civics or the CRKEE subject, but often also as part of the school's awareness-raising efforts.

The survey was presented at a national conference in November 2003 hosted by the Working Group for Human Rights Education and the Norwegian Centre for Human Rights at the University of Oslo. As a follow-up to the conference, closer collaboration has been initiated in this field between the authorities concerned and non-governmental organisations, with a view to making an inventory of existing guidance material and possibly developing new materials.

4.4.3 *Human rights as a national optional subject in upper secondary education*

The curriculum for human rights as a national optional subject in upper secondary education was approved in 2002, but has so far only been introduced at three schools in Norway. In 2003, therefore, the Norwegian Board of Education granted NOK 40,000 to the Helsingfors Committee to promote the use of the optional subject in schools and for the preparation of a brochure containing guidance on methods for human rights education designed for the optional subject.



Norway 1992: Children in kindergarten

4.4.4 A special human rights website

The Norwegian Board of Education and the UN Association of Norway have jointly developed a website for human rights on the Norwegian School Net (www.skolenettet.no/menneskerettigheter). The new website is to be ready for launch on 1 February 2004.

4.4.5 The human rights perspective in teacher education

The curricula for all teacher training programmes were revised in 2003.

- Chapter 1 of the curriculum, which applies to all teacher training programmes, states that students must *"know about the international human rights and the rights of children that apply across national boundaries"*.
- The curriculum for the compulsory Christian Knowledge and Religious and Ethical Education subject in the general teacher training programme states that students must *"have knowledge of and be able to discuss the significance of various human rights conventions, such as the Universal Declaration of Human Rights, the International Covenants on human rights, the UN Convention on the Rights of the Child and the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries"*.
- In the optional Civics subject in the general teacher training programme, students are expected *"to be able to prepare lessons on social conditions in a multi-cultural and global perspective, with emphasis on human rights and democratic principles"*.
- In the compulsory Civics subject in the pre-school teacher training programme, students must *"have knowledge of relevant legislation on the duty of confidentiality and personal privacy, the legal basis for preventive child welfare, rights that apply to children with special needs, the International Covenants on human rights and the UN Convention on the Rights of the Child"*.

4.4.6 Human resource development for teachers and teaching training staff

To increase knowledge of human rights at teaching institutions, the Ministry of Education

and Research granted NOK 300,000 to the Norwegian Centre for Human Rights in 2003. The Centre offers courses on human rights for the teaching staff of teaching training colleges. The first course for this target group was held in November 2003. Through a grant for national and international teacher training courses, the Norwegian Board of Education has also helped to ensure that colleges offer teachers in-service training courses on human rights in 2003, with focus on multi-cultural work in schools, bullying and the Christian Knowledge and Religious and Ethical Education subject.

4.4.7 Recognition of foreign academic credentials

A special, autonomous government body, the Norwegian Agency for Quality Assurance in Education (NOKUT), was established on 1 January 2003. The new agency is responsible for monitoring that the study programmes offered at educational institutions are of high quality, and ensuring that the institutions have good internal quality assurance systems.

NOKUT also has the authority to issue general recognition of the foreign academic credentials of students who have studied abroad. Such recognition will indicate the level and scope of their educational qualifications in relation to Norwegian degrees, and ensure equal treatment through national coordination, thereby strengthening legal safeguards for students with foreign academic credentials. NOKUT recognition will serve as a guideline for universities' and colleges' direct recognition of foreign education in relation to their degrees and to specific parts of study programmes.

4.4.8 The strategy to improve the learning and increase the participation of language minorities in day care centres, schools and educational programmes, 2004-2009

Both national and international surveys show significant differences between pupils from a minority background and those from a majority background as regards the benefit they derive from primary and lower secondary education in

Norway. They also show that fewer young people from a minority background begin and complete secondary schooling and higher education than ethnic majority pupils. The strategic plan, which is entitled “Equal Education in Practice” and was launched in December 2003, covers a five-year period (2004-2009) and aims at improving the learning and increasing the participation of language minorities in day-care centres, schools and educational programmes. The primary goal of the plan is to focus attention on and initiate action to ensure equal education that offers all pupils equal opportunities for learning, education and employment. The plan also seeks to promote an inclusive learning environment, free of racism, discrimination, bullying and violence. The Norwegian Board of Education has a special responsibility for implementing the strategic plan and seeing the various activities in an overall context.

The plan has five main goals:

- Improve the language comprehension skills of pre-school children who speak a minority language
- Improve the school performance of minority language pupils
- Increase the proportion of minority language pupils and apprentices who begin and complete upper secondary school
- Increase the proportion of minority language pupils in institutions of higher education
- Improve the Norwegian language skills of minority language adults

The 38 activities that are now being initiated include the introduction of an educational grant scheme for minority language teachers and the establishment of a new national centre for multi-cultural education.

4.4.9 International activities

In January 2003, the Ministry of Foreign Affairs launched a special strategy for education through Norwegian development cooperation, *Education, the First Priority*. One of the main pillars of this strategy is to substantially increase development assistance for education in both absolute and relative terms. The rights perspective is a key element in these intensified efforts, as is

higher prioritisation of education for girls.

Norway regards it as essential to the achievement of the Millennium Development Goal of universal primary education by 2015 that populations be made aware of their right to education and that this right be recognised as such by national authorities. This perspective was emphasised in connection with the launch of the strategy and in a number of other national forums and at international meetings on education and development.

In 2003 Norad began work on a special report on ways of more effectively integrating the right to education into bilateral development cooperation.

Education is a main priority in development cooperation. Support is targeted towards different levels, with growing emphasis on primary education. Norway supports sector programmes for education in Zambia, Tanzania, Bangladesh and Nepal. As regards education for particularly vulnerable groups, Norway provides support for UNICEF’s programme in Malawi for education for girls, as part of the Norwegian initiative to promote education for girls in Africa. In Angola, Norway provides funding for the *Teachers’ Emergency Package* programme through UNICEF and the Norwegian Refugee Council.

4.5 Building civil society

A viable civil society is a decisive factor in securing respect for human rights. Independent, active non-governmental organisations help to expose human rights violations, disseminate information and exert influence on authorities in both Norway and other countries. Norwegian human rights organisations provide the authorities with ideas and inputs and contribute to the formulation of Norwegian policy, both national and international.

Norwegian non-governmental organisations were also the main channel for support for civil society in developing countries in 2003. The role played by these actors and their support among the Norwegian public enable them to make a valuable contribution towards increasing the capacity and strengthening the activities of their partners in developing countries.



Norway 1995: Multicultural gymnastics class

4.5.1 The Norwegian Human Rights Fund

The Norwegian Human Rights Fund is an important channel for international promotion of human rights. The Fund is owned by Norwegian Church Aid, Norwegian People's Aid, the Norwegian Centre for Human Rights, the Church of Norway Council on Foreign Relations, the Norwegian Confederation of Trade Unions, the Norwegian Red Cross, Save the Children Norway and Amnesty Norway. The Ministry of Foreign Affairs and Norad participate in the Fund's executive committee as observers. The Fund provides support for projects and organisations in developing countries that lie outside the scope of other Norwegian support schemes. The organisations that receive funding often work under extremely difficult conditions, and the Fund's mandate allows it to take a certain risk when allocating support.

The Ministry of Foreign Affairs normally contributes around two-thirds of the Fund's capital. In 2003, its contribution totalled NOK 4 million. In addition, NOK 1 million, which was earmarked for Nigeria, was transferred through Norad in 2003.

The Fund consolidated its new administrative structure in 2003 and continued to give priority to Peru, Colombia, Nigeria, Zimbabwe, India, Pakistan and Liberia.

4.5.2 The Human Rights House Foundation

The fundamental premise of the foundation is to bring strong, well-known local human rights organisations together under one roof, thereby strengthening civil society and human rights work in the country.

There are currently human rights houses in Bergen, Oslo, Moscow, Sarajevo and Warsaw, as well as a human rights centre in Tirana. Human rights houses are also now being established in Kenya, Uganda, Croatia, England, Turkey, Azerbaijan and Belarus. The role of the Foundation is to initiate activities and serve in an advisory capacity in the start-up phase. The Foundation is also developing an international network between the various human rights

houses in order to promote the development of information and expertise.

In 2003, the Ministry of Foreign Affairs provided grants totalling NOK 3.23 million for network-building and joint projects in Moscow, Sarajevo and Turkey.

4.5.3 The Centre for Studies of Holocaust and Religious Minorities in Norway (the HL Centre)

The Centre for Studies of Holocaust and Religious Minorities in Norway (the HL Centre) was established in 2001 on the initiative of the then Ministry of Education, Research and Church Affairs. The Centre is a foundation with its own executive committee. Its basic capital is part of the compensation for the confiscation of Jewish property during World War II. Among other things, the HL Centre plays an important role in connection with Norway's becoming member of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research (see section 4.5.6) in December 2003.

4.5.4 The Norwegian Resource Bank for Democracy and Human Rights

Democratic development and free elections are crucial to the fulfilment of human rights. Popular participation in and influence on the political decision-making process demand accountability on the part of politicians and the public administration, and a functioning democracy is a key in the efforts to combat corruption and poverty. Support for activities that promote democracy and good governance is therefore an important element of Norwegian development and human rights policy. This support is provided within the framework of development programmes that target Norway's established partner countries and measures such as election observation, voter education and electoral assistance programmes. A large part of this type of development assistance is carried out in collaboration with the UN Development Programme (UNDP).

The Norwegian Resource Bank for Democracy and Human Rights (NORDEM) is a programme

under the Norwegian Centre for Human Rights that seeks to promote democracy and human rights. NORDEM's Stand-by Force responds to calls by international organisations (such as the UN and the OSCE) for qualified personnel who can be made available at short notice for activities related to the promotion of democracy and respect for human rights. This work is carried out in close cooperation with the Norwegian Refugee Council. The vast majority of assignments are received through the Ministry of Foreign Affairs, which also provides most of the funding.

In 2003 NORDEM's activities focused on responding to requests for personnel assistance as and when they were received, recruiting new members to the Stand-by Force, training and arranging courses for new recruits, and building contacts with international partners. In 2003, thirty-eight projects were carried out which entailed the deployment of 111 persons on assignments totalling 360 man-months. Most of the assignments were in the OSCE region, and more than half of the deployed persons worked as election observers.

In 2003 elections were held in the Balkans and the Caucasus. The OSCE recruited observers for most of the elections through NORDEM. NORDEM also sent long-term observers to elections in Nigeria and Guatemala, and teams of experts to elections in Somaliland, Zanzibar, Rwanda and North Cyprus.

A committee to serve as a liaison between the main users and NORDEM/the Norwegian Refugee Council was established in 2003, based on an evaluation carried out in 2001/2002. In this connection, a written mandate was formulated for NORDEM.

4.5.5 The International Institute for Democracy and Electoral Assistance (IDEA)

Norway takes part in the work of International IDEA to strengthen democracy and democratic development on a global basis. International IDEA was founded in 1995 as an intergovernmental organisation based in Stockholm. Twenty-one countries are now members, and four interna-

tional non-governmental organisations are associate members, including Transparency International. In 2003, International IDEA was granted status as an observation organisation at the UN General Assembly.

IDEA has a Board of Directors, which consists of 15 members and is chaired by Sweden's former Deputy Prime Minister and former Minister of Foreign Affairs Lena Hjelm Vallen. Norway is represented on the Board by former Minister and head of the Conservative Party Kaci Kullman Five.

The organisation has activities in Nigeria, Burkina Faso, Indonesia, Peru and Georgia and other countries, and is currently carrying out a project in the Arab world that focuses on Egypt, Jordan and Yemen.

4.5.6 The Task Force for International Cooperation on Holocaust Education, Remembrance and Research

The Task Force for International Cooperation on Holocaust Education, Remembrance and Research was established in 1998 on the initiative of Swedish Prime Minister Göran Persson, and currently has 16 member countries. Norway became a member in December 2003. Several other countries are associated with the work of the Task Force through liaison projects. The mandate of the Task Force is to promote cooperation on Holocaust education, remembrance and research. The principles underlying the work of the Task Force are set out in the Declaration adopted by the Stockholm International Forum on the Holocaust in 2000.

The Centre for Studies of Holocaust and Religious Minorities in Norway (the HL Centre) plays an important role, in partnership with the Ministry of Foreign Affairs, in connection with Norway's becoming a member of the Task Force in December 2003.

4.5.7 Other international activities

Efforts to promote human rights in development cooperation have largely focused on providing support for civil society actors. Norway continued

this support in 2003. In Bangladesh and Pakistan, Norway has sought to strike a balance between influencing official actors and civil society. In Bangladesh, the Norwegian embassy has emphasised the importance of planning a programme in which the organisations that receive support are agents of change, i.e. actors that can play a proactive role in promoting the rights of marginalised groups vis-à-vis the authorities.

Norway also supports activities targeting civil society with a view to enabling important agents of change to function. Despite difficult conditions, the organisations have monitored the human rights and media situation, observed elections, trained popularly elected representatives, provided free legal aid and assisted victims of human rights violations.

Norway also contributes support for the national Palestinian human rights institution.

4.6 Rights-based development

There are clear links between development cooperation and the promotion of human rights. The realisation of civil, political, economic, social and cultural rights can free up forces in society that can foster development and improve people's quality of life and ability to contribute to social development. Development cooperation is largely a question of providing assistance to realise the rights enshrined in the international human rights treaties.

There are several angles to a rights-based approach to development. The concept is based on the notion of viewing development as a framework of cooperation aimed at realising the rights of individuals or groups. Rights are thus seen both as the conditions and the goal for development that encompasses more than economic growth. In development cooperation, donor countries have chosen to stress the concepts of accountability (whereby the nation-state is responsible for carrying out certain duties), empowerment (of individuals or groups by providing them with knowledge of and the possibility of claiming their rights), the participation principle, equality and non-discrimination.

The Norwegian Government's Action Plan for Combating Poverty in the South, launched in 2002, underscores the fact that poverty is not merely a lack of access to productive resources and social services. Poverty is also a question of the absence of freedom and rights. Thus the fight against poverty is also an issue that entails increasing people's options and freedom, and realising fundamental human rights.

Norway actively seeks to operationalise the concept of *rights-based development*. This approach is based on the desire to build a bridge between human rights and development strategies. Several projects and programmes aim at strengthening women's rights. For instance, the Institute for Women's Rights at the University of Oslo continues to work in partnership with women's rights groups in southern and eastern Africa. In cooperation with NORAGRIC, the Institute will also carry out a study to examine how women's right to land is followed up in the legislation and development plans of five African countries. A project in Pakistan aims to strengthen women's participation in local politics. Experience has shown that mobilising women to play an active role in local politics is effective. In the Palestinian Area, women from different political factions join forces to promote issues such as gender equality and women's rights. Norway's support for the Women's Affairs Technical Committee (WATC) is intended to contribute towards the realisation of women's rights on the West Bank, in Gaza and in Jerusalem.

The experience gained in this work has shown that rights are closely related, and that efforts to promote one right have an impact on the implementation of other rights. One example is a project run by Save the Children Norway to promote the right to education of the Karimojongs in Uganda. Besides focusing on the need to specially adapt schooling for children from a nomadic culture, the project has succeeded in involving the local community in important development processes.

Norway is also focusing on integrating human rights into project and programme approaches. A handbook has previously been prepared to serve as an analytical tool for project planning. In addi-

tion to actively promoting a human rights approach, the handbook is intended to reduce the risk of programmes and projects having unintended negative effects on human rights. Efforts to ensure that development cooperation is based more strongly on a human rights perspective are also an important element of Norway's activities in multilateral development and financial institutions, both within the UN system and in development banks.

The World Bank and the regional development banks are placing growing emphasis on the connection between human rights and economic and social development. The World Bank promotes a rights-based approach both by incor-

porating human rights into poverty reduction strategies and by providing financial support for efforts to strengthen good governance, particularly for reforms of the judicial system in recipient countries. The regional development banks also actively address the same human rights issues as the World Bank.

The Office of the UN High Commissioner for Human Rights (OHCHR) has initiated a joint project with the UN Development Programme (UNDP) to focus on the link between human rights and development policy. The Human Rights Strengthening (HURIST) programme was established in 1999 and is supported by Norway.



Norway 1993: Nurse and resident of a home for the aged

5

Life and health



The most extensive protection of human rights in the field of social conditions and health is provided by the International Covenant on Economic, Social and Cultural Rights of 1966, and in the UN Conventions on women and children, respectively. It is difficult to distinguish precisely between general welfare policy and the requirements laid down by the conventions in this area. Practice varies considerably from one country to another, as well as within individual countries, making it difficult to establish a common international standard. The activities described below are related to social security, mental health and HIV/AIDS, and to the special situation of the elderly and persons with disabilities. A new feature in this year's report is a section on measures for substance abusers. Other, less direct factors can also affect life and health, such as environmental protection, food security, culture and science.

5.1 Social security

In 2002, the Government presented a plan of action to combat poverty, Report No. 6 (2002-2003) to the Storting. This plan contains targeted measures to prevent persons from ending up in, and help them escape from, a situation of persistent low income and difficult living conditions. The goal is to ensure that as many people of working age as possible manage to make a living through their own efforts and that those who have no income receive welfare benefits to cover their living costs. Priority is given to measures designed to help more people become self-supporting. Specific projects and programmes are being carried out during the period covered by the plan, 2002-2005 for the following priority groups: immigrants and refugees, long-term social welfare recipients, persons receiving disability benefits, single supporters and other disadvantaged families with children, children and young people, substance abusers, persons with mental problems and the homeless.

To make it easier for single supporters to work, this group may as from 2003 retain their transitional benefit until the end of the school year, even if their legal right to the benefit ceases to apply earlier in the year. The right to a benefit normally lapses when the child reaches the age of

eight, or when the benefit recipient has used up the total period of five years during which he or she may receive a benefit while acquiring an education.

The agreement of intent concerning an inclusive working life is a joint endeavour between the authorities and the social partners and aims at reducing sickness absence, employing persons with disabilities and raising the retirement age.

The agreement was evaluated in autumn 2002. The evaluation showed that the trend for all three objectives is still negative. Efforts to promote an inclusive working life have become widespread in Norwegian business and industry, and this may bring results over time.

The social partners have agreed to continue the agreement with stronger focus on the joint effort that must be made at each workplace in cooperation between employer and employees, for instance by setting more stringent requirements as regards the monitoring of employees on sick leave and resumption of activity.

At the international level, Norway participates in the EU programme to combat poverty and social exclusion. The goal of this programme is to increase the integration of economically and socially disadvantaged groups into society. The programme funds, which total EUR 70 million, are to be used to finance research, seminars and conferences, activities carried out by non-governmental organisations and measures to promote exchanges of best practices between European countries. The programme includes the EU strategy for mainstreaming a gender perspective and promoting gender equality. Norway's participation in the programme underpins the Government's own Action Plan for Combating Poverty.

Norway also participates in the EU Community Action Programme to Combat Social Exclusion (2002-2006). The purpose of the programme is to improve understanding of poverty and social exclusion with the help of comparable indicators and joint efforts to develop policies and promote exchanges of experience between countries. This includes the participation of Norwegian institu-

tions and organisations in European networks.

On 9 December 2003, the Storting adopted amendments to the Patients' Rights Act that expand patients' rights. Patients who are entitled to necessary medical assistance, i.e. those who are most seriously ill, have the right to a personal time limit within which they must receive such assistance. If the public health service fails to meet this time limit, the regional health enterprise must cover the costs of medical assistance provided by a private institution or abroad. Furthermore, the system whereby patients are free to choose a hospital has been expanded to include private hospitals with which the regional health enterprises have entered into an agreement. Work is now in progress on putting these legislative amendments into practice.

In 2003, the Barents Health Programme disbursed NOK 12 million for projects that were carried out jointly by Norwegian and Russian health institutions and were aimed at combating communicable diseases, providing mother-child health services, preventing lifestyle-related health problems and improving health services for indigenous peoples. Cooperation on prison programmes is also an important part of the work carried out by the Action Group to Combat Communicable Diseases in the Baltic Sea Region. This cooperation seeks to improve the physical conditions in which prisoners are detained and the range of activities and work available to them while they serve their sentence.

5.2 Mental health care

Efforts to improve mental health care in Norway are largely related to the National Programme for Mental Health, which was extended by two years in 2003 and now covers the period from 1999-2008. The programme focuses both on preventive services and on improving treatment and services in various fields of mental health care. Through the programme, efforts continued in 2003 to improve measures to prevent violence and trauma, combat sexualised violence and provide assistance for victims of violence and other

persons suffering from mental trauma. The Ministry of Health, the Ministry of Justice and the Ministry of Children and Family Affairs have worked in close partnership for some time in this field. Work progressed on establishing a national centre for trauma and violence from 1 January 2004 with a view to strengthening research, development work, education and counselling in the field of violence and trauma.

In 2003 the Norwegian Directorate of Health and Social Welfare began work on preparing an action plan to reduce the use of coercion in mental health care.

5.3 The elderly

Legal safeguards for dementia patients are a key focus of the Government's efforts on behalf of the elderly. Current legislation is both unclear and inadequate as regards the implementation of necessary measures without the consent of the patient or against his or her will. In 2002, the Ministry of Social Affairs circulated a consultation paper on the limitation and control of the use of coercion, etc. in respect of persons with dementia. On the basis of the consultative comments, the Ministry will continue its work on following up the consultation paper in 2004.

The Ministry of Social Affairs' multi-year Plan of Action for the Elderly has improved the quality and increased the capacity of Norwegian public care for the elderly. Municipal nursing and care services are being expanded by providing 25,000 new sheltered housing units and nursing home places, and the number of care personnel has increased by almost 15 per cent over a four-year period. Nursing homes have also been renovated and modernised and private rooms are now the normal standard. These developments have made it easier to tailor services to individual needs and has strengthened the right to privacy and self-determination.

Work is continuing on improving the quality of services and strengthening legal safeguards. In 2003, the Government presented a report to the Storting that described a number of measures aimed at upgrading the quality of municipal nursing and care. The Government has entered



Zambia 1999: Children who have become orphans because of AIDS

into close cooperation with the Norwegian Association of Local and Regional Authorities to raise the standard of quality in the nursing and care sector. The rules of the health and social welfare services are to be harmonised and simplified, administrative procedures are to be improved and the legal safeguards of users are to be secured.

The Government intends to follow up this commitment by formulating a more coherent policy for the elderly, in which the main goal is to strengthen their participation in working and social life, develop social arenas in which different generations can meet and participate, and combat discrimination and segregation. At the same time, future care for the elderly must be planned to ensure that it is adapted to changes in their life span, health, resources and lifestyle. The ageing population is both a challenge and an opportunity.

The Government regards it as important to ensure that older people are not excluded from working and social life. This concern is reflected in efforts to promote an inclusive working life and the draft prohibition against discrimination of the elderly in working life (see Chapter 7 on Economics and Working Life).

5.4 Disabled persons

Efforts to prevent discrimination against disabled persons and the elderly have increasingly focused on safeguarding the human rights of these groups.

Through the Act of 19 December 2003, the Storting decided to replace the temporary provisions of Chapter 6A of the Social Services Act with a new Chapter 4A on legal safeguards in connection with the use of coercion and force in respect of certain mentally disabled persons. The temporary provisions have functioned as intended, and the new provisions of Chapter 4A, which enter into force on 1 January 2004, are largely a continuation of these rules.

In 2003, the Government presented Report No. 40 (2002-2003) to the Storting on strategies, goals and measures in policy for disabled persons. The report notes that persons with disabilities still do

not have the same opportunities for activity and participation in society as other people.

The Ministry of the Environment coordinates the Programme of Action for Universal Design with several other ministries. Under this programme, a number of activities have been initiated to promote solutions that take account of the interests of disabled persons in general and universal measures. Particular importance is attached to participation in municipal planning (see also section 4.2.6).

The Ministry of Transport and Communications contributes to the Programme of Action through its efforts to promote accessible public transport. Mobility is a key to independence and social inclusion, and is essential for participation in all areas of life such as education, work, recreation and culture.

5.5 HIV/AIDS

The HIV/AIDS epidemic threatens to destroy the foundation for development and poverty reduction in many countries. The fight against HIV and AIDS is closely related to the fight for human rights. For one thing, greater realisation of human rights will make exposed groups less vulnerable to the consequences of HIV/AIDS. For another, it is important to secure the rights of those who are already the victims of the epidemic, by providing treatment and care and combating stigmatisation and discrimination.

The HIV/AIDS epidemic threatens the economy, social fabric and security of weak nation states. It exacerbates poverty, assails human rights and particularly affects the very poorest members of the population and vulnerable groups such as women and children. Those who die are primarily people of working age, leaving behind households headed by children or other close family members. When countries weakened by HIV/AIDS are struck by other crises, the impact is more prolonged and devastating.

The Government also continued to participate in the global efforts to combat HIV/AIDS in 2003. Prevention, treatment and care should have equal priority in international anti-HIV/AIDS policy.

There is emphasis on ensuring that prevention and the consequences of HIV/AIDS are considered in all development projects and programmes. Norwegian non-governmental organisations make a significant contribution through cooperation with their partners in this area. In 2003, Norway was the third largest contributor to UNAIDS, and channelled NOK 118 million through the Global Fund to Fight AIDS, Tuberculosis and Malaria. Norway also supports international efforts to develop vaccines and microbicides, a product that will make it easier for women to protect themselves against HIV infection.

The Government's efforts to combat HIV/AIDS are based on the 2001 UN Declaration of Commitment on HIV/AIDS. In 2003, this declaration was followed up by a resolution adopted by the UN General Assembly, which focuses on protecting the rights of persons with HIV/AIDS through legislation, regulations and other measures. Although some progress has been made in recent years, the overall global efforts to date have been inadequate. Still today:

- less than one per cent of pregnant women in the hardest hit countries receive information and treatment that can prevent their child from being infected during birth;
- only one per cent of those who need ARV drugs in sub-Saharan Africa have access to such medication;
- one third of the hardest hit countries have no strategy in place to deal with 14 million children who have been orphaned by AIDS, a figure that can rise to 25 million by 2010.

Until now, the global fight against HIV/AIDS has focused on prevention, particularly because treatment has been either ineffective or too expensive. This situation has now changed. AIDS is now a chronic disease that can be treated. So far, there are no curative drugs, and it will be many years before effective vaccines are available. However, there are increasingly better, cheaper medicines that stabilise symptoms and improve patients' quality of life and health.

The right to treatment is now high on the international agenda. If people who have developed AIDS can regain their health and add years to their life, it will be easier to cope with the epidemic. The

fact that treatment is available makes it easier to overcome the stigma of the disease and gain support for testing. Strategies for prevention, treatment and coping with AIDS must go hand in hand.

It will be impossible to achieve the Millennium Development Goals if the AIDS epidemic continues to run unchecked. Given the large numbers of people, who have already been infected in some of the most severely affected countries, focusing on prevention alone will not suffice. Priority must also be given to treatment. Meeting the challenge posed by the AIDS epidemic will place a huge burden on health services where capacity was already weak. It is therefore necessary to procure additional resources, in the form of both financing and the capacity to deliver services.

The basic premise is that AIDS victims themselves benefit dramatically from treatment. So does the entire framework surrounding the AIDS patient: his or her family and local community, workplace, networks and society at large. The arguments in favour of investing in treatment are so convincing that it is no longer a question of *whether* it is effective development assistance to support the treatment of AIDS, but *how* the global community is to do so.

The WHO and UNAIDS have set goals whereby three million HIV-infected persons in developing countries are to receive treatment by 2005. In its dialogue with the WHO and UNAIDS, Norway attaches importance to ensuring that the very poorest and most vulnerable groups are given access to such treatment.

At the start of 2004, there are already six million people in these countries who require treatment as soon as possible. Others are infected with the HIV virus, but are still at the intermediate stage prior to developing full-blown AIDS. As these persons gradually fall ill and earlier AIDS patients are still being kept alive by medicines, the number of persons receiving treatment in severely affected countries will grow rapidly. In addition, some 14,000 new persons are infected every day, and will develop AIDS in a few years' time. Consequently, treating AIDS is not a short-term endeavour.

In Nicaragua, Norway provided ongoing medical and psychological support for HIV-positive persons and their families through various non-governmental organisations. Norway also funded training programmes for vulnerable groups and training activities for health professionals in partnership with the Ministry of Health. Norway and other donors have contributed to the production of radio and TV programmes in which sensitive HIV/AIDS issues have been raised.

5.6 Substance abusers

As a result of their abuse, many substance abusers feel that they lead a life without dignity or respect for their fundamental human rights. In its *Plan of Action to Combat Substance Abuse, 2003-2005*, the Government focuses on ensuring that substance abusers are treated with the same respect as other people. The necessary steps will be taken to safeguard the human rights of those who are most heavily addicted, i.e. their economic and social rights such as the right to housing, the right to necessary medical assistance, the right to work or meaningful leisure, and the right to be treated with respect. The Plan of Action provides for the development of improved housing and follow-up schemes tailored to the individual needs of the most heavily addicted substance abusers. Low-threshold, walk-in shelters are to be established in connection with the housing units. These shelters will be staffed by health and social welfare professionals, who will focus on health and nutrition, and will thus provide heavily addicted abusers with access to good health services in places where they spend time. The shelters will also help to reduce the stigmatisation and social exclusion of substance abusers since they offer an alternative to the undesirable locations in which abusers tend to congregate, such as Plata in Oslo and Nygårdsparken in Bergen.

In Circular U-10/2002 on Social Housing – Helping People to Live in their Own Home, the Government focuses attention on the way municipalities, in cooperation with other actors, can help substance abusers who require such assistance to look after themselves and thereby manage to keep their home over time.

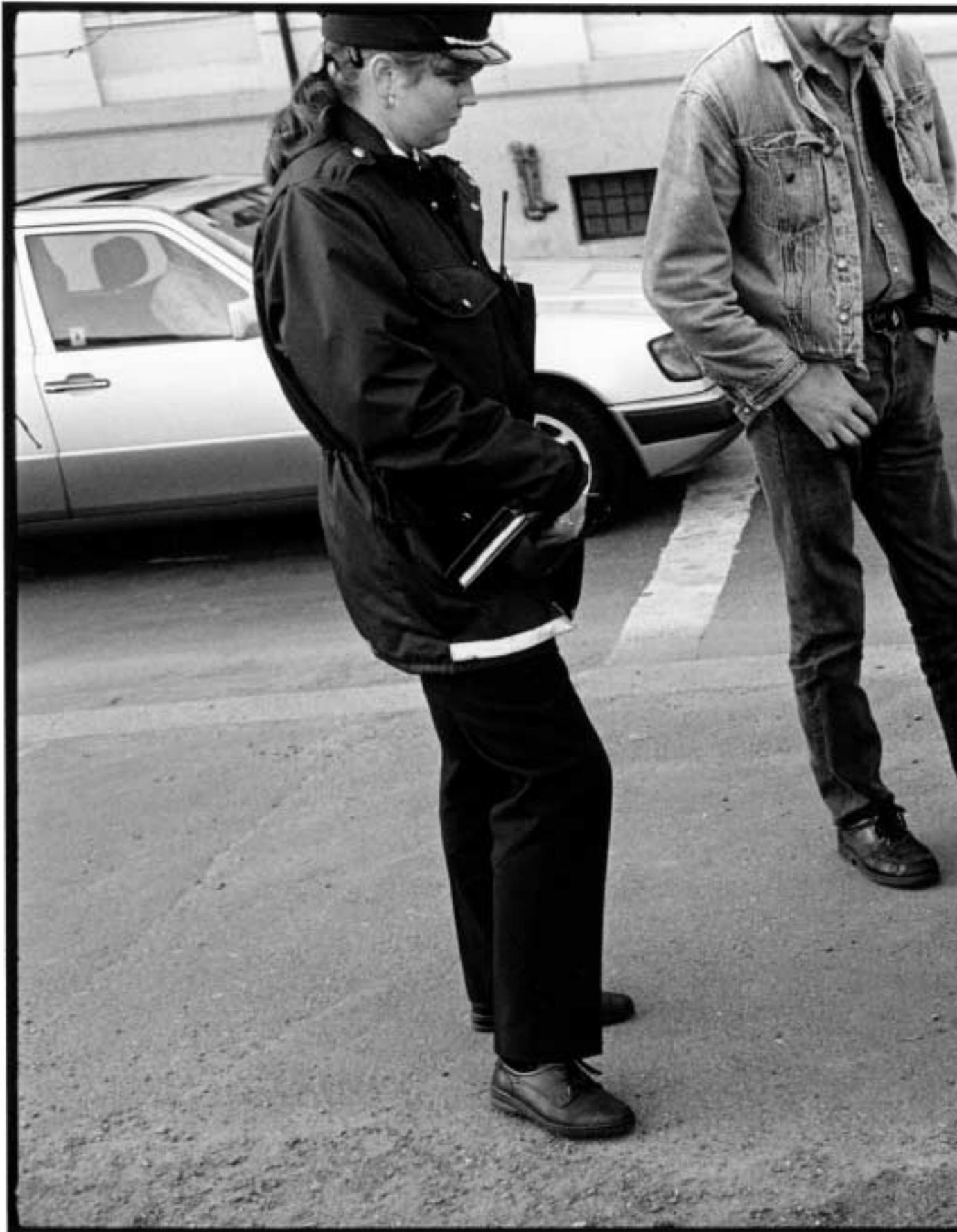
On 28 November 2003, the Storting adopted a resolution to transfer responsibility for providing specialised treatment for substance abusers from the Social Services Act to the Specialised Health Services Act as from 1 January 2004. The regional health enterprises have been given responsibility for providing interdisciplinary, specialised treatment for substance abuse, which means that substance abusers now have patients' rights when they require such treatment. This legislative amendment makes such treatment more accessible because both physicians and social services can now refer substance abusers for interdisciplinary specialised treatment in the specialised health services. Many substance abusers have serious health problems, but have often not received the health assistance they require. The purpose of the reorganisation is to strengthen health services for substance abusers.

5.7 The environment

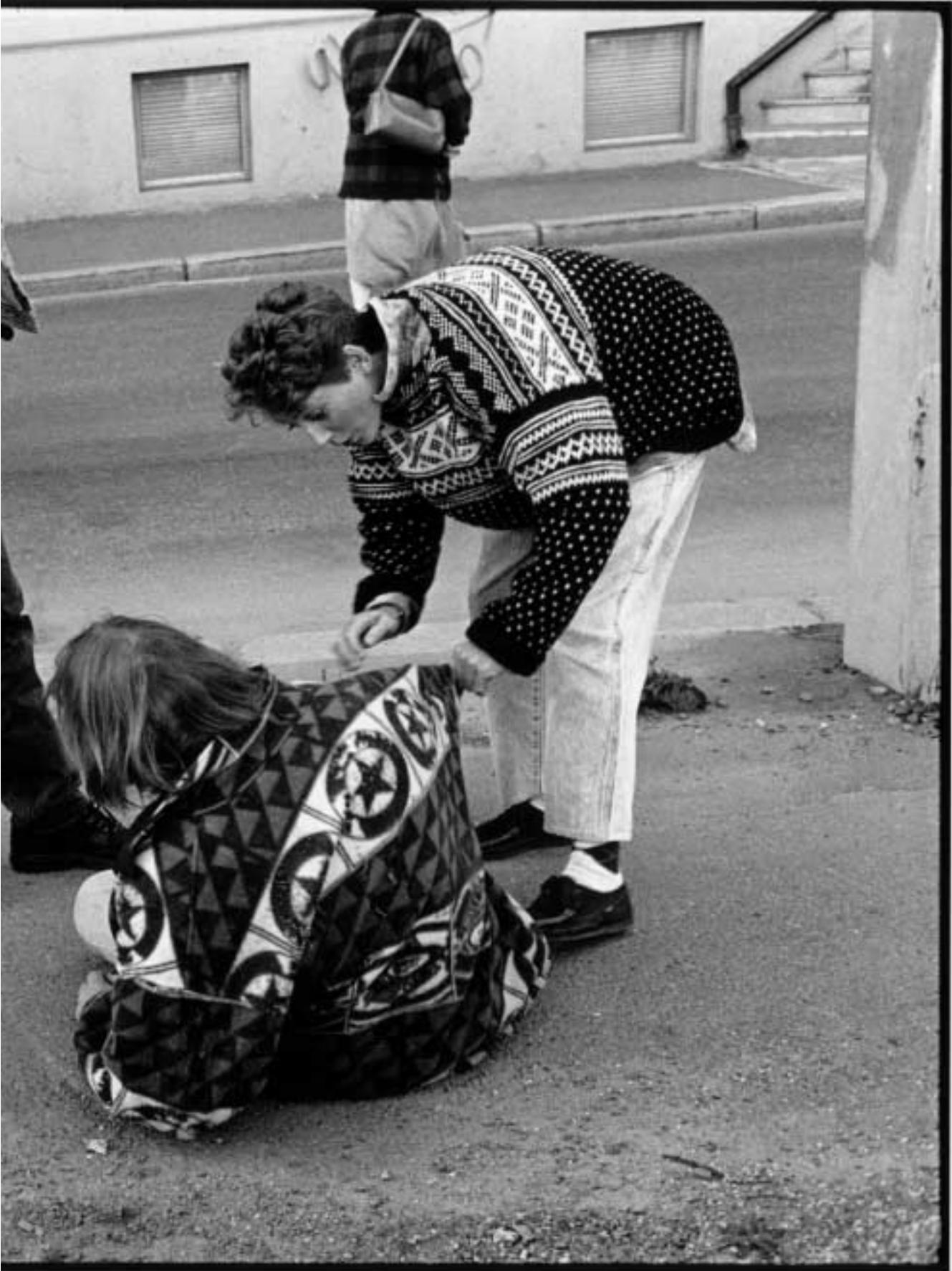
5.7.1 The right to environmental information

The right to environmental information is given special protection in Article 110b of the Constitution of Norway. To strengthen this right, a new combined Act was adopted in 2003 on the right to environmental information and participation in public decision-making processes that have an environmental impact (the Environmental Information Act), which will enter into force on 1 January 2004. The Act imposes a duty on both public authorities and public and private actors to publish environmental information. It strengthens the right of the general public to access to environmental information held by public authorities and imposes a special responsibility on public authorities to make available general information on the state of the environment and environmental matters. The Act introduces entirely new rights and duties as regards environmental information provided by public and private actors. The Environmental Information Act also strengthens the right to participate in decision-making processes that have an impact on the environment.

This Act brings Norwegian law into conformity with Norway's international commitments, but goes further on a number of points. As a result of



Norway 1994: Social worker helping drug addict



the new Act, in May 2003 Norway was able to ratify the Århus Convention of 1998, which is a UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters.

Norway gives priority to international activities that promote implementation of the goals of the Århus Convention. There is a particularly urgent need to build up expertise in this field in Central and Eastern Europe and Central Asia.

A number of development cooperation projects and programmes are designed to disseminate environmental information. Similarly, there are activities in the field of cultural heritage protection that help to increase minorities' awareness of their own culture. Both types of activity strengthen human rights by promoting increased popular participation and active involvement vis-à-vis the authorities. For instance, GRID-Arendal has helped to develop a programme for environmental status reports on the situation in China that are accessible on the Internet.

5.8 The right to food

Report No. 16 (2002-2003) to the Storting, *Recipe for a Healthier Norway*, was debated by the Storting in 2003. The report deals with the need to intensify efforts to promote good nutrition and safe food. The right to food also encompasses the right to adequate nutrition and access to safe food products. The activities initiated to follow up the report will contribute towards fulfilling these rights in Norway.

5.8.1 Implementation in Norwegian law

In June 2003, the Ministry of Health, the Ministry of Agriculture and the Ministry of Fisheries jointly presented Proposition No. 100 (2002-2003) to the Odelsting on the Act on food production and food safety, etc. (the Food Act). The Act will enter into force on 1 January 2004. A new Norwegian Food Safety Authority and a new Norwegian Scientific Committee for Food Safety have also been established. Four former food control authorities were merged to form the Norwegian Food Safety Authority, which is now responsible for the entire food chain.

5.8.2 The Action Plan for Consumer Orientation of Food and Agricultural Policy

The Action Plan for Consumer Orientation (2001-2005) is based on respect for consumer rights, such as the right to be able to choose a diet on the basis of nutritional and health-related preferences. This is an important aspect of the right to food, as enshrined in Article 11 of the International Covenant on Economic, Social and Cultural Rights and further elaborated in General Comment No. 12. During the first period of the plan (2001-2003), consumer panels were established to serve in an advisory capacity as regards food policy, the Food Portal was created on the Internet, and a project was carried out to ensure that the activities of the control bodies are user-oriented.

5.8.3 Work in the Food and Agriculture Organisation (FAO)

In 2002, the FAO established an Intergovernmental Working Group (IGWG) to draw up voluntary guidelines for implementing the right to food. The working group is placed under the Committee for World Food Security (CFS) and reports at CFS meetings. Participation in the IGWG is open to all members of the CFS, the FAO and all UN member states. The Norwegian delegation, which consists of representatives of the Ministry of Agriculture and the Ministry of Foreign Affairs, seeks to ensure that the guidelines are a practical tool for implementing the right to food.

In Ethiopia, recurring famines have give risen to a fundamental debate on ways of improving food security. To contribute to this debate, Norway has carried out a study of the main challenges as regards food security in particularly vulnerable areas. The study will provide a valuable basis for a long-term strategy to promote food security in grazing areas.

5.9 Culture and science

5.9.1 A new Act on the medical use of biotechnology

A new Act on the medical use of biotechnology for human beings, etc. was adopted on 27 November 2003. The purpose of the Act is to ensure that medical use of biotechnology is applied in the best interests of people in a society with room for everyone. This is to be done while upholding the principles of respect for human dignity, human rights and personal integrity and without discrimination on grounds of hereditary factors. The former Act of 5 August 1994 No. 56 will be repealed on the date the new Act enters into force. The main amendments in the new Act are:

- The anonymity of semen donors has been revoked. Children born as a result of assisted conception using donated semen have the right to be informed of the identity of the semen donor after they reach the age of 18. The new provisions will not enter into force until there is a satisfactory system of assisted conception using donated semen from identifiable donors, and will not have retroactive effect. The Ministry of Health and Social Affairs is currently working on establishing a service of identifiable semen donors in Norway.
- Ultrasound may only be used in connection with foetal diagnosis by enterprises that have been approved by the Ministry of Health and Social Affairs. The right of the woman or the couple to information and genetic counselling in connection with foetal diagnosis has been strengthened.
- More stringent conditions have been imposed for unsolicited genetic counselling without the patient's consent. Health professionals may not inform relatives about hereditary diseases if the patient does not *wish* to consent to their doing so. If the patient *cannot* give his or her consent, for instance because the patient is dead or unconscious, health professionals may inform his or her relatives, provided that the conditions for unsolicited genetic counselling have otherwise been met.



Norway 1991: Sami keeping reindeer during the autumn slaughter

6

Tolerance and equality



6.1 Discrimination and racism

The prohibition against discrimination and racism is a key element of many human rights conventions, such as the International Covenant on Civil and Political Rights of 1966 and the International Covenant on Economic, Social and Cultural Rights of 1966, the International Convention on the Rights of the Child of 1989, the European Convention on Human Rights of 1950, the International Convention on the Elimination of All Forms of Racial Discrimination of 1965 and the International Convention on the Elimination of All Forms of Discrimination against Women of 1979.

In the past few years, the Government has initiated and maintained a large number of legislative and other measures in this field.

6.1.1 A new Act prohibiting ethnic discrimination

On 3 March 2000 the Government appointed a legislative committee to prepare a draft Bill prohibiting ethnic discrimination. The committee presented its report in June 2002. The report proposes a general ban on ethnic discrimination that is to apply to all areas of society. In 2003, the Government decided that the Act is also to apply to discrimination based on religion, and aims to present a proposal for an Act prohibiting discrimination based on ethnicity and religion in 2004.

6.1.2 The Plan of Action to Combat Racism and Discrimination (2002-2006)

In 2002 the Government presented a new Plan of Action to Combat Racism and Discrimination that covers the period 2002-2006. The measures in the Plan of Action particularly target the following priority areas: working life, the adaptation of public services, the school and education sector, the police, prosecuting authority and courts of law, documentation and surveillance, the Internet, local communities and the strengthening of legal safeguards against ethnic discrimination and racism statements. The Plan of Action covers discrimination against indigenous peoples, national minorities and persons with an immigrant background.

The Ministry of Local Government and Regional

Development is coordinating the implementation of the measures described in the Plan of Action. In this connection, a committee has been established to ensure dialogue with and access to information for the plan's target groups. This committee consists of representatives of the ministries concerned, the Directorate of Immigration, the Centre for Combating Ethnic Discrimination, the Liaison Committee between Immigrants and the Authorities, and non-governmental organisations that address issues related to racism and discrimination, i.e. the Immigrant Federation of Norway (INLO), the Foundation against Public/Official Discrimination (OMOD), SOS Racism and the Antiracist Centre. The committee held two meetings in 2003. Most of the measures in the Plan of Action have already been implemented.

6.1.3 Measures to increase the participation in society of children and young people from an immigrant background

All children and young people in Norway must be guaranteed the same opportunities and rights, and be treated equally regardless of skin colour, ethnic origin or religion. It is important that children and young people from an immigrant background are given the opportunity to contribute their resources and experience. Facilitating the increased participation in society of children and young people is an obligation pursuant to Article 12 of the International Convention on the Rights of the Child.

In June 2002 the Ministry of Local Government and Regional Development presented its Plan of Action to Increase the Participation in Society of Children and Young People from an Immigrant Background. The Plan of Action was drawn up in collaboration with the Ministry of Children and Family Affairs, the Ministry of Justice, the Ministry of Culture and Church Affairs and the Ministry of Education and Research. Its main focus is on improving the language skills and knowledge of Norwegian society of pre-school children and their parents, facilitating parental cooperation in schools, providing better follow-up of unaccompanied minors and increasing the participation of young people from an immigrant background in cultural activities and sports.

In 2003 a pilot project was carried out within the framework of the Ministry of Children and Family Affairs' parental guidance programme to establish parental guidance groups for parents from an immigrant background. An evaluation of these activities showed that positive results had been achieved, and the project will be continued and expanded in 2004.

As a result of pilot projects to provide short-term day care free of charge, a new grant scheme will be introduced from 1 August 2004 for measures to improve the language understanding of minority-language pre-school children. Funding has also been provided to carry out a study at public health clinics of the languages spoken by two-year-olds and four-year-olds in Drammen and the Grorud district of Oslo. The purpose of this study is to develop a better tool for language testing so as to identify children with poor Norwegian language skills as early as possible. Work is now in progress on developing methods and carrying out pilot projects to improve cooperation between schools and immigrant parents. Efforts will be made to further encourage young people from an immigrant background to participate in cultural activities and sports in order to create good role models for other young girls and boys. Funding was provided for the continued operation of the Nordic Black Theatre and the Colourful Football project. There is also a need for a variety of crime-prevention measures to prevent the marginalisation of young people from an immigrant background. More use is to be made of victim-offender mediation, and more mediators from an immigrant background will be recruited. The Ministry of Justice has initiated several pilot projects for the period 2003-2005 that will test new models for binding cooperation between central and local government administrative bodies and homes and local communities. The goal is to stop young people who are beginning to develop a criminal pattern of behaviour, return young persons who have been convicted of a crime from prison to society and prevent new crimes. The target group for the project includes young people from an immigrant background.

In December 2003 the Ministry of Education and Research presented a Strategic Plan for *Equal Education in Practice* to promote learning and

increase the participation of language minorities in day care centres, schools and educational institutions. The plan aims to ensure that more children can speak Norwegian when they start school, that their scholastic performance improves and that more people from a minority language background complete upper secondary and higher education.

An introductory programme for newly arrived immigrants was carried out in 2003, and has been made compulsory in all municipalities from 2004. This programme is intended to help newly arrived immigrants improve their Norwegian language skills and their qualifications for working life. The right and duty to Norwegian language training will also be introduced.

Unaccompanied minors seeking asylum are a particularly vulnerable group who need to have contact with adults in order to create a new life for themselves in Norway. An inter-ministerial working group has assessed alternative reception and settlement models for unaccompanied minors and ways in which unaccompanied minors who live with relatives can be followed up more closely. It also assessed a system of guardianship for unaccompanied minors that can replace, or supplement, the current system. The proposal of the working group was circulated for consultative comment in summer 2003.

6.1.4 Cultural diversity

The Norwegian Council for Cultural Affairs had a special development programme for art and the multicultural society called Mosaic from 1998 to 2001. The aim of the Mosaic programme was to promote and integrate multicultural and cross-cultural forms of expression into the established schemes for art and art policy. The goals of the programme have now been incorporated as priority areas of focus in the ordinary spheres of work and responsibility of the Council's specialised committees. In connection with a conference on cultural diversity held in 2002 by the Ministry of Culture and Church Affairs, the Norwegian Council for Cultural Affairs, Drammen Municipality and Oslo Municipality, the Ministry appointed a working group to discuss ways of achieving the goal of promoting cultural diversity

in the field of culture. The working group submitted its report in 2003.

6.1.5 International activities

Norway submitted its 16th Periodic Report on the Implementation of the UN Convention on the Elimination of All Forms of Racial Discrimination to the UN Committee on the Elimination of Racial Discrimination in 2002. The Committee examined Norway's report in August 2003.

6.2 National minorities

Minorities with a long-standing connection to the nation state in which they live are regarded as national minorities. As such, they are specially protected by the Council of Europe's Framework Convention for the Protection of National Minorities, which was ratified by Norway on 17 March 1999. In connection with ratification, it was determined that the Sami people, the Kvens (people of Finnish descent living in northern Norway), the Romani people (Travellers), the Roma (Gypsies), the Skogfinns (people of Finnish descent living in southern Norway) and Jews satisfy the criteria to qualify as national minorities in Norway. However, the Sami Parliament has stated that the Sami people do not stand to gain from being covered by the convention, since Sami rights under ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries are broader in scope than their rights pursuant to the Framework Convention.

Norway submitted its first report on its implementation of the Framework Convention in March 2001. The process related to Norway's first report concluded with the resolution of the Ministerial Council of 8 April 2003. The report of the Council of Europe states that Norway has attached considerably more importance to protecting national minorities, but that there is room for improvement in both legislation and practice. The Council of Europe particularly emphasises the situation of the Kvens with regard to language and media. It also points out that the traditions and culture of the Roma and Romani peoples are not taken into sufficient account in relevant norms and administrative practices, thereby

affecting their right to education and assurance of full participation in working life.

A strong wish has been expressed that a fund be established, particularly with the Romani people in mind and the abuses to which some members of this group have been subjected. In Budget Recommendation No. 5 (2002-2003) to the Storting, the Standing Committee on Local Government asked the Government to consider whether the current compensation schemes meet society's needs to rectify possible injustices or omissions.

In September 2003, an inter-ministerial working group headed by the Ministry of Local Government and Regional Development presented a study of possible compensation schemes for the Romani people who were forcibly sterilised. The report of the working group was sent to Romani organisations in September.

Consideration is now being given to finding a coherent approach to dealing with claims for compensation presented by various groups that have been subjected to abuses or omissions.

The Directorate of Cultural Heritage's activities targeting national minorities include protective measures designed to safeguard diversity and increase the representativity of cultural monuments and sites in Norway.

6.2.1 The Kvens

In November 2001, the Council of Europe's Committee of Ministers recommended that the Norwegian authorities clarify the status of the Kven language. The question is whether Kvensk is to be defined as a separate language or as a Finnish dialect. The Ministry of Culture and Church Affairs and the Ministry of Local Government and Regional Development commissioned a report from experts on this issue. The report states that it is *possible* but not *necessary* to regard Kvensk as a separate language, partly due to the extent of the structural linguistic differences. It also concludes that due to social and linguistic factors, Kvensk should be considered a separate language. The report has been circulated for

consultative comments, which are to be submitted by June 2004.

The Council of State held on 6 June 2003 adopted a resolution that gives Porsanger Municipality a new, trilingual name from 1 January 2004. The municipality will have three equally valid names: Porsanger (Norwegian), Porsángu (Sami) and Porsanki (Kvensk/Finnish).

It has been decided to establish a centre for Kven language and culture, the Kvæntun Centre, in Børselv, Porsanger. The centre will comprise offices and facilities for meetings, courses and exhibitions. The Ministry of Culture and Church Affairs will provide a total of NOK 12 million for planning costs and construction of the administration building. Construction will commence in spring/summer 2004, and the administration building will be completed a year later.

6.2.2 The Romani people

A centre for documentation and presentation of the culture and history of the Romani people is to be established as a separate department of the Glomdal Museum in Elverum. The aim is to foster understanding of what a minority is, increase the general public's awareness of injustices and oppression and promote greater tolerance. NOK 50 million in funding has been allocated from the budget of the Ministry of Culture and Church Affairs. Construction is scheduled to begin on 1 January 2006.

6.2.3 International activities

Several ethnic minority groups in Vietnam have poor living conditions and their rights as individuals are not always fully observed. Norway provides support for a primary school project for children in ethnic minority groups in the northern mountain province of Lai Chau, and focuses on the situation of several ethnic groups in Vietnam.

6.3 The Sami people

Both Norwegian legislation and international conventions provide the basis for official Norwegian policy in respect of the Sami people. Article 110a of the Constitution establishes the principle of equality between Norwegians and the Sami people.

Among the treaty provisions by which Norway is bound as regards indigenous peoples, ILO Convention No. 169 is a key instrument. However, the Sami people are also an ethnic, cultural and linguistic minority, and conventions dealing with the rights of minorities may therefore also be significant for the Sami people. The most important conventions regarding minorities are the International Covenant on Civil and Political Rights (Article 27), the European Charter on Regional and Minority Languages, and the Council of Europe's Framework Convention for the Protection of National Minorities.

6.3.1 National policy and measures in respect of the Sami people

The Ministry of Justice has translated the Public Administration Act and the Freedom of Information Act to Sami. In 2003, funds were also allocated to a project to develop Sami legal terminology.

6.3.2 Sami land and water rights

In April 2003 the Government presented a draft Bill to the Storting on legal relationships and the management of land and natural resources in Finnmark County (the Finnmark Act), based on the report of the Sami Rights Committee, Official Norwegian Report 1997:4 on the natural resource base for Sami culture. The aim was to find a balanced solution that ensured compliance with ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

In the draft Bill, the Government has proposed establishing a new, independent body to which 95 per cent of the land area of Finnmark would be transferred. This body is to be headed by an executive committee consisting of three members of the Sami Parliament and three members of the



Norway 1991: A new generation Sami people

Finnmark County Council. The central government will appoint one non-voting member.

6.3.3 A new Act on Personal Names

The new Act on Personal Names came into force in January 2003. The new Act makes it easier for Sami persons to preserve their traditional Sami name customs.

6.3.4 Establishment of a new court of law in Indre Finnmark

A new court of law, the Indre Finnmark District Court, will take up its functions on 1 January 2004. The district court will be bilingual, Norwegian and Sami. The primary role of the court is to serve as a court of law for the Sami community, but it will also be an ordinary court of first instance. The court will serve the municipalities that make up the administrative area for the Sami language rules. A separate court of first instance that possesses local expertise on the Sami core area will give the Sami people greater confidence in the courts and make it easier to recruit judges with a Sami background or with a good knowledge of Sami culture, language and social life. A court of this type will also help to increase courts' knowledge of Sami customs and legal traditions, and to develop Sami legal terminology.

The establishment of this court can be regarded as being in faithful compliance with the recommendation of 21 November 2001 by the Council of Europe's Ministerial Council that priority should be given to facilitating use of the Sami language in contacts with courts of law. This recommendation was made in connection with Norway's reporting under the Council of Europe's European Charter on Regional and Minority Languages.

6.3.5 The Group of Experts charged with drafting a Nordic Sami convention

At a joint meeting on 7 November 2001, the ministers and presidents of the Sami Parliaments decided to appoint a group of experts comprising representatives from Finland, Sweden and Norway to prepare a draft of a Nordic Sami

convention based on the report "Needs and Basis for a Nordic Sami Convention". The expert group consists of two members from each country, one of whom is appointed by the respective Sami Parliament. Norway chairs the group and serves as the secretariat. The group, which is chaired by former Chief Justice of the Supreme Court Carsten Smith, began work in January 2003 and is expected to present its final report in 2006.

6.3.6 Information on Sami affairs

The Ministry of Local Government and Regional Development and the Sami Parliament have jointly launched an information campaign on Sami affairs. The campaign aims to reach young people and adults through schools and the media.

6.3.7 The East Sami Museum in Neiden

A decision has been made to establish a museum for East Sami culture and identity in Neiden, Sør Varanger. Planning has begun and construction will commence in 2005 with a view to opening the museum in 2006. The Ministry of Culture and Church Affairs is providing NOK 30 million in funding for this project, which will be carried out by the Directorate of Public Construction and Property.

6.4 Indigenous peoples

During the International Decade of Indigenous Peoples (1995-2004), the UN has focused more strongly on the difficult conditions under which indigenous populations live in many areas of the world. A Permanent Forum on Indigenous Issues has been established in New York. The Forum, which is placed under the UN Economic and Social Council (ECOSOC), has a broad mandate and meets annually. In Geneva, negotiations are being held on a UN Declaration on the rights of indigenous peoples. Indigenous issues also rank high on the agenda of the UN General Assembly and in the UN Commission on Human Rights. The situation of indigenous peoples is also addressed in great many other contexts within the UN system.

6.4.1 The UN Permanent Forum for Indigenous Issues

The Permanent Forum (PF) has 16 individual members, half of whom are indigenous people. All of the members participate in the PF as independent experts on indigenous issues. In addition to the members, representatives from member states, UN bodies and agencies and organisations of indigenous peoples take part in the forum as observers with the right to speak.

The second meeting of the PF was held in May 2003. In addition to the ordinary agenda (economic and social development, culture, the environment, health and human rights), the forum focused particular attention on the topic of children and young people.

Along with the other Nordic countries and other like-minded countries, Norway worked actively to secure financing for the PF's activities from the UN's regular budget.

6.4.2 Work on a UN Declaration on the Rights of Indigenous Peoples

The Working Group appointed by the UN Commission on Human Rights to draft a UN declaration on the rights of indigenous peoples held its annual session in Geneva in September 2003. For the first time in the history of the Working Group, there was broad support among countries and representatives of indigenous peoples for efforts to reach compromises that do not differ greatly from the original draft of the declaration. The faction of countries that is demanding either that the draft be adopted without amendments or that the entire declaration be rewritten has been considerably reduced. For the first time, therefore, it was possible to have genuine negotiations on the substance of the declaration. The negotiations were based on proposals presented by the Nordic countries. This improvement in the negotiating climate offers hope that the declaration can be adopted as soon as possible after the end of the International Decade of Indigenous Peoples.

6.4.3 Work relating to indigenous issues under the Convention on Biological Diversity (CBD)

Norway plays an active part in efforts to address indigenous issues under the Convention on Biological Diversity (CBD). Topics covered in work relating to indigenous issues in the CBD include various aspects of traditional knowledge, full and effective participation, respect for the religious and cultural values of biological diversity and holistic management of the ecosystem.

In summer 2003, in connection with the CBD, Norway hosted the fourth international Trondheim Conference on Biodiversity. The theme of the conference was technology transfer and capacity building. Traditional knowledge was referred to by several of the speakers.

In parallel with the efforts to integrate indigenous issues into every area covered by the CBD, work is in progress on implementing a special work programme for these issues, and a working group has been established for this purpose.

In the working group for indigenous issues, indigenous groups are "equated" with the parties to the convention in terms of the possibility of speak and the time allotted.

Topics discussed in 2003 included:

- The development of voluntary guidelines for participation in land use planning processes and impact analyses that safeguard the cultural, environmental and social interests of indigenous peoples.
- The development of a structure and plan of implementation for a report on the status of and trends in the knowledge, practices and experience of indigenous peoples that are relevant to the preservation and sustainable use of biological diversity.
- The development of *sui generis* systems (other than patent systems) to protect traditional knowledge.
- Cooperation with the UN Permanent Forum for Indigenous Peoples.

The Sami Parliament is represented in the Norwegian delegation to conferences of the Parties to the CBD and to meetings of working

groups related to the work programme on indigenous issues.

6.4.4 The Resource Centre for the Rights of Indigenous Peoples

The Resource Centre for the Rights of Indigenous Peoples was opened on 1 September 2003 with the objective of promoting greater knowledge and understanding of the rights of indigenous peoples and Sami rights.

6.4.5 Other international processes and activities

The UN Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples, Rudolfo Stavenhagen (Mexico), visited Norway in autumn 2003. His visit was subsequently described in the Special Rapporteur's report to the UN Commission on Human Rights.

Much of Norway's development cooperation focuses on strengthening the rights of indigenous peoples. This applies to Norwegian assistance for Guatemala, where Norway seeks to promote compliance with the Agreement on Identity and Rights of Indigenous Peoples. In 2003 focus was expanded from bilingual education and sustainable development to include human rights, the culture and identity of indigenous peoples, the political participation of indigenous peoples and the rights and participation of indigenous women. Norway provides funding for programmes all over Guatemala. Financial assistance is provided for bilingual and inter-cultural educational programmes at all levels, ranging from pre-school to university.

6.5 Asylum and immigration law

The right to apply for and be granted asylum is laid down in Article 14 of the Universal Declaration of Human Rights. The right to asylum is not addressed in the human rights conventions, although they contain scattered provisions regarding administrative procedures and protec-

tion in the event of expulsion. In addition, human rights apply to every person within the territory of a state and hence also to any refugees and asylum seekers who may be in that state. On the other hand, the right to apply for and be granted asylum is regulated by legislation such as the UN Convention of 28 July 1951 relating to the Status of Refugees, with a Protocol dated 31 January 1967. The Government bases its policy on the principle that the Immigration Act must be implemented humanely and fairly in a way that ensures that Norway assumes its share of responsibility for asylum seekers and refugees.

6.5.1 The Legislative Committee on the Revision of the Immigration Act

The current Immigration Act was adopted in 1988 and came into force on 1 January 1991. Since its adoption, major changes have taken place in the sphere of immigration. In the light of these changes, a legislative committee was appointed in December 2001. In 2003 the committee, which is chaired by District Recorder Bjørn Solbakken, drafted a recommendation for a new Act and will present its proposals by 1 June 2004.

6.5.2 Domestic violence in cases where the abuser is not a Norwegian national

In spring 2002 the Ministry of Justice and the Police and the Ministry of Local Government and Regional Development appointed a working group to assess rules and practice in cases concerning threats and violence in families where the abuser is not a Norwegian national. This action was prompted by several examples of women who were subjected to violence and threats of violence.

The working group submitted its report in May 2002, in which it proposes that an assessment be made of the need to amend the rules regarding the expulsion of convicted persons and the way these are implemented in practice with a view to providing better protection for victims of violence or harassment. It also proposed that priority be given to immigration cases in which the result may be significant for those who are victims of violence or harassment. Among other things, it proposed that the penalty limit for expulsion be lowered, and that an assessment be made of the

rules for deferred implementation of expulsion orders in cases where the foreign national is a threat to others.

In following up the proposals of the working group, the best interests of the child and the protection of the aggrieved party will be key considerations, while ensuring due process of law for the person who is liable to expulsion. Amendments to statutes and regulations resulting from the working group's proposals were circulated for consultative comment in 2003. The Government will present a draft Bill to the Storting in 2004.

6.5.3 Expulsion

When the immigration authorities consider expelling a foreign national from Norway, they must assess whether the expulsion will be a disproportionate measure in respect of the foreign national himself or herself or his or her closest family members. In making the assessment, Article 8 of the European Convention on Human Rights on the right to family life and the provisions of the Convention on the Rights of the Child are considered. The immigration authorities have received inquiries concerning the issue of expulsion of foreign nationals who have children in Norway. In order to obtain a better overview and insight into this type of situation, the Directorate of Immigration began to register all expulsion cases involving foreign nationals with children in Norway.

6.5.4 Unaccompanied minors who are refugees and asylum seekers

In Norway the term "unaccompanied minors" is the collective term for all children and young people under the age of 18 who come to Norway without their parents or other adults with parental responsibility in Norway. This also includes those who come to Norway accompanied by other adults, such as an older brother or sister, aunt, uncle, etc. Other factors common to this group are that they are seeking asylum, have been granted refugee status, have received a negative decision regarding their application for refugee status or asylum, or have been granted a residence permit on humanitarian grounds. Most of the unaccompanied minors who came to Norway

in 2003 were from Iraq, Afghanistan and Somalia. The vast majority of these minors are boys.

In 2003 the Ministry of Local Government and Regional Development circulated for comment a proposal by an inter-ministerial working group regarding the closer follow-up of unaccompanied minors. The working group assessed various reception and settlement models for this group, better follow-up of unaccompanied minors who live with relatives, and a guardianship scheme to replace or supplement the current scheme.

A number of measures have been initiated to secure the situation of minors who are refugees or asylum seekers. In February 2003, the Directorate of Immigration introduced procedures for testing the age of asylum seekers, partly to ensure that those who really are unaccompanied minors receive proper follow-up. So far, more than 80 per cent of those tested have proved to be over 18 years old.

Asylum interviews must be carried out as soon as possible and preferably within two weeks after the minor's arrival. The Directorate of Immigration has professionals trained to work with minors to assist in the process of interviewing children. Professional guidelines have also been drawn up for work with unaccompanied minors at reception centres. At the start of 2003, a special reception centre was established for unaccompanied minors under 15 years of age. Every reception centre must have a staff member who is specially trained to work with children. As regards settlement, the goal is to settle unaccompanied minors as quickly as possible, and no later than three months after they have been granted a residence permit. Efforts to trace parents or other care providers are also being intensified. In 2001, the Ministry of Justice appointed a legislative committee to revise the Guardianship Act. One of the issues to be considered by the committee is whether there is a need for special rules for unaccompanied minors. The committee is to submit its recommendation by the end of January 2004.

The Ministry of Children and Family Affairs is taking steps to upgrade the expertise of the child welfare service with regard to unaccompanied minors and the service's work with this group, and is now considering making the municipality's

duty to assess the needs of individual minors and provide suitable measures a statutory obligation in the Child Welfare Act. The Ministry is also considering issuing a circular or guidelines to municipalities on the subject of the placement of minors with relatives.

One of the biggest challenges in working with unaccompanied minors is initiating measures designed to provide unaccompanied minors with a social network in his or her local community. The Ministry of Children and Family Affairs has allocated funds for a project carried out jointly by Stavanger and Sandnes municipalities in western Norway to develop effective models for integrating young asylum seekers and refugees through cultural and leisure activities.

6.5.5 Refugees and the Traumatic Stress Project

Health services for refugees who have been subjected to human rights violations are one of several areas of focus within the framework of the Traumatic Stress Project. The National Centre for Studies on Violence and Traumatic Stress will be established on 1 January 2004. Part of the centre's work will be to conduct research on and develop knowledge of refugees who have been the victims of human rights violations, and the psychological and somatic consequences of torture. The Norwegian Directorate for Health and Social Welfare began work on increasing regional expertise on violence and trauma. This process also includes the development of knowledge on and health services for refugees who have been subjected to human rights violations. A report will be presented in spring 2004.

6.5.6 Trauma therapy and psychosocial assistance for children with a refugee background

Many children living in reception centres have experienced war and crises, as a result of which they display various symptoms and problems. Several of them require professional assistance. The central government authorities are responsible for preventing the occurrence of psychosocial health problems and for ensuring that the needs of children who actually suffer from traumatic disorders are identified and that the children receive the necessary supervision and treatment.

In 2003 the Ministry of Children and Family Affairs continued to support the work of the Centre for Crisis Psychology to provide parental counselling at reception centres and conversation and therapy groups for children. The Ministry also provided funding for refugee counsellors who are responsible, within their geographical area, for encouraging, training and counselling professionals in municipal administrations and at reception centres who wish to start up conversation groups for children and provide parental guidance.

The Ministry of Children and Family Affairs and the Directorate of Immigration have jointly provided funding for the Centre for Crisis Psychology for a project to register refugee children. The project aims at developing instruments and questionnaires to identify traumas and psychological after-effects in refugee children with a view to establishing fixed procedures for this purpose. On the basis of these procedures, a report will be prepared on each child which will then be taken over by the parents and will be sent with the child to the municipality in which he or she is eventually settled. The project will be completed in 2004 and the Ministry of Children and Family Affairs will help to ensure that the results of the project are followed up.

The Government plans to improve services for refugee children at reception centres and in municipalities. The Government will consider carrying out an overall assessment of the current need for services, the services that exist at present and how they should be improved. This process is to be carried out in collaboration between the immigration authorities, the health authorities and the Ministry of Children and Family Affairs. In this connection, the system of parental guidance and refugee counsellors should be maintained, and consideration should be given to transferring the system to the central government children welfare and family welfare administration. Measures must also be identified that better meet the needs of refugee or asylum-seeking children for predictability, security and opportunities for contact with adults. It is important to accelerate the settlement of children who are to remain in Norway, so that they can resume a normal life situation in a municipality as soon as possible.



Azerbaijan 1994: Oil wells

7

Economics and working life



7.1 Corporate social responsibility (CSR)

Corporate social responsibility (CSR) entails that economic actors take account of the consequences of their activities for society. This responsibility covers human rights, including workers' rights, environmental impacts and a number of other social factors. This is particularly relevant in areas where government structures are weak, as in the case of some developing countries. On such markets, international companies can exercise so much influence that they are partially responsible for social development. In many cases, economic actors will benefit from assuming this responsibility. Corporate social responsibility is also an important issue on the Norwegian market and for small and medium-size companies. Many political objectives, including important foreign policy goals, cannot be achieved unless economic actors assume part of the responsibility for social development on the markets on which they operate. The conduct of Norwegian companies in the international arena has a vital impact on Norway's reputation. Consequently, there is a need to establish both cooperation and distinctions between companies and political authorities. Developing the public sector's contribution to this type of cooperation and facilitating Norwegian companies' assumption of social responsibility is a priority task for the Government.

In 1998 the Ministry of Foreign Affairs established the Consultative Body for Human Rights and Norwegian Economic Involvement Abroad (Kompakt). Kompakt has recently accepted a number of major Norwegian companies as direct members and expanded its mandate to include issues related to corporate social responsibility in general. Kompakt maintained and intensified its activities in 2003.

In 2003 the Ministry of Trade and Industry followed up the work of addressing CSR-related issues, including the efforts of the Norwegian Guarantee Institute for Export Credits (GIEK) to implement the OECD's anti-corruption convention.

The Ministry of Foreign Affairs wishes to contribute towards strengthening knowledge of and the scientific basis for corporate social

responsibility. It has therefore provided support for research aimed at increasing international awareness of the effects of economic activity in conflict-torn areas. The Ministry of Foreign Affairs has taken part in preparing a proposal for a national research programme on corporate social responsibility and will contribute funding for this purpose.

Norway increased its support for and contact with the UN Global Compact in 2003. This initiative is now at a crucial stage where it is important to determine the future role of the Global Compact. Norway has contributed financially to the study, which further elaborates this question.

Workers' rights and corporate social responsibility were among the topics discussed in Norway's human rights dialogue with China (see chapter 13). The Norwegian Confederation of Trade Unions (LO) and the Confederation of Norwegian Business and Industry (NHO) were key participants at the Human Rights Round Table in Oslo in November 2003.

7.1.1 *The Voluntary Principles on Security and Human Rights*

In 2002, Norwegian authorities joined the process relating to the Voluntary Principles on Security and Human Rights. The Voluntary Principles are a set of guidelines for private companies' use of security personnel and measures in compliance with international human rights conventions. The guidelines also cover companies' risk analyses. The governments of the United States, the United Kingdom, the Netherlands and Norway are participants in this process, together with a large number of international oil companies, including Norsk Hydro and Statoil, and human rights organisations. Norway continued its participation in 2003. Campaigns to increase adherence to the guidelines were carried out in Colombia, Brazil and Nigeria.

7.1.2 *The Extractive Industries Transparency Initiative*

Norway, represented by the Ministry of Petroleum and Energy and the Ministry of



Brazil 1998: Charcoal burner kiln

Foreign Affairs, participates in the Extractive Industries Transparency Initiative, a framework of cooperation to combat corruption. The purpose of the Initiative is to establish voluntary templates for reporting flows of money and benefits between host countries and companies in the extractive industries. This type of common reporting mechanism will help to increase the transparency of these money flows, reduce the risk of corruption and increase the probability of oil and mineral revenues benefiting the population at large. In 2003, several countries, including important oil-producing countries such as Nigeria and Azerbaijan, declared that they would try out the reporting templates. Norway continued to provide active political support for this initiative, and has announced that it will also provide funding. Norsk Hydro and Statoil also played a constructive role in this work.

7.1.3 Ethical guidelines for management of the Norwegian State Petroleum Fund

In June 2003, the Graver Committee submitted its recommendation, in which it emphasised that “the Petroleum Fund must not make investments that constitute an unacceptable risk that the Fund is contributing to unethical actions or omissions such as violations of fundamental humanitarian principles, gross violations of human rights, gross corruption or severe environmental degradation.” The Committee advocates introducing a set of ethical guidelines for management of the Petroleum Fund. It proposes to make use of negative screening of companies from the investment universe, exclusion and exercise of ownership rights based on the UN Global Compact and the OECD Guidelines for Multinational Companies to ensure that the Petroleum Fund does not make investments that entail an unacceptable risk of participation in particularly serious violations of fundamental ethical norms. The Government will submit the matter to the Storting in the Revised National Budget for 2004.

7.1.4 Tropical timber

Norway continues to be actively involved in efforts to combat illegal and unsustainable logging and trade in tropical timber. In addition to

the environmental consequences of such activity, the interests of indigenous peoples and other local population groups are key concerns.

In addition to initiatives targeting the building material industry, the Norwegian authorities also contacted the boat-building industry in 2003 with a view to preventing the illegal, unsustainable use of tropical timber in Norwegian pleasure craft. Norway also continues to pursue this issue in relevant international forums. In 2003, the matter was followed up in the UN Forest Protection Forum.

The International Agreement on Tropical Timber is currently being renegotiated, and in two rounds of negotiation in 2003 Norway emphasised strongly that there must be greater focus on the rights of indigenous peoples in the new agreement.

Bilateral cooperation with the various exporting countries also plays an important role in preventing illegal logging. The Memorandum of Intent between Norway and Indonesia, aimed at assisting Indonesia to combat illegal logging of and trade in tropical timber, is being implemented through concrete joint initiatives.

The EU has now adopted a Plan of Action and is continuing work on drafting rules to govern imports of environmentally and socially acceptable tropical timber. Norway is following this work closely and advocates that the EFTA countries also participate in this cooperation.

7.1.5 Other international activities

Corruption is a growing problem in Indonesia and is prevalent in most public institutions. There is also widespread, systemic corruption in the justice sector. Norway supports the UNDP's Partnership for Governance Reform programme, which will play a central role in future efforts to combat corruption. The programme has also been the driving force in an important process aimed at putting corruption on the agenda of Muslim organisations. Continued efforts will be made to focus attention on corruption-related issues.

7.2 Child labour

The issue of child labour is high on the international agenda, and efforts to combat child labour are an important aspect of Norway's promotion of human rights. For several years, Norway has called for close cooperation between various international organisations, such as the ILO, UNICEF and the World Bank, to combat child labour.

In 2003, Norway changed the organisation of its technical and professional cooperation with the ILO, and Norwegian funding is now administered under general programmes. However, Norway maintained its focus on giving priority to efforts to eliminate child labour, and has reserved 50 per cent or around NOK 28 million of its total allocation for Norwegian trade union cooperation with the ILO in the two-year period 2003-2004.

7.3 An inclusive working life

In Proposition No. 104 (2002-2003) to the Odelsting, the Government proposed strengthening protection against discrimination in working life based on disability, sexual orientation, religion, belief or age. The prohibition against discrimination will be expanded to apply not only in connection with recruitment but also to every other aspect of employment.

The social partners and the authorities are jointly seeking to encourage older employees to stay in their jobs longer and postpone their retirement. With the assistance of the Centre for Senior Policy, some government agencies have set goals for achieving a more inclusive working life. In accordance with the most recent main collective agreement, funds have been used to upgrade the skills of older employees, for instance in the field of information and communication technology. Under the latest collective agreement, government agencies can now offer employees over 62 years old extra days off and a sum of money if they remain in their job for an additional year.

In keeping with its oversight responsibility for public sector employment, the Ministry of Labour and Government Administration seeks to recruit and retain persons with disabilities. The Ministry is preparing a plan of action to recruit more people from this target group to every part of the public sector. Work on the plan is due to be completed in spring 2004. It is based on government agencies making better use of the available labour market measures and proposes a number of new measures specific to public administration.



Afghanistan 2002: In the women's room

8

Family life, women and children



The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights protect both family life and the rights of women and children. The recognition that, in practice, women do not enjoy the same rights as men resulted in the establishment of a special human rights convention for women – the UN Convention on the Elimination of All Forms of Discrimination against Women – which was ratified by Norway in 1981. There was also broad agreement on the need for a global convention that specifically safeguards the human rights of children. Norway ratified the UN Convention on the Rights of the Child in 1991.

In 2003, comprehensive work was done to incorporate both the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women into Norwegian law. The Convention on the Rights of the Child was incorporated into the Human Rights Act on 1 August 2003, and this legislative amendment entered into force on 1 October 2003. The Ministry of Children and Family Affairs intends to submit a Proposition to the Odelsting on the incorporation of the UN Convention on the Elimination of all Forms of Discrimination against Women into Norwegian law in spring 2004.

8.1 Human trafficking

In February 2003, the Government launched a Plan of Action Against Trafficking in Women and Children. The Plan of Action was prepared by a committee of state secretaries from the Ministry of Children and Family Affairs, the Ministry of Justice and the Police, the Ministry of Local Government and Regional Development, the Ministry of Social Affairs and the Ministry of Foreign Affairs. The same five ministries are contributing towards financing the plan, which covers a three-year period and has a budget of approximately NOK 100 million. The reason for this comprehensive plan is that trafficking in women and children entails gross contraventions of human rights and serious transnational crime.

The 23 measures contained in the Plan of Action Against Trafficking in Women and Children focus on the following main areas: to protect and assist women and children who are victims of human

trafficking, to prevent trafficking in women and children from taking place, to limit the demand that creates a market for trafficking in women and children, to expose and punish trafficking in women and children, and to improve knowledge and cooperation in order to fulfil the intentions of the plan. Nine ministries and three subordinate agencies are working together to implement these measures and strengthen Norway's efforts to combat human trafficking, both nationally and internationally.

In September 2003, Norway ratified the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the UN Convention on Transnational Organised Crime, known as the Palermo Protocol. Norway's efforts to combat human trafficking are based on the broad definition of the term "human trafficking" used in the Palermo Protocol. Through a legislative amendment that entered into force on 4 July 2003, the Penal Code now includes a special provision on human trafficking, Section 224. Among other things, a training and guidance programme has now been initiated in Norway's police districts, which covers national legislation and international methods that are used in this area.

In the international field, extensive efforts and resources have been invested both through international organisations and through specific projects to prevent and combat human trafficking in vulnerable regions. In 2003, the Ministry of Foreign Affairs and Norad allocated a total of more than NOK 30 million for projects that directly target human trafficking in the Balkans, Moldova, Armenia, Central Asia, Poland Romania, Bulgaria, several countries in Africa (with special emphasis on southern Africa) and several countries in Asia. The projects vary between prevention, assistance for victims, reintegration through training, employment and access to micro-credits, and police cooperation to improve investigation and the prosecution of perpetrators. Special measures are required for children who are the victims of human trafficking. More than NOK 10 million of the funding for projects in 2003 was spent on measures targeting children in the Balkans, Romania, Bangladesh, Sri Lanka, Nepal, Zimbabwe and Ethiopia. Cooperation with

national authorities is important in order to promote political responsibility and legislative reform and improve expertise. In addition to this, almost NOK 20 million was allocated for various projects that indirectly contribute to prevention and the rehabilitation of vulnerable groups, for example by strengthening the rights and position of women and children in society, for social and health projects among prostitutes and for rehabilitation of sexually abused children.

8.2 Gender equality

8.2.1 *The Norwegian Study on Power and Democracy and gender equality*

Women's entry into positions of power and the public arena is important for the development of human rights and an equitable society. Despite the fact that women in Norway have achieved a relatively strong position in political leadership, little progress has been made with respect to women's influence and representation in business and industry, the media and the judicial sector. The final report of the Committee on Power and Democracy, which was submitted in 2003, shows that 84 per cent of all elite and powerful positions in Norway are held by men.

On average, women account for just under 40 per cent of the leadership of popularly elected bodies. The Government has the highest proportion of women (41 per cent), followed by the Storting (37 per cent) and municipal councils (35 per cent). In other positions and bodies, the influence and representation of women is far lower. Women account for only 18 per cent of the members of the Sami Parliament, while the proportion of women mayors is 17 per cent.

In other areas of power and influence, the proportion of women is far lower. This applies to areas such as business and industry, the defence forces, the Church, the police and the judicial authorities. According to the Report on Power and Democracy, the defence forces have no women in leading positions, while there are only 7 per cent women in the upper echelons of the police.

The proportion of women in senior positions in private companies is around 8 per cent. This

applies to both senior management and members of boards of directors. In state-owned enterprises, the proportion of women is high, with 46 per cent women on the boards of directors.

To strengthen the position and influence of women in business and industry, the Storting has adopted an Act requiring state-owned enterprises, state-owned limited companies, hybrid state-owned companies established by law and public limited companies to have at least 40 per cent of each gender on their boards of directors. If business and industry manage to meet this target on a voluntary basis by 2005, the Act will not be implemented for these companies.

8.2.2 *Joint enforcement apparatus to prevent discrimination on the basis of gender and ethnicity*

In 2003, the Ministry of Children and Family Affairs and the Ministry of Local Government and Regional Development prepared a report which proposed that the Gender Equality Act and the proposed Act Against Ethnic Discrimination be enforced by a joint apparatus. A joint enforcement apparatus would bring advantages in the form of stronger professional expertise, efficiency and visibility. Other types of discrimination could also become the responsibility of this joint enforcement apparatus, such as the provisions in the Working Environment Act concerning discrimination in working life, possible legal provisions against the discrimination of disabled persons, and work to prevent discrimination on the grounds of sexual orientation or age.

The proposal for a joint enforcement apparatus has been widely distributed for consultation. In winter 2004, the Government will decide how it wishes to proceed with this proposal.

8.2.3 *Violence against and sexual abuse of women and children*

The crisis centres generally provide a service for women who have been violently abused and their children. These centres provide advice, support and guidance for people who have been the victims of maltreatment, abuse or violence in the home. They also provide temporary accommoda-

tion for abused women and their children. In 2002, the crisis centres had a total of 86,000 overnight stays. 2,478 women and 2,000 children stayed overnight, while 4,311 women and 400 children used the centres in the daytime. One man used the crisis centres' overnight service in 2002, while 45 men used the day service.

On the basis of the Storting debate on Report No. 29 (2002-2003) to the Storting on the family – *Binding Cohabitation and Parenthood* (the Family Report) and Official Norwegian Report 2003:31 *The Right to a Life without Violence* (the Committee on Violence against Women), the Ministry of Children and Family Affairs is working on a new administrative and financing arrangement for the crisis centres.

The rules concerning a ban on visits, etc. in Section 222a of the Criminal Procedure Act were amended in the Act of 10 January 2003 No. 2. This provision now clearly provides for a ban on visits, which prohibits the abuser from visiting the common home.

In the same Act, the rules concerning the penalty in the case of concurrence of two or more crimes were amended, as a result of which the penalty in the case of such concurrence has been increased from one-and-a-half times to twice the highest penalty. One of the purposes of this amendment was to increase the penalty for violent and sexual offences.

In 1999, the Government presented the action plan *Violence against Women*. Work on implementing the action plan in the period 2002-2003 uncovered new issues that it will be necessary to address more closely, and areas where there is a need for greater effort. The Government will therefore prepare a new Plan of Action on Violence against Women, which will be presented in May 2004. It aims to promote measures to improve treatment for violent men, measures for children who witness violence in the family, and to further strengthen services for women who have been the victims of violence and abuse.

The Committee on Violence against Women submitted its report at the beginning of December 2003. The report has been widely

distributed for consultation and the results of the report and the consultations will be assessed against the measures in the new Plan of Action on Violence against Women.

A report on the current status in the area of arbitration in complicated family cases was completed in 2003. It comprised a review and presentation of relevant professional literature. This also applies to families where the level of conflict is so great that children may be exposed to both mental and physical violence. A survey of the experiences and views of Norway's family arbitrators is also being carried out concerning factors in complicated arbitrations, with focus on frequency, characteristics, the need for more expertise, etc. In connection with the project *A Moment of Pain*, the family welfare offices and others took part in mapping the extent of violence in families in a randomly selected week (2003).

In 2003, the Ministry of Children and Family Affairs presented Report No. 29 (2002-2003) to the Storting on the Family – *Committed Cohabitation and Parenthood*. Chapter 6 concerns issues such as combating violence in close relationships, and a number of measures are proposed to strengthen services for children, including the preparation of educational materials to reinforce the expertise of the child welfare authorities, family welfare offices and crisis centres. The aim is also to strengthen clinical services for children.

8.2.4 The EFTA Court's handling of a case concerning the earmarking of academic posts

The proportion of women in leading academic posts is low, despite the fact that Norway has had a high proportion of women in higher education for many years. One means of increasing the proportion of women in academic posts has been to use quotas and earmark posts for a certain period of time. Norway has earmarked some academic posts for women at the University of Oslo. The EFTA Surveillance Authority (ESA) took the view that the Higher Education Act and the system of earmarking academic posts for women were in contravention of the EEA Agreement, while Norway took the opposing

view. In January 2003, the EFTA Court ruled that the earmarking arrangement was in contravention of Council Directive 76/207/EEA (the Equal Treatment Directive) and thereby in contravention of Norway's obligations under the EEA Agreement. Norway has adapted its practice to the ruling, but will continue to work to increase the proportion of women in academic posts.

The Ministry of Education and Research has written a letter to universities and colleges informing them of the ruling, and that the practice of advertising posts only for the under-represented gender must cease, cf. Section 30, No. 3, of the Higher Education Act. An official committee was appointed in 2002 to consider a new Act for state and private universities and colleges, taking into account the ruling of the EFTA Court. The committee presented its recommendation to the Ministry in September 2003, with a proposal for a new Higher Education Act. The Ministry has indicated that a proposal for a new Act will be submitted to the Storting in spring 2004 at the earliest.

8.2.5 The UN Convention on the Elimination of All Forms of Discrimination against Women

As a party to the UN Convention on the Elimination of All Forms of Discrimination against Women, Norway is obliged to submit regular reports on the measures that have been implemented and on the progress that has been made in meeting its commitments under the Convention. These reports are submitted to the Committee for the Elimination of All Forms of Discrimination against Women (the CEDAW Committee). The CEDAW Committee examined Norway's fifth and sixth periodic reports in January 2003 and prepared a report on the basis of this examination. This report is included in the annual report of the CEDAW Committee to the UN General Assembly.

In 2003, the Ministry of Children and Family Affairs worked on incorporating the UN Convention on the Elimination of All Forms of Discrimination against Women into Norwegian law. A memorandum on this was distributed for consultation in June 2003. The Ministry of

Children and Family Affairs intends to submit a Proposition to the Odelsting in spring 2004.

8.2.6 A larger proportion of women in the defence forces

The Government wishes to encourage a larger proportion of women to join the defence forces. In this connection, one of the aims was to ensure that at least 7 per cent of officers and recruits are women by 2005. In order to achieve this, there has been focus on both recruitment measures and measures to retain female personnel, among other things by making it easier to combine military service with family life.

The goal of a minimum of 7 per cent women was achieved in December 2003. However, the defence forces will seek to further increase the proportion of women in the years ahead.

8.2.7 International measures

In Zambia, Norway supports the official gender equality agency and similar bodies in civil society. These organisations have played a central role in efforts to implement the national gender equality strategy of 2001.

The trend towards greater participation by women in society and decision-making processes in Pakistan continued after the election in October 2002, when 60 of the 372 parliamentary seats were reserved for women. Furthermore, several women won independent seats after beating their male political rivals. In 2002-2003, Norway supported training programmes for approximately 30,000 women members of local and municipal councils.

Although there cannot be said to have been major improvements in the position of women in Pakistan, there is greater focus and more debate on the rights and position of women in the country and under Islam. There has been particular focus on parts of the discriminatory Hudood Ordinance, which was introduced in 1979 and is based on punishment according to religious norms of acts such as infidelity. There has also been focus on honour killing.

Norway has entered into a bilateral agreement on the National Gender Support Programme, which is the framework for women's rights and participation in the political process and development. Norway is the first country to have signed this type of agreement. The Pakistani authorities will be responsible for implementing the programme, in cooperation with the UNDP. The publication of Pakistan's first Human Development Report in summer 2003 also helps, with Norwegian support, to focus especially on the deficient implementation of social and economic rights.

Efforts in Bangladesh, where promoting women's rights is Norway's most important priority, can serve as an example. Other central and more indirect areas of focus are efforts to combat trafficking in women and children, support for measures to improve the conditions in which street children live and grow up, and efforts to ensure impoverished people's right to land.

8.3 Female genital mutilation

Two million girls are subjected to genital mutilation each year. In 2003, the Norwegian authorities continued their efforts to abolish this dreadful abuse, which is a serious contravention of the fundamental rights of women and children.

The Government's Plan of Action to Combat Female Genital Mutilation was presented in December 2000 and applies until 2004. The plan has been published in Norwegian, Somali, English and French. Most measures in the plan are followed up through the national project OK – Care and Knowledge against Female Circumcision. In spring 2002, the Government presented a 33-point programme to follow up and further develop the plan of action. The Ministry of Health has established a team to follow up several measures, particularly the implementation of the Norwegian Board of Health's Guide for Health Personnel.

In 2003, the Government presented a plan for Norway's international efforts to combat genital mutilation of girls. As part of the follow-up to this plan, Norway has supported measures under the auspices of the UN system and international and Norwegian non-governmental organisations.

Work on following up the plan will continue and be intensified in the coming year.

On 28 November 2003, the Government presented a Proposition to the Odelsting, which contained a proposal for a new provision in the Female Genital Mutilation Act concerning an obligation to prevent contravention of the Act. The intention is to strengthen the fight against genital mutilation. Under this proposal, professionals and employees in day-care centres, the child welfare authorities, the health services, the social services, schools, day care facilities for school children and religious communities have an obligation to prevent genital mutilation. This obligation also applies to the principals and leaders of religious communities. Intentional failure to comply with the obligation to prevent genital mutilation is a punishable offence. The threat of punishment helps to underline how seriously Norwegian society takes the practice of female genital mutilation.

Contributions to a variety of local activities and measures to disseminate information and increase awareness are provided on an ongoing basis. Local networks have also been established in six counties. Norad has initiated the establishment of networks of organisations in Norway that address this issue in connection with their development cooperation activities.

8.4 Forced marriage

The Government's long-term efforts to combat forced marriage continued in spring 2002 with the programme *Renewed Efforts to Combat Forced Marriage*, which comprises 30 new measures. The focus is mainly on emergency assistance for young people, amendments to regulations, measures in the education sector, human resource development, information, awareness-raising activities and international cooperation.

Information material has been prepared targeting young people, parents and public employees. This material is free of charge, has been widely distributed and is now available on demand. Funding for NGOs' work on individual cases concerning young people in crisis continued in 2003, and support has been provided for many NGOs for

their information and awareness-raising activities and advisory services to prevent forced marriage. The forced marriage hotline continued in 2003. Several of the larger towns are currently establishing expert teams or advisory groups. Courses for public employees have been held in Oslo and courses will be held in other major towns in 2003-2004. Six regional conferences have been held for the employees of state reception centres for asylum-seekers on efforts to combat forced marriage.

The Ministry of Education and Research has distributed a brochure on forced marriage to all schools and has requested that this issue be discussed. Letters have been sent to schools and municipalities, asking them to follow up cases where pupils have been absent from school and there is a suspicion of forced marriage. Furthermore, work has begun on making multicultural understanding a subject on the curricula of training institutions for teachers, health personnel and social workers and of adult education institutions. Work has begun at family welfare offices and health clinics to increase employees' expertise in the field of forced marriage. Trial projects have been introduced within the Parental Guidance Programme to establish parental guidance groups for parents from immigrant backgrounds at some schools.

As part of the *Renewed Efforts to Combat Forced Marriage* programme, the Storting adopted amendments to the Marriage Act and the Children Act in December 2003. A new provision in the Children Act, which makes it clear that parents or others may not enter into a binding marriage agreement on behalf of a child, entered into force in December 2003. From 1 March 2004, County Governors will be authorised to institute legal proceedings concerning whether a marriage may be allowed to continue. This provision can be used, among other things, to take legal action if there is a possibility that a forced marriage has taken place. Introducing such a right to take legal action may help one or both parties who feel that it is too difficult to institute proceedings themselves. From 1 October 2004, the Population Registers will be responsible for all investigation of whether the conditions for marriage have been met in connection with the formalisation of a

marriage. The purpose of introducing compulsory official verification of compliance with the conditions for marriage is to achieve better control and more uniform handling of such cases. Marriages that take place in Norway without verification by the Population Register will thereby be invalid. From the same date, belief communities will have the opportunity to apply for a licence to perform marriages on a par with registered religious communities.

Pursuant to the Act of 4 July 2003, the penal provision concerning coercion (Section 222) was amended to make it clear that coercing a person to marry is a punishable offence. The maximum penalty for forced marriage is 6 years' imprisonment. The rules for prosecution in the case of coercion (Section 222) and threats (Section 227) have also been amended so that public prosecution is now unconditional. At the same time, it became a punishable offence to enter into marriage or partnership with a person under the age of 16 (Section 220 of the Penal Code) or be accessory to such marriage or partnership. The maximum penalty is imprisonment for up to four years.

This penal provision also applies to marriages entered into abroad, provided that the person who enters into marriage/partnership with the child is a Norwegian citizen or is resident in Norway on other grounds. The legislative amendments cover the items for which the Ministry of Justice is responsible pursuant to the Programme of Action against Forced Marriage of April 2002.

8.5 Children

Ensuring that children and young people grow up and live in a good, safe environment is one of the most important tasks in Norwegian society. Other important goals are to strengthen the participation and influence of children and young people in social development, prevent discrimination and promote the inclusion of all groups of children and young people.

The welfare and rights of children have held a central place in Norwegian legislation for many years. Nevertheless, there are still groups of children and young people in Norway who do not

enjoy as good living conditions as the majority. When the Norwegian authorities received the concluding observations of the UN Committee on the Rights of the Child to Norway's second periodic report on the Convention on the Rights of the Child (2000), emphasis was placed on the following important recommendations:

- Incorporate the Convention on the Rights of the Child into Norwegian law
- Ensure effective implementation of the Convention at municipal level
- Safeguard the rights of children who come to Norway as unaccompanied asylum-seekers or refugees
- Continue efforts to combat eating disorders and the use of alcohol by teenagers, and prevent suicide
- Continue efforts to ensure the integration of disabled children with their peers.

In 2003, the Storting debated Report No. 39 (2001-2002) to the Storting relating to the conditions in which children and young people grow up and live in Norway and Report No. 40 (2001-2002) to the Storting on child and youth welfare. The Storting endorsed both reports, which contain a large number of proposals for measures. As part of the follow-up to Report No. 39, a conference on child and youth policy was arranged in October 2003. The conference is to become an annual event targeting municipal politicians, municipal employees, young people, non-governmental organisations, county governors and county authorities. The main topic of the conference in 2003 was interaction and cooperation on good child and youth policy at the municipal level. The Child and Youth Municipality of the Year was elected for the first time at this conference. The prize was awarded to Eidskog Municipality for its holistic efforts on behalf of children and young people.

Both reports are being followed up on a continuous basis. In Proposition No. 9 (2002-2003) to the Odelsting relating to amendments to the Act of 17 July 1992 No. 100 concerning child welfare services (the Child Welfare Act) and the Act of 19 June 1997 No. 62 concerning family welfare offices (the Family Welfare Offices etc. Act), it was proposed that the responsibilities of the county authorities in the area of child welfare (child welfare institutions and foster homes) be

transferred to the central government. The intentions of the reform are to ensure that services for children and young people who need child welfare services are the same all over the country, and to promote improved cooperation with and improved services for municipalities. This proposal was adopted by the Storting in February 2003 and the Ministry of Children and Family Affairs took over the central government's responsibilities on 1 January 2004.

8.5.1 Incorporation of the Convention on the Rights of the Child into Norwegian law

In spring 2003, the Government submitted a Proposition to the Odelsting relating to the incorporation of the Convention on the Rights of the Child into Norwegian law. In the Proposition, it proposed incorporating the Convention on the Rights of the Child into Norwegian law by adding it to the list of human rights conventions, which must apply as Norwegian law pursuant to the Human Rights Act. This means that the Convention will have precedence if conflict should arise between the Convention and other Norwegian legislation, cf. Section 3 of the Human Rights Act. Such incorporation entails, among other things, laying down in the law the principle in Article 3 of the Convention, which states that consideration for the best interests of the child shall be a central concern in all matters that relate to children. Amendments are also proposed in several areas of Norwegian legislation to draw more attention to the Convention and specify which rights and obligations are consequent upon the Convention on the Rights of the Child in different contexts (see item 8.5.6). The legislative amendments entered into force on 1 October 2003.

8.5.2 Follow-up to the UN Special Session on Children

The UN Special Session on Children was held in New York in May 2002. In the final declaration from the Special Session, "A World Fit for Children", member states committed themselves to formulating national action plans by the end of 2003. Work on Norway's national action plan was in progress throughout 2003 and entailed cooperation between various ministries. The action plan is also based on inputs from children and young people, non-governmental organisations and the

Ombudsman for Children through the participatory project and book “Hallo – is anyone there?” and the project “Life before 18”. The action plan contains ten main goals, which reflect the Government’s current policy for children and young people. It will be submitted to the UN at the beginning of 2004.

8.5.3 Work on the UN Convention on the Rights of the Child

Norway’s third periodic report on its implementation of the Convention on the Rights of the Child was submitted to the UN Committee on the Rights of the Child in April 2003. Many ministries contributed reports on their specific areas of responsibility and the process was coordinated by the Ministry of Children and Family Affairs. Efforts were made to include children and young people in the reporting process. The Ombudsman for Children initiated the project “Life before 18” in cooperation with the Forum for the Convention on the Rights of the Child and the Norwegian Youth Council. Through this project, more than one thousand children and young people from different walks of life told of their situation at school and in their leisure time and defined what is good and what is less good about growing up in Norway. One of the results of the project was that the experiences and suggestions for solutions of children and young people were included in the report to the UN.

As part of the reporting to the UN Committee on the Rights of the Child by non-governmental organisations, the Forum for the Rights of the Child arranged a government hearing in September 2003.

8.5.4 Children and the media

In 2003 the Ministry of Children and Family Affairs focused on continuing the effort to provide information and guidance for children, young people and parents relating to safe use of the Internet by following up the action plan *Children, Young People and the Internet* (2001) and through Norway’s role in the EU-supported information project Safety, Awareness, Facts and Tools (SAFT). The website www.saftonline.no was opened in 2003. The website provides updated, professionally sound information and guidance on

safe and useful use of the Internet for children, young people and adults. Saftonline.no also includes a form for reporting child pornography and other illegal content on the Internet. Also in 2003, under the auspices of the SAFT project, a comprehensive survey was carried out to find out about children’s behaviour on the Internet and parents’ knowledge of their children’s use of the Internet.

8.5.5 Children and participation

Approximately three-quarters of the municipalities in Norway have established child and youth councils, youth municipal councils or similar bodies whereby children and young people can exert influence. Eight counties have established youth county councils. In 2002, a database was established which contains information about these means of influence for children and young people. The intention is to promote network building. It is still important to pass on information and experience to municipalities in order to ensure that children and young people have genuine influence in matters that concern them. A new brochure on the lessons learned in various municipalities was published in 2003.

8.5.6 Children’s right to be heard

Pursuant to Article 12 of the Convention on the Rights of the Child, a child’s opinion must be given weight commensurate with the child’s age and maturity. In connection with the incorporation of the Convention on the Rights of the Child into Norwegian law, the Children Act has been amended so that the age-limit for a child to have the right to state its opinion in child welfare cases has been lowered from 12 to 7 years. Younger children are also entitled to state their opinion if their age and maturity indicate that this is appropriate. The same amendment has been made to the Adoption Act. Amendments have also been made to the Public Administration Act and the Civil Procedure Act, which will strengthen the child’s, right to be heard. These amendments entered into force on 1 October 2003. In Recommendation No. 96 (2002-2003) to the Odelsting, the Storting adopted a similar amendment to the Children Act, which will enter into force on 1 April 2004. The reduction in the age limit is regarded as being a good instrument for

ensuring that children are heard. The Ministry of Children and Family Affairs will prepare a brochure for children containing information about their right to be heard. The Ministry will also implement measures to increase the competence of judges, lawyers and expert witnesses.

8.5.7 Allegations of abuse in child custody cases, etc.

The Ministry of Children and Family Affairs has established a working group to discuss issues related to allegations of abuse in child custody cases, issues relating to fictitious identity, and issues relating to the crisis centres and confidentiality obligations. The working group will present its report at the beginning of 2004.

8.5.8 Sexual abuse of children and sexual exploitation of minors

In 2003, the priority in efforts to combat sexual abuse of children was to develop expert groups in Norway's health regions and to improve competence.

In 2003, in cooperation with the Ministry of Children and Family Affairs, the Directorate of Health and Social Affairs published a brochure entitled *Sexual Abuse of Children. A Guide for Welfare Services*. Sexual abuse of children is defined as child pornography and child prostitution, also in connection with trafficking in children or what is known as child sex tourism. The relevant ministries continued their efforts to combat this type of exploitation in 2003. A special information brochure was produced for travellers to Thailand, which included information about sexual trading in minors in that country. The purpose is to raise awareness among travellers and prevent them from purchasing sexual services from children and young people.

In cooperation with other ministries and the Norwegian Board of Film Classification, the Ministry of Children and Family Affairs continued to work on the national Plan of Action for Safer Use of the Internet, in which combating child pornography is one of the priority goals. Work on Norway's Plan of Action is closely coordinated with the EU-supported SAFT project (see item 8.5.4). The project is being coordinated by the

Norwegian Board of Film Classification.

Within the framework of the Council of the Baltic Sea States, the IT Centre for Children at Risk was further developed in 2003. The IT Centre provides a network for authorities, centres of expertise and various professional groups. The work of the centre was originally concentrated on sexual exploitation and sexual abuse of children, but increasingly also targets other categories of vulnerable children and young people in the region. In this context, other categories are, in particular, street children, children in institutions, and minors who have no adult carers or have been the victims of human trafficking.

The rules concerning the penalty in the case of concurrence of felonies were amended in the Act of 10 January 2003 No. 2. As a result of this amendment, the penalty in the case of such concurrence has been raised from one-and-a-half times to twice the highest penalty. One of the purposes of this amendment is to increase the penalty for violent and sexual crimes.

A rule to increase the penalty for repeated crimes entered into force on 4 July 2003. The penalty is increased up to twice if a previously convicted person commits a punishable offence of the same type as he was previously sentenced for. Although the amendment is general, the purpose was particularly to increase the penalty for repeated crimes of gain, violent crime and sexual crime.

An amendment to Section 204 of the Penal Code entered into force on 1 October 2003. Pursuant to this amendment, child pornography is defined as pornographic material using persons who are or appear to be under 18 years of age. With this amendment, Norway has fulfilled its obligations pursuant to Article 34 of the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography as well as possible.

8.5.9 International measures

It is especially important to safeguard children's rights in Afghanistan. They are the least visible victims after more than twenty years of war and civil war. Norway has supported regional consultations with children, the aim of which has been

to shed light on children's views and experiences. Norway has also supported education programmes that focus particularly on the right of children, and especially girls, to basic education. In its dialogue with the Afghan authorities, Norway has emphasised the importance of the women's perspective ("gender mainstreaming") being taken into account in all development programmes.

8.6 Family life

Report No. 29 (2002-2003) to the Storting on the family – *Binding Cohabitation and Parenthood* (the Family Report) was presented on 30 April 2003. With this report, the Government wishes to put children at the centre of family policy.

The Family Report stresses that children have the right to a mother and a father. In cases where a carer is missing, however, the private and public community have joint responsibility for supporting both the child and the person who is the sole carer. The report emphasises that in most cases it is in the best interests of the child to maintain contact and spend time with both parents. It is not socially acceptable for the parents of common children to stop cooperating on the children's welfare. Responsible parenthood is not limited in time, and parenthood applies to both genders and all types of families. The report discusses and proposes measures to strengthen binding cohabitation and parenthood.

The report proposes the development of regular cohabitation courses for all new parents. In the long term, the Government will seek to ensure that all married couples and partners are offered cohabitation courses when they have their first child.

The report also discusses the prevention of violence in close relationships. Among other things, it proposes drawing up a plan to combat sexual and physical abuse of children. A working group has been established to discuss issues relating to claims of violence and abuse in child custody cases, issues relating to fictitious identity and issues relating to crisis centres and confidentiality. The working group will present its report and proposals for measures at the beginning of February 2004.

The Family Report was debated in the Storting in November 2003. The Committee took the view that the report was a renewal of family policy and stated "... that the first priority must be the children and what is good for them". Work is now in progress on implementing the measures proposed in the report.

8.6.1 Equality between parents with respect to transfers of public funds

The Family Report proposed strengthening the right of fathers to paternity benefits. Today, the father's right depends on the mother's arrangements prior to or after the birth. The Government proposes working for a more equitable maternity/paternity benefit arrangement.

As a first step, it proposes giving fathers the right to wage compensation based on their own earnings under the father's quota. Today, the father's wage compensation is calculated according to the proportion of a full-time job worked by the mother if the mother worked between 50 and 75 per cent of a full post. Secondly, it proposes that all fathers be entitled to four weeks' paternity leave based on their own earnings alone. Today, some fathers have no right to paternity benefits, either because the mother worked in less than 50 per cent of a full post prior to the birth, or because the mother does not work outside the home after the birth. When these measures have been implemented, the report proposes working to expand the father's quota as an extension of the total period of leave. No date has been indicated for implementing these proposals. This must be clarified in connection with the national budget.

8.6.2 Equal treatment of partners and spouses with respect to parental responsibility

The Family Report proposes introducing joint parental responsibility for cohabiting parents. In connection with the debate on the Report, the Storting requested the Government to present proposals for changes in joint parental responsibility for cohabitants when paternity has been acknowledged and the parties have declared that they live together. The government is now working on following up this resolution.



Nepal 2004: Area under Maoist control

9

War and conflict



9.1 The Human Security Network (HSN) – protection of civilians in times of conflict

In 1998, Norway and Canada established the Lysøen Cooperation, which was subsequently renamed the Human Security Network. This network is an inter-regional, flexible forum for discussing specific issues relating to human security (individual security, freedom from fear). The network comprises thirteen countries and ministerial meetings are held annually. One of the main objectives of the network is to mobilise political support for relevant international processes that are of significance for the security of individuals.

Mali took over the chairmanship of the HSN from Austria in 2003. In 2003 the network focused on human rights education, handguns, child soldiers and the need to strengthen multilateral human rights efforts. The network also discussed the development of the sovereignty concept based on the report *Responsibility to Protect*. Norway participated actively in the network and supported its efforts to reduce the number of illegal handguns in West Africa. Norway also participated in the network's efforts to strengthen the multilateral human rights system.

The group of friendly nations for the protection of civilians, established in New York and headed by Norway, continued its activities in 2003, one of which was to ensure that the Security Council continues to focus on this area. The central issue now is to ensure that the protection and human rights provisions that are laid down in resolutions and presidential statements at the Security Council are followed up, and to ensure that vulnerable civilian groups are taken into account when the mandates for peace-keeping forces are formulated.

As part of its work on the protection of civilians, the Ministry of Foreign affairs focused on the need to integrate the women's perspective into activities relating to the demobilisation and re-integration of soldiers. This work is based on Security Council Resolution 1325 on women, peace and security.

International humanitarian law contains many provisions concerning the protection of humani-

tarian personnel and aid shipments, and obligations to civilian populations affected by war and conflict. There have been many contraventions of these rules and many serious attacks against humanitarian personnel in recent years. This trend challenges the core of the rule of international law in a way that gives grounds for serious concern. The attacks on the UN and the Red Cross in Baghdad in autumn 2003 made this issue even more acute. Norway has advocated strengthening security for humanitarian aid workers, among other things by increasing the legitimacy of such work by broadening geographical participation, and by maintaining a clear distinction between military and civilian functions.

9.2 Children in armed conflict

Amendments to the Home Guard Act and the Compulsory Military Service Act and appurtenant regulations entered into force on 1 July 2003. These amendments entail total prohibition of forced recruitment of children under the age of 18 for military service, whether in peacetime, in emergency situations or in times of war. They also prohibit voluntary recruitment of personnel under the age of 18 for training and participation in war-related activities. On this basis, in autumn 2003 Norway ratified the Optional Protocol to the UN Convention on the Rights of the Child on children in armed conflict.

In Nepal, the conflict with the Maoists has intensified while the constitutional crisis remains unresolved. There has been a growing tendency towards serious human rights contraventions by both the security forces and the army, while both the Maoists and authorities have been guilty of breaches of international humanitarian law. With like-minded countries, Norway has sought to ensure independent investigation of alleged human rights abuses and monitoring of the situation for the civilian population. The national Human Rights Commission has played an important role in exposing serious breaches of human rights and Norway has supported the work of the Commission since it was established in 2000. Donors to the education sector have urged

both parties to spare schools from military action. In the light of this conflict, Norway has participated actively in the local Peace Support Group under the leadership of the UN Development Programme (UNDP). The UNDP administers a fund, which provides support for the work of local organisations to promote peace.

9.3 Refugees and internally displaced persons

In 2003, Norway continued its international efforts to improve the human rights situation for refugees and internally displaced persons, which were particularly aimed at securing access to effective humanitarian assistance. This was the main purpose of efforts to increase security for humanitarian aid workers and improve the performance of the humanitarian assistance apparatus.

In 2003, the UN had serious problems in gaining access to suffering people in approximately twenty countries. While humanitarian personnel are used to dealing with insecure situations, the targeted attacks on UN and Red Cross aid workers in Iraq and Afghanistan posed new challenges for international humanitarian work and securing access to those in need. In connection with the international Red Cross conference in December, Norway proposed strengthening the legitimacy, integrity and security of aid personnel through broader humanitarian policy dialogue across traditional dividing lines, among other things by including more non-western countries. As part of the universalisation of humanitarian efforts, Norway seeks to expand the donor base (including in-kind contributors) and strengthen local ownership by supporting and building stronger national and local aid organisations. One of the main considerations is to ensure that emergency relief reaches its destination safely.

At the international conference of the Red Cross in December 2003, the Norwegian authorities and the Norwegian Red Cross made binding declarations on assistance for mine victims, training programmes on international humanitarian law for the defence forces, hand-guns, and arms trading and international humanitarian law. These declarations will be implemented in the course of the coming four-year period.

The conference adopted a final declaration and an Agenda for Humanitarian Action which focused on disappeared persons, human suffering resulting from the use of arms in armed conflicts, reducing the consequences of disasters and improving disaster emergency services, and reducing the risk and consequences of HIV/AIDS and other diseases for vulnerable groups.

In 2003 there was greater focus on the effectiveness of humanitarian assistance, from the point of view of the recipient as well. An international conference in Stockholm in June focused attention on donor countries' practices and adopted a programme of action for good humanitarian donorship. Norway is participating actively in following up the programme of action which, among other things, stresses the importance of ensuring stronger control of assistance based on need. This will, not least, benefit refugees and internally displaced persons in "forgotten disasters".

Considerable efforts were also made to improve the performance of the humanitarian assistance apparatus in 2003. Norway has been actively involved in ensuring more predictable financing for the work of OCHA and strengthening the important coordinating function and partnership between the various humanitarian organisations. A relatively comprehensive reform of the UN High Commission for Refugees (UNHCR) was also aimed at creating broader international responsibility for protecting and helping refugees, and helping to focus more international attention on their situation.

In the follow-up to the extensive Agenda for Protection to improve the protection of refugees, Norway actively supported the UNHCR's efforts to find lasting solutions to refugee situations in 2003. This is done by participating in efforts to achieve sustainable repatriation and reintegration in post-conflict situations, for example by bringing development players in at an earlier stage. Efforts to retain the integrity of the asylum institution in the fight against overload and misuse are a central focus of the Agenda for Protection.

Norway has been working for many years to create greater awareness of the at least 25 million internally displaced persons in order to ensure that their human rights are respected. In 2003 Norway continued to provide political and financial support for the Special Representative of the UN Secretary-General on internally displaced persons, the Norwegian Refugee Council's database of internally displaced persons, and the Council's educational and information activities. As the main sponsor of the resolution of the UN General Assembly on internally displaced persons, Norway helped to further confirm the international community's acceptance that this group must not be dependent on the ability and willingness of the authorities in their own country to provide protection and assistance.

The situation in Chechnya and the situation of internally displaced persons in the Northern Caucasus are recurrent topics in bilateral discussions with the Russian authorities, and are also discussed in appropriate multilateral forums. In 2003 Norway allocated approximately NOK 25 million for humanitarian efforts in the region, mainly through Norwegian non-governmental organisations.

9.4 Peace and reconciliation processes

9.4.1 The peace process in Sri Lanka

In 2003, there was focus on Norway's role as a neutral facilitator for the peace negotiations in Sri Lanka between the Tamil Tigers (LTTE) and the Sri Lankan authorities. Three rounds of negotiations were held in 2003.

In April 2003, the LTTE suspended the negotiations until further notice. The parties then presented separate proposals for an interim administration for the Tamil-dominated areas in the North and East as a basis for further negotiations. A lack of clarification of the relationship between the government and the president led to further delays for the rest of the year. Norway made it clear that, as a facilitator, it was unable to arrange new negotiations before the official responsibility for the process was clarified. Norway continued to head the Sri Lanka Monitoring Mission (SLMM) and provide development assistance, and maintained its close contacts with the parties.

Discussions on human rights issues play a central role in the peace process. The parties have stated that human rights will be an important element in the final peace agreement and a new political system. The parties also agreed to discuss the protection of human rights during the process. Ian Martin, former Secretary-General of Amnesty International was appointed joint Human Rights Advisor. His task will be to prepare a plan for improving protection from human rights abuses and a draft agreement on monitoring.

Both parties recognise that children in northern and eastern Sri Lanka in particular have been hardest hit by the armed conflict between the LTTE and the Sri Lankan authorities. In this connection, Norway has supported UNICEF's efforts for children who are affected by the armed conflict in the North and East. This work also includes measures to put a halt to the recruitment of minors to the LTTE's military divisions. The LTTE has agreed to cease all recruitment of children under the age of 18 and has begun the process of sending all persons under the age of 18 back to their parents. The plan also contains offers of rehabilitation, including health services, education and other forms of training.

The parties continued their work in the Subcommittee for Women's Issues, which was established in 2002 to ensure that the peace process takes the needs and rights of women into account.

9.4.2 The peace process in Sudan

Since gaining its independence in 1956, Sudan has been devastated by long periods of civil war. In large parts of South Sudan in particular, living conditions have been extremely difficult, with violent campaigns being carried out by both the regular military forces and the militias. Lasting unrest has led to serious problems, not least for local food production. Famine and malnutrition have been common in several regions.

In spring 2002, the East African organisation, the Inter-Governmental Authority on Development (IGAD), initiated peace negotiations between the Government and the rebel Sudan People's Liberation Movement/Army (SPLM/A) in South Sudan. These negotiations continued throughout 2003. Norway supported the IGAD negotiations and participated actively as an observer with the UN, the USA, the UK and Italy, among others. Significant progress was made in the peace negotiations. A cease-fire agreement was signed on 15 October 2002. This agreement, which was subsequently expanded and extended until the end of 2003, protects the population in South Sudan from military activity and paves the way for humanitarian assistance throughout the country. Any attacks that are reported will be assessed by a special international monitoring agency.

There have been widespread human rights abuses in Sudan. At a meeting of the UN Human Rights Commission in March 2003, the former UN Special Rapporteur for Human Rights in Sudan, Gerhard Baum, reported that none of the fundamental freedoms were respected in Sudan. The Special Rapporteur was particularly concerned that the government army and the rebel SPLA army have carried out summary executions in contravention of the right to life. Many of the methods of punishment used in Sudan (e.g. amputations) are not in accordance with Sudan's obligations under the Convention.

The conflict in western Sudan flared up in 2003. The conflict in Darfur is not new, and is largely the result of a fight for resources. The military situation became far more serious last winter, when the new groups, the Sudan Liberation

Movement/Sudan Liberation Army (SLM/A) and the Justice and Equality Movement (JEM) attacked the government army on many fronts. The Sudan government has been sharply criticised for supporting the Arab Janjaweed militia, which has been responsible for systematic murder, rape and plundering of the local population.

9.4.3 The peace process in Colombia

The peace process in Colombia has been on hold since the inauguration of President Uribe in August 2002. There is a total lack of trust between the government and the guerrillas. The power of the military forces has been strengthened and the fight against drug trafficking has been intensified. Serious breaches of human rights and international humanitarian law are taking place.

Norway has emphasised that the prerequisites for lasting peace are comprehensive social reforms, strengthening of democratic institutions, the rule of law and genuine guarantees of security for the population. The Colombian authorities are expected to take the demands of the international community for respect for fundamental human rights seriously and implement measures to prevent serious human rights abuses from being perpetrated with impunity.

In the last five-year period, Norway has been relatively strongly involved in humanitarian efforts in Colombia, with special focus on human rights activities. In connection with President Pastrana's peace initiative, Norway's involvement was expanded to include support for the dialogue between the authorities and FARC/ELN through participation in the group of friendly nations and support for the active role of civil society in peace efforts.

Despite the halt in the dialogue between the authorities and the guerrilla movement, Norway will continue its involvement in Colombia. Efforts are being made to give the UN a leading role in the work being done by the international community.



Sudan 1999: Soldiers marching



9.4.4 Peace and reconciliation efforts in Aceh and East Timor

Civil and political rights are being systematically undermined and attacked in some parts of Indonesia. The lack of legal safeguards for individuals vis-à-vis the authorities, the judicial apparatus and the security forces are far from satisfactory. The situation is worst in the conflict areas of Aceh and Papua. Norway supports efforts to facilitate dialogue between the parties in the Aceh conflict, but working conditions for local human rights organisations have deteriorated significantly since the introduction of a military state of emergency in Aceh in May 2003. International NGOs and the media have only limited access to the region, and their access to information has been markedly reduced.

In East Timor, Norway is supporting a special unit for crimes against humanity, established in 2000 under the auspices of the UN, which is responsible for the trials following the abuses that took place in 1999. Norway also supports the Truth Commission, the purpose of which is to document less serious abuses committed between 1974 and 1999. The Commission is also working on integrating refugees returning from West Timor and promoting local reconciliation initiatives.

9.4.5 The Israeli-Palestinian peace process

The purpose of Norway's involvement is to contribute to a two-state solution to the conflict through the establishment of a democratic and economically sustainable Palestinian state. Norway provides a great deal of development assistance to the Palestinian Area. Much of the development assistance programme is devoted to institutional development for the future Palestinian State. Unfortunately, at present an increasing proportion of this assistance is spent on meeting the increasing humanitarian needs of the Palestinians. Norway provides assistance directly to the Palestinian Authority through the Red Cross, the UN system and non-governmental organisations. Norway also heads the only international observer force in the Palestinian Area, the Temporary International Presence in Hebron (TIPH). The purpose of this force is to contribute to a greater degree of security for the population in Hebron.

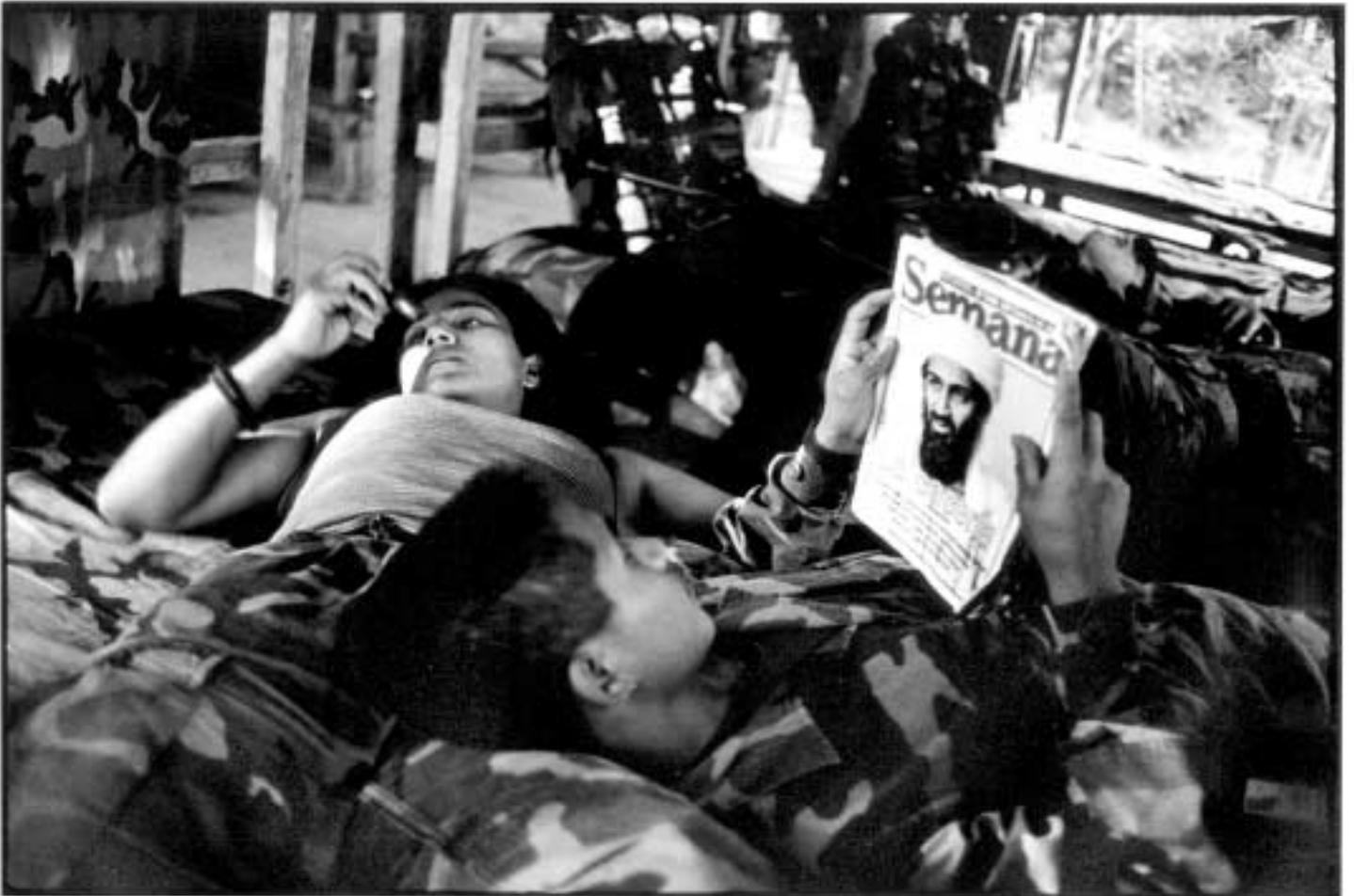
Violence from both sides contravenes the most fundamental of all human rights, the right to life. The Palestinian Area is regarded as occupied territory. According to the Geneva conventions, this gives Israel, as the occupying power, a special responsibility for both the Palestinian civilian population and for its treatment of Palestinians in Israeli prisons. Norway has repeatedly brought up the issue of compliance with international humanitarian law with the Israeli authorities, both bilaterally and through the international donor structure, which is headed by Norway. There has been particular focus on freedom of movement for humanitarian and development assistance personnel. Norway has also repeatedly brought up the issue of the construction of a security wall on the West Bank. This wall is having serious economic and social consequences for the Palestinian population. Norway regards the part of the wall that is being built on the West Bank as unlawful under international law. Norway also supports a large number of non-governmental organisations on both the Israeli and the Palestinian sides that are working on these and related issues. Norway has also demanded that the Palestinian authorities do their best to put a halt to Palestinian attacks against Israelis.

9.4.6 The reconciliation process in Guatemala

Norway supports the Propaz programme, which provides training in conflict resolution and dialogue in both civil society and public institutions. In 2003 the programme, which was previously run by the OAS, became an independent national foundation.

9.5 Study of peace-building in the Utstein context

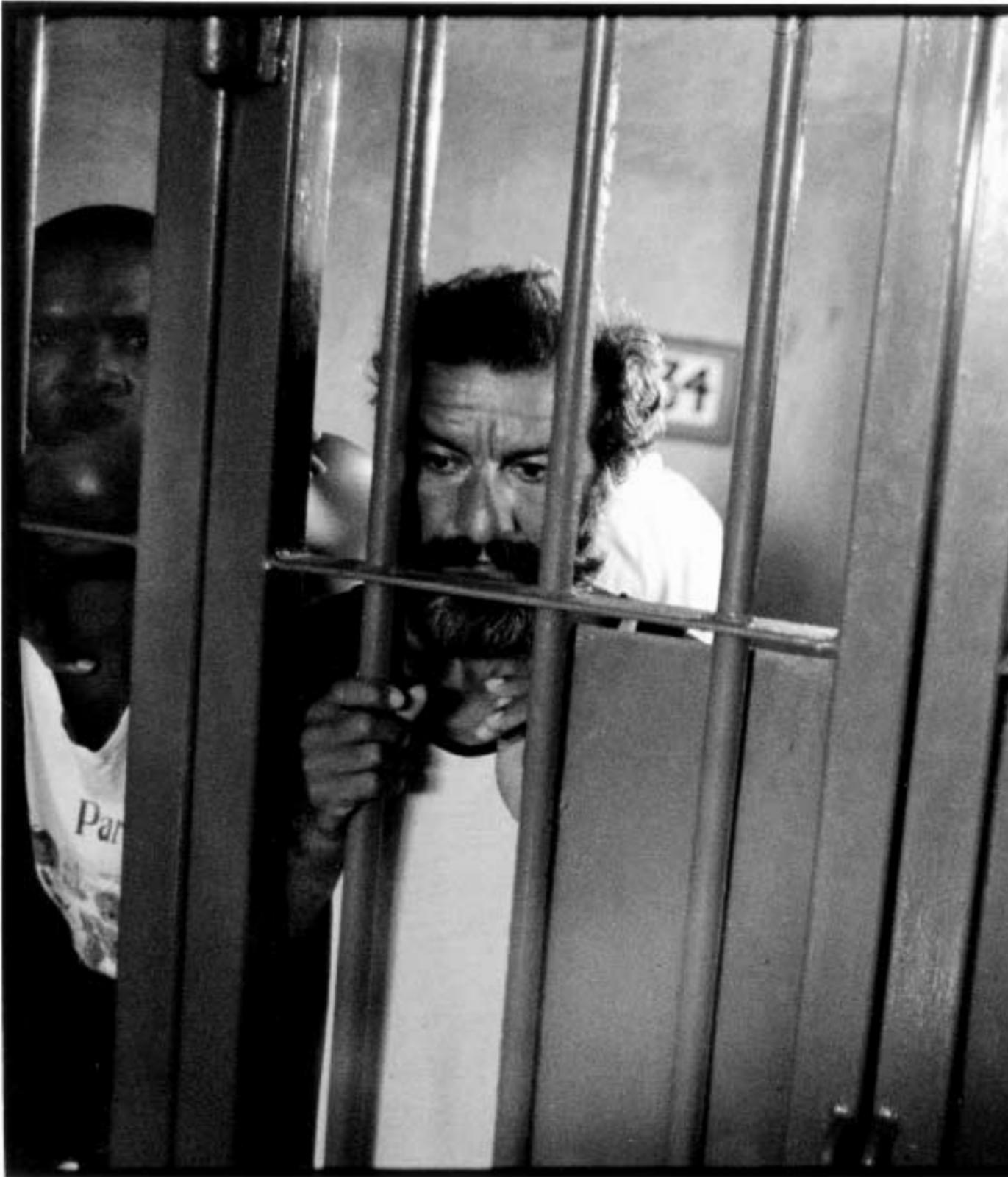
With three other Utstein countries, the Netherlands, the UK and Germany, Norway concluded a study of participant countries' peace-building activities. A subsidiary report on the activities of each country was prepared, as well as a synthesis report which attempted to draw certain general conclusions. The study indicated a strategic weakness in the peace-building efforts of the four Utstein countries: a majority of the projects that had been initiated in conflict-torn countries had no clear links to a broader strategy for



Colombia 2001: Guerilla soldiers having a rest

activities in the country concerned. This weakness can be remedied by means of political measures, including the formulation of a strategic framework for peace-building activities, the evalu-

ation of peace-building measures, and more research. The recommendations of the study were discussed in detail at a two-day international seminar in Norway in December 2003.



Haiti 1999: Imprisoned without trial

10

Principles of the rule of law



10.1 Legal safeguards

Safeguarding the legal status of individual citizens, not least in relation to the authorities of the country in which they live, is the overarching objective of any state that respects the rule of law. This includes issues such as protection against arbitrary deprivation of liberty and ensuring due process of law for individuals in independent courts in both civil and criminal cases. These fundamental principles, in conjunction with other important human rights and fundamental freedoms, are the core of the guarantee of legal safeguards that international human rights conventions seek to establish for individual citizens.

Below is a description of some of the measures the Government implemented in 2003 to improve legal safeguards in Norway. They concern the confiscation of driving licences, compensation for criminal prosecution and the reopening of criminal cases. In 2003 the Supreme Court handed down several judgements that were largely based on human rights. The European Convention on Human Rights (ECHR) featured strongly in most of them. The cases that aroused particular discussion concerned the relationship between administrative sanctions, Article 6 of the ECHR and the prohibition against double punishment pursuant to Article 4 of Protocol No. 7 to the ECHR.

10.1.1 Confiscation of driving licences

Following a proposal from the Government in Proposition No. 52 (2002-2003) to the Odelsting, the Storting adopted a resolution whereby the courts of law, rather than the police, will decide the question of whether a driving licence will be confiscated as a result of a punishable offence, cf. Act of 4 July 2003 No. 77 concerning amendments to the Road Traffic Act, etc. (processing in courts of law of the confiscation of driving licences, etc.). The issue of the confiscation of a driving licence will now be dealt with as part of the criminal case. The legal amendment was especially based on consideration of the need of the convicted person for a speedy decision. This legal amendment entered into force on 1 January 2004.

10.1.2 Compensation for wrongful criminal prosecution

Following a proposal from the Government in Proposition No. 77 to the Odelsting (2001-2002), in December 2002 the Storting adopted new compensation rules for wrongful criminal prosecution, cf. the Act of 10 January 2003 No. 10. The purpose of this legislative amendment is to strengthen the rights of innocent persons who have been prosecuted under criminal law and to improve the implementation of the protection provided by the presumption of innocence in the European Convention on Human Rights and the International Covenant on Civil and Political Rights. Among other things, it will no longer be a condition for claiming compensation that the accused is able to prove his or her innocence. Moreover, the law makes it clear that any loss resulting from deprivation of liberty in contravention of human rights during criminal prosecution gives grounds for a claim for compensation. The new rules entered into force on 1 January 2004.

10.1.3 The reopening of criminal cases

The Act of 15 June 2001 laid down that a special commission will decide whether a criminal case is to be reopened by the courts of law. This reform strengthens legal safeguards because, in contrast with the courts of law, which currently decide whether a case will be reopened, the commission has an independent responsibility for providing information about the case before the decision is made. Under the new system, it is a national responsibility to uncover wrongful convictions. The new system will apply from 1 January 2004.

10.1.4 International activities

The Norwegian authorities have repeatedly criticised the Azerbaijan authorities for their treatment of the political opposition following the presidential election in October 2003. The presidential election showed signs of widespread election fraud, and the treatment of demonstrators and mass arrests in the wake of the election gave particular cause for concern. Norway is working both bilaterally and through international organisations to ensure that the persons imprisoned after the demonstrations are either released or

quickly receive a fair sentence. Norway is following up its criticism of the Azerbaijan authorities by supporting measures aimed at helping to strengthen the rule of law.

In Ethiopia, Norway is supporting a national programme under the auspices of the Ministry of Justice to provide human rights training for judges. Norway is also providing assistance for the University of Addis Abeba to strengthen legal education and research, and supports local organisations that provide free legal aid that especially targets women and children. In total, these three activities constitute a broad approach to efforts to improve the rule of law.

In 2003, NOK 4 million was provided through the UNDP to help develop the judicial sector in East Timor.

10.2 The death penalty

Norway is opposed to all forms of capital punishment. All Norwegian legislation concerning the death penalty was abolished in 1979.

The death penalty is not prohibited under the European Convention on Human Rights (ECHR) or the International Covenant on Civil and Political Rights, but it is prohibited under the optional protocols to these conventions. In this case, as elsewhere, the optional protocols are only binding on the countries that have acceded to them. Norway is a party to both protocols.

On 3 May 2002 Norway signed the 13th protocol to the ECHR, which also prohibits the death penalty for actions undertaken in time of war or under threat of war. Accession to the protocol is an important political signal that the death penalty is regarded as being unacceptable in principle. The protocol entered into force in 2003 and had been ratified by 24 states as of May 2004.

Norway regularly makes its views on the death penalty clear in multilateral forums, including the UN, the OSCE and the Council of Europe. Norway also raises this issue bilaterally with states that use the death penalty, among other things by acceding to joint demarches, in human rights dialogues and in political discussions.

Norway also seeks to show its support for countries that take steps to abolish the death penalty, for example by introducing moratoriums. More than half the countries in the world have abolished the death penalty, either formally or in practice. It is important to support the current trend whereby several countries are abolishing or reducing the use of the death penalty.

The USA ratified the UN International Covenant on Civil and Political Rights in 1992, but had reservations concerning the prohibition against imposing the death penalty on minors and pregnant women. Nor has the USA ratified the optional protocol on the death penalty. Norway and most EU countries have protested against the USA's reservation, since in Norway's view the Covenant itself precludes a reservation of the type the USA has made. Norway regularly brings up the use of the death penalty with the US authorities on a general basis, and has also found it necessary to protest to the US authorities in connection with individual cases when the person under sentence of death was below the age of 18 or mentally ill when the crime took place. Such individual protests were also made in 2003.

10.3 Torture

Torture is prohibited in the International Covenant on Civil and Political Rights, as well as in several special conventions. Special global and regional monitoring mechanisms have also been established, such as complaint procedures, investigating committees and special rapporteurs who work exclusively on torture issues.

Acts of torture were a punishable offence under Norwegian law in 2003, since other, more general penal provisions covered acts of torture. In the same way as the other Nordic countries, Norway has regarded this as adequate in relation to its obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

However, Norway has been criticised by the UN Committee Against Torture for not having a special penal provision against torture based on a definition of torture that corresponds to Article 1 of the UN Convention against Torture and Other



Cyprus 1998: Woman demonstrating against disappearances

Cruel, Inhuman or Degrading Treatment or Punishment. The Ministry of Justice has therefore advocated the adoption of a special penal provision of this nature. It is expected that the special provision against torture will be adopted in April 2004. By introducing a special penal provision, Norway will make the prohibition clearer and at the same time make it easier to document the extent of torture.

Reports indicate that the use of torture is increasing. Measures to combat international terrorism and other trends have led to tendencies in the direction of making the prohibition against torture relative. In recent years, Norway has regarded it as important to emphasise the absolute nature of the prohibition.

10.4 Forced disappearance

A decision was made to establish a working group on forced disappearance in 2001. The group's mandate is to draw up a draft of a binding instrument to protect all persons from forced disappearance. The first formal session was held in Geneva in January 2003. Important issues that were discussed included the responsibility of non-governmental players, exemption from criminal prosecution (asylum, amnesty), the use of military tribunals, the jurisdiction of the respective national legal systems, extradition agreements, registers of prisoners, the right to compensation, and whether disappearance is to be defined as a specific crime in the legislation of the respective countries.



Switzerland 1992: UN bureaucrats

11

The UN system



11.1 The UN High-Level Panel on Threats, Challenges and Change

At the opening of the UN General Assembly in autumn 2003, Secretary-General Kofi Annan announced his decision to establish a high-level panel to consider global security threats, challenges and the need for change in the UN. This was the first step in a process that may be extremely important for international order and the role of the UN in this order. The task of the High-Level Panel is to recommend collective measures to ensure global peace and security and its mandate is broadly defined. Former Norwegian Prime Minister Gro Harlem Brundtland is a member of the panel.

In his opening speech at the General Assembly in 2003, Secretary-General Kofi Annan emphasised that today's threat picture is characterised by old threats in new, dangerous combinations, such as new forms of terrorism and the spread of weapons of mass destruction. At the same time, he pointed to the fact that "soft" threats in the economic and social sphere can also affect peace and security. The Secretary-General's main message was that the UN cannot choose between new and old threats to security, since everything is interwoven in today's globalised reality. The UN can only meet the challenges by strengthening its ability to take collective action.

The Government's basic view is that the UN should be strengthened. Norway regards reform of the UN and the UN's interaction with countries and other organisations as vital parts of a holistic strategy to meet the challenges of tomorrow. The main priority in Norway's UN policy is to strengthen the role of the UN in fostering international peace, security and development. The Government will therefore work actively to promote institutional reform in the UN that can reinforce the overall efforts of the UN system to promote conflict prevention and peace-building, implement the Millennium Development Goals and sustainable development, and promote international humanitarian law and human rights.

To achieve these ambitious goals, Norway believes that the Security Council must be more representative. This will improve the Security Council's ability to make legitimate, effective deci-

sions. The Government will also seek to strengthen the General Assembly as a decision-making forum. Among other things, there is a need to revitalise multilateral work on disarmament and non-proliferation. The UN's role in the economic and social sphere should also be strengthened. Cooperation between the UN, ECOSOC, the World Bank, the International Monetary Fund and the World Trade Organisation should be improved.

11.2 The 59th session of the UN Commission on Human Rights

There was less contention at the 2003 session than in the previous year. The session was somewhat influenced by the conflict and war in Iraq, but this did not dominate the proceedings as many had feared. After the Commission had denied a request from a small number of states for a special session on the situation in Iraq by a large majority, work continued as normal. Nor did the highly controversial election of the Libyan ambassador to Geneva as Chairman of the Commission have the negative consequences many people had anticipated.

However, the polarisation and fundamental disagreement on many issues was as apparent as before. It was particularly clear in the debate on country situations, in the debate on resolutions on macro-economic issues and the right to development, and in issues relating to belief and the rule of law. The core functions of human rights work were again subjected to many attacks, and many people believe that the Commission's protective mandate is being weakened. The fact that many restrictive states were members of the Commission had a clear effect on its work. Many of them do not wish to strengthen international efforts to improve compliance with conventions that have been signed.

However, some markers were moved in the right direction during the session. From Norway's point of view, the unanimous decision to extend the mandate of the Secretary-General's Special Representative on Human Rights Defenders was extremely important. New resolutions were also adopted on North Korea, Belarus and Turkmenistan, which allow for greater attention

to be paid to the situation in these countries next year. A new resolution was also adopted on stronger protection of human rights in the fight against terrorism. A similar resolution had to be withdrawn at the 58th session of the Commission and was subsequently adopted in highly diluted form at the 57th General Assembly in autumn 2002. This time it was possible to strengthen the text somewhat by requesting special rapporteurs to assess the human rights aspects of national anti-terror measures. On the other hand, an effort to give the High Commissioner a more initiating role in this area was not successful.

It was also possible to strengthen several thematic resolutions, including the references to exposed and vulnerable groups. The debate on the new and highly controversial Brazilian initiative on non-discrimination of persons on the grounds of their sexual preference was postponed. Nevertheless, it was possible to put this issue on the Commission's agenda for the first time. A resolution was also passed to establish a working group to prepare an optional protocol to the Convention on Economic, Social and Cultural Rights.

On the negative side, the resolutions on Sudan, Zimbabwe and Chechnya were not passed. This was a result of the increasing opposition in the Commission to country resolutions. In general, there was too little time to reach consensus, or for "conflict-preventing" dialogue. Dialogue and preparatory work are important in order to prevent conflicts from becoming too destructive, and to prevent the parties from retreating to their traditional defensive positions.

Norway acted as an active observer throughout the session. Norway made eleven interventions at the plenary session. The main Norwegian intervention was made by State Secretary Vidar Helgesen. The delegation also participated in many of the interactive debates with the special rapporteurs. The Norwegian delegation participated actively in many different negotiations on resolutions, with the aim of maintaining focus on states complying with their own obligations, ensuring the mandate and central role of the Commission, and preventing the Commission's mechanisms from being undermined.

Work on realising the right to development is on the agenda of the UN Commission on Human Rights, which has established a special working group on the right to development. Discussions in the working group revealed highly conflicting views.

11.3 The Third Committee of the General Assembly

The year's work in the Third Committee must be described as relatively challenging. Much of the session was characterised by conflicts along value axes that are well known from previous years and from the Human Rights Commission. There were tendencies towards greater polarisation and politicisation. In addition to issues in the human rights field, certain social issues were also controversial. There appears to be a new tendency among restrictive countries to use the procedural rules as a means of hindering and delaying debate on important issues. Furthermore, the chairmanship was extremely poor and led to serious delays to the work.

Norway made several interventions in the Third Committee and was one of the few countries to make interventions that referred to the situation in many individual countries where the human rights situation is particularly difficult.

All in all, there were few signs of positive development at the 2003 General Assembly. Although it was impossible at this General Assembly to adopt an omnibus resolution on the elimination of all violence against women, initiated by the Netherlands, a new resolution was adopted on the elimination of domestic violence against women. A new resolution was also adopted to initiate an in-depth study of all forms of violence against women. A new resolution was also adopted on the political participation of women.

This year, as last year, the Committee adopted a specific resolution on Palestinian children after a vote. Both Norway and the EU abstained, since as a matter of principle they did not wish the question of children's rights to be broken down to concern children in individual countries or regions.

The two Norwegian resolutions on internally displaced persons and human rights defenders respectively were both adopted without a vote and by a large number of co-sponsors. Both resolutions reflected new trends and were strengthened. The resolution moved by Canada on the human rights situation in Iran was adopted by a surprisingly large majority (73/49/50). Norway was a co-mover of the text with many other countries.

The Committee adopted a resolution concerning the office for the Special Representative on Children and Armed Conflict. It was resolved that the financing of the Special Representative's office will be transferred to the regular UN budget. Since an imminent report on the UN system's overall efforts relating to children and armed conflict is pending, many like-minded countries voted against the resolution. Norway chose to abstain.

The omnibus resolution on children's rights was also the subject of more votes than in previous years. However, only the USA voted against the resolution in its entirety.

The USA attempted to weaken references to international human rights instruments to which it has not acceded. Among other things, this resulted in the Nordic resolution on the human rights conventions of 1966, after many rounds of negotiations and attempts to meet the requirements of the USA, being put to the vote for the first time. However, one positive change from last year's session was that agreement was reached on references to the International Criminal Court, thus avoiding votes on that.

The important Mexican resolution on the protection of human rights in the fight against terrorism was adopted again. At the request of India, however, it was put to the vote for the first time. Several countries – independently if necessary – appeared to be willing to demand a vote on texts that were acceptable to all other countries. The resolution on the universal right to self-determination was also put to the vote for the first time because Pakistan believed that it supported its view of the Kashmir conflict.

11.4 The High Commissioner for Human Rights

The post of UN High Commissioner for Human Rights (UNHCHR) was established in 1993. The Office of the High Commissioner (OHCHR) functions as a secretariat for the UN Commission on Human Rights and the Convention bodies, provides technical assistance and advice to many countries, and is responsible for the human rights component in many peace-making/peace-keeping operations. Another central task for the High Commissioner is to head work on improving the integration of human rights into all UN activities, in accordance with the reform plans of the Secretary General.

2003 was a very difficult year for the Office because the recently appointed High Commissioner for Human Rights, Sergio Vieira de Mello, was killed when the UN building in Baghdad was bombed on 19 August. Mr de Mello had initiated important efforts to rationalise and strengthen the work of the office, particularly at country level. The Office of the High Commissioner currently has approximately 600 employees, about half of whom work at head office in Geneva, while the others are distributed between various field offices in some 40 countries all over the world, often in cooperation with other UN organisations. In 2003, Norway was once again one of the largest contributors to the Office of the High Commissioner for Human Rights, providing a voluntary contribution of approximately NOK 34 million.

In 2003 Norway contributed to the establishment of an office for the UN High Commissioner for Human Rights in Guatemala.

11.5 The treaty bodies

The treaty bodies are committees established to oversee the monitoring and implementation of the UN human rights conventions. The six instruments that are often spoken of as the main treaties are the conventions on civil and political

rights; economic, social and cultural rights; torture; racial discrimination; women; and children.

The six committees have different composition and competence, but they all consist of independent experts whose main task is to ensure that the parties to the conventions fulfil their obligations. They typically review periodic reports from member states and make recommendations to individual states. They also prepare general commentaries that elaborate on the provisions of the conventions.

Several of the committees are able to consider individual complaints. In 2003, the Commission on Human Rights established a working group to consider the possibility of drawing up an optional protocol to the Convention on Economic, Social and Cultural Rights on the right to submit individual complaints. Work on rationalising and reforming the committees continued in 2003. Norway supported this work, which is administered by the treaty bodies themselves. Norway also provides financial support for the work of the treaty bodies by providing a contribution for this purpose to the High Commissioner for Human Rights.

Professor Lucy Smith was elected as a member of the Committee on the Rights of the Child in February 2003. Norway's 16th periodic report to the Committee on the Elimination of All Forms of Racial Discrimination (CERD) was examined in 2003.

11.6 The International Labour Organisation (ILO)

The International Labour Organisation (ILO), which is the UN's specialised agency for working life, was established to improve living standards, working conditions and work opportunities for workers all over the world. The ILO fulfils its mandate through the adoption of international conventions and recommendations on freedom of organisation, working conditions, discrimination in working life and social security. In addition to its widespread normative activities, the ILO is engaged in comprehensive global development cooperation to promote democracy and human

rights, strengthen the protection of workers and combat unemployment and poverty. The ILO is a tripartite organisation and its governing bodies comprise employees, employers and governments. In 2002, Norway became a member of the ILO Board for a three-year period.

Eight of the ILO conventions are regarded as being the key conventions and concern the right to organisation and collective negotiations, equal pay for men and women, non-discrimination in working life and the elimination of forced labour and child labour. By the end of 2002, Convention No. 182 concerning elimination of the worst forms of child labour had already been ratified by 132 countries and thereby had the quickest ratification rate in ILO history. Many countries need financial and technical assistance to implement the conventions. Almost all the activities Norway supports through the ILO have a human rights element.

The ILO's overarching goal is to promote decent working conditions all over the world. The rights concept is crucial, and the ILO links its mandate to the Millennium Development Goal of halving the proportion of people living in extreme poverty by 2015. The ILO also has a special responsibility for goal number 16 under the eighth Millennium Goal; the development and implementation of strategies to provide decent, productive work for young people. Norway supports this work and also provides support for programmes to combat child labour and promote tripartite dialogue in working life.

Norway makes an active contribution towards promoting acceptance and implementation of the ILO conventions in developing countries. Cooperation on programmes with the ILO largely involves trade unions and employers' organisations. Training and raising awareness of rights, including the content and implementation of national legislation and ILO conventions, are central elements of this cooperation. All Norway's cooperation with the ILO also has a gender equality dimension.

Although the ILO has traditionally concentrated on the formal sector, there is growing interest in the informal economy. Most of the world's improv-

erished people, including many women, work in this sector of the economy.

In a world of increasing globalisation and liberalisation, there is renewed interest in the ILO's core mandate. As a result of a declaration from the Ministerial Meeting at the World Trade Organisation (WTO) in 2001, which emphasised the ILO's responsibility for issues relating to globalisation and labour standards, the ILO Director General took the initiative for the establishment of a World Commission on the Social Dimension of Globalisation. The purpose of the commission is to help ensure that the benefits and costs of globalisation are better distributed than they are today. The Commission will present its report at the beginning of 2004. Norway actively supports the work of the World Commission, both politically and financially.

11.7 The development banks

The main goal of the activities of the development banks is to promote social and economic development. These activities are clearly connected to the promotion of political and civil rights, not least because improving the living standards of individuals gives greater opportunities for promoting such rights. Norway's substantial contributions to the programmes of the development banks in the education sector therefore have a strong human rights dimension. The formulation of Poverty Reduction Strategy Papers (PRSPs), which are comprehensive strategies for development, by recipient countries has two important human rights dimensions. Firstly, they are clearly poverty-oriented, and an important consequence of this is improved economic and social rights.

The poorest people, who are also the groups that are least mobilised, must be the main priority in development policy. Furthermore, the PRSP process is based on broad-based consultations with civil society and others. Norway makes proactive efforts to ensure that publicly elected bodies also play a central role in this work. The PRSP process, which is also a condition for debt relief under the Heavily Indebted Poor Countries Initiative (HIPC), therefore leads to greater democratisation, both directly and indirectly, and to the strengthening of political and civil rights.

In recent years, the development banks have in practice moved in the direction of directly promoting political and civil rights by focusing on better governance and the role of civil society in borrowing countries. Clear contraventions of human rights will affect their assessments of a country's governance and thereby be reflected in lending policy. Norway is one of the main contributors to the banks' programmes and projects to promote good governance. Since the banks' statutes are usually interpreted to mean that they must not influence the internal political organisation of borrowing countries, their human rights efforts are usually related to the negative impact on the development process of human rights violations. Many member states, including borrowing countries, believe that the banks should not take a leading role on human rights issues. It is therefore difficult for the banks to have a high external profile. Consequently, Norway supports the human rights dimension in the work of the development banks with both political and financial instruments at several levels.

12

Regional systems

12.1 The Council of Europe

The work of the Council of Europe covers a highly diverse, comprehensive field. Efforts to promote human rights are an important part of this work.

12.1.1 *The European Court of Human Rights*

The European Court of Human Rights is the most important instrument in the Council of Europe's efforts to promote human rights. The Court was established pursuant to the European Convention on Human Rights of 1950 (ECHR). Individuals who believe that their rights under the convention have been violated can appeal to this Court. Since November 1998, the Court has functioned in its present form with 43 permanent judges, one from each member state. Judges from the two newest member states, Bosnia-Herzegovina and Serbia Montenegro have not yet been elected. The judges are elected by the parliamentary assembly of the Council of Europe for a six-year period, with the option of re-election.

The effectiveness of the Court has increased significantly. In 2003, the Court handed down almost 18,000 decisions, 702 of which were judgements. The judgements found violations of the Convention in 521 cases. Despite its increased efficiency, the Court is unable to keep pace with the growing number of cases that are submitted to it. In 2003, it received almost 35,500 applications. The growing number of cases has led to a significant capacity problem, illustrated by the fact that about 38,500 cases are currently awaiting processing, while a further approximately 28,000 cases have not been registered. Some countries have more cases being processed than others do. Russia, Poland and Romania all have more than ten per cent each of the cases that are currently being processed. The processing time has increased significantly from two to three years, and more than twice that in some cases.

This situation is paralysing the Court's function as a protector of human rights in Europe and threatening its credibility and status. The Council of Europe's member states have therefore initiated a process aimed at reforming the Court system. The ministerial meeting in May 2003 followed up this process by giving the European Steering

Committee for Human Rights (CDDH) a mandate to prepare a draft of specific amendments to the Convention by May 2004. Some of the proposed reforms entail amendments to the ECHR. Among other things, the Committee has proposed simplifying the processing of cases in the Court and giving the Court greater scope to reject insignificant cases. Furthermore, the CDDH is considering how the execution of judgements can be made more effective. Measures that can be implemented at the national level by member states to reduce the number of cases that are brought before the Court are being discussed.

One of the important functions of the court system is the monitoring by the Committee of Ministers of the execution of judgements in member states. Countries against which a judgement is made have an obligation to remedy the situation that is in contravention of the Convention. In many cases, it is necessary to change administrative or judicial practices, and sometimes it is necessary to amend the law. The monitoring function is carried out by deputies at a special session, and the Vice Chairmanship of the Committee of Ministers always chairs these sessions. Norway has held the chairmanship since November 2003 and immediately took the initiative for a process to change the working methods of the special sessions. The purpose of the reform process is to make the monitoring process more effective. This is in accordance with the recommendations of the European Steering Committee for Human Rights (CDDH). The initiative was well received and will be followed up in 2004. Greater efficiency may help to ensure quicker execution of judgements.

In recent years, the Court has been supplemented by several new control mechanisms in the human rights sphere.

12.1.2 *The Council of Europe's control mechanisms in the human rights sphere*

The European Commission against Racism and Intolerance (ECRI) consists of independent members who monitor racism and racial discrimination by analysing the situation in each country. After each visit to a country, the ECRI draws up recommendations for how the problems that have

been identified may be solved. The Commission visited Norway in May 2003 as part of the Commission's regular monitoring of member states. The report on the visit was adopted by the ECRI in December 2003. In 2003 the ECRI initiated its third cycle of country reviews, and its work resulted in twelve country reports including the third report on Norway (published in January 2003).

The European Committee of Social Rights monitors countries' implementation of the European Social Charter, which was revised in 1996. Countries report cyclically on their implementation of parts of the report. In the case of deficient implementation, the Committee's process may culminate in a recommendation to remedy the situation, adopted by the Committee of Ministers. Through a protocol that entered into force in 1998, the Committee also deals with collective complaints, i.e. complaints relating to contraventions of the Social Charter brought by non-governmental organisations. The Committee received ten new complaints in 2003.

The Advisory Committee for the Framework Convention for the Protection of National Minorities is another important instrument in efforts to promote human rights. The Advisory Committee visits countries and reviews official reports. The Committee's evaluation of the reports provides the basis for the decisions made by the Committee of Ministers on each country. In 2003, decisions were made on seven countries, including Norway. One important aspect of the Committee's work is the extensive dialogue with authorities and non-governmental organisations that takes place in connection with visits.

The Council of Europe has had its own Commissioner for Human Rights since 1999. Since the beginning, his task has been to help promote knowledge of and respect for human rights in member states. The work of the Commissioner includes visits to member states, and his reports provide valuable information on the human rights situation in individual countries. The Commissioner last visited Norway in 2001 as part of his monitoring of member states. In November 2003 he was in Oslo at a European conference for parliamentary ombudsmen.

The task of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) is to ensure that member states do not torture their citizens. The Committee has unlimited access to prisons and other detention institutions in all member states. The activities of the CPT are based on the Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. If the Committee finds reprehensible situations during its visits to member states, it enters into a dialogue with the authorities of the country concerned. In cases where there is specific suspicion of a reprehensible situation, the CPT may visit a country without warning. The CPT plays a prominent role in efforts to combat torture and degrading treatment or punishment. In 2003, the Committee made ten periodic and eleven ad hoc visits. The CPT's reports are published if the authorities of the country consent. In special cases, the CPT may make a public declaration without prior consent. This happened in July 2003, when the CPT published a strongly critical declaration after a visit to Chechnya.

The conflict in Chechnya has long been the subject of considerable attention at the Council of Europe. Since spring 2000, the Council of Europe has had three experts at the office of President Putin's human rights representative in the republic. The experts' mandate expired in December 2003. Agreement has now been reached that the presence of the Council of Europe in Chechnya will be based on visits by experts in accordance with a plan for cooperation programmes in the human rights area.

Norway has made proactive efforts to have the human rights situation in Azerbaijan dealt with by the Council of Europe's Council of Ministers. The Council of Ministers' monitoring body in Azerbaijan and Armenia presented a report in December, which indicates that Azerbaijan has not fulfilled its obligations as a member of the Council of Europe. The report urges the authorities to release the political prisoners that were captured in mass arrests in October.

12.1.3 Norwegian cases brought before the European Court of Human Rights

In 2003 the European Court of Human Rights handed down five judgements on Norwegian cases. Four of the cases concerned the principle of the presumption of innocence in criminal cases and its relationship with evidence requirements in civil cases. In three of the judgements, relating to the Hammern case, the O case and the Y case, the Court found that the Convention had been breached, while in the fourth case, the Ringvold case, no breach was found. In all the cases the plaintiff was acquitted in the criminal case. The question that was considered by the Court of Human Rights was whether Norwegian courts in the subsequent compensation cases cast doubt on the acquittal in the criminal cases. The three judgements received a great deal of media attention and are briefly outlined below. In the fifth case, the Walston case, the Court found that a processing error during the preparation of a court case entailed a breach of the Convention. A further three Norwegian cases were deemed inadmissible.

The Hammern case and the O case concerned the question of whether Norway had contravened Article 6 No. 2 of the Convention (the presumption of innocence) in the cases the parties brought for compensation for unjustified persecution after they had been acquitted in the criminal cases. The Court found that the Convention had been breached because the judgement grounds in the compensation cases might raise doubts about whether the acquittal was correct. Pursuant to the Criminal Procedure Act, one of the conditions for compensation is that it can be proved likely that the person has not committed the act he/she was indicted for. The European Court of Human Rights concluded that in its grounds for the judgement, the Court of Appeal had cast doubt on the acquittal. When the judgements were handed down, the Storting had adopted amendments to the relevant provisions of the Criminal Procedure Act. These amendments ensure that the regulations are in accordance with the European Convention on Human Rights, so that similar cases will not occur in future. For this reason, the judgements were considered to have been executed in the Committee of Ministers' review of implementation.

In the two other judgements, the question was whether Norway had contravened Article 6 No. 2 of the Convention (presumption of innocence) when Norwegian courts ruled on the claim for compensation brought by the victim/the relatives against the accused. The Court found that an acquittal does not in itself prevent the victims or relatives from obtaining compensation from the person who has been acquitted. In the Y case, however, the Court found after specific consideration that the grounds for judgement in the Court of Appeal might cast doubt on the acquittal. In the other, similar case, the Court found that this was not the case and that there had therefore been no breach of the Convention. The Court did not criticise the Norwegian arrangement whereby the question of compensation may be decided in a criminal case even though the accused is acquitted. In the case of the Y case as well, the Committee of Ministers found that execution had been completed.

12.2 The OSCE

The Organisation for Security and Cooperation in Europe (OSCE) is an important arena for Norway's efforts to promote democratic development, the rule of law and respect for human rights. By far the largest part of Norway's substantial contribution to the OSCE is devoted to this work. Particularly in the Balkans, other parts of Central and Eastern Europe, the Caucasus and Central Asia, the OSCE is one of the most important players in ensuring that human rights, democracy and the rule of law are observed and developed. Through its missions, the OSCE has a presence in countries and regions where major challenges still exist, and also in countries where few other international organisations are active.

In 2003, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) carried out over one hundred projects in more than twenty countries in the OSCE region. The level of activity remained high in the Balkans, while activities in Central Asia are being expanded. Election observation and advice, gender equality, minority rights, tolerance, free media and human trafficking were high on the agenda in 2003.

In recent years, the OSCE has done a great deal

of work to combat human trafficking. Several hundreds of thousands of people, especially women and children, are transported to, from and within the OSCE region each year and exploited in a manner that is similar to slavery. Human trafficking is a serious violation of the human rights of the victims, and it fosters the growth and strength of transnational criminal groups, thereby undermining stability and security in the broadest sense. In efforts to combat human trafficking, the OSCE's practical experience in the field gives it an advantage over many other international organisations. A comprehensive plan of action to combat human trafficking was adopted at the ministerial meeting at Maastricht in December 2003. In 2004 the OSCE will have a Special Representative against Human Trafficking and a special unit at the OSCE secretariat in Vienna. Norway's ambassador to the OSCE is co-chairman of a working group on gender equality and human trafficking.

Norway has also contributed to the OSCE's efforts to combat human trafficking by supporting the Stability Pact for South Eastern Europe's special group and making a substantial contribution to the ODIHR Anti-Trafficking Project Fund.

In 2003, the OSCE actively supported and evaluated presidential and parliamentary elections in all three South Caucasian states, Armenia, Azerbaijan and Georgia. None of the elections met international standards, and in several cases, particularly the presidential election in Azerbaijan, observers noted a greater degree of election fraud than before and the use of force and pressure on electors and election staff. The OSCE has submitted a long list of advice to Azerbaijan on improvements prior to the next election. The parliamentary election in Georgia was annulled after the president was deposed following an election that bore signs of obvious electoral fraud and the announcement of a result that the population did not accept.

12.3 The Council of the Baltic Sea States (CBSS)

The Council of the Baltic Sea States was established in 1992 and has twelve members: Norway,

Sweden, Finland, Denmark, Iceland, Poland, Germany, Russia, Latvia, Lithuania, Estonia and the EU Commission. France, Italy, the Netherlands, Slovenia, the UK, Ukraine and the USA have observer status. Cooperation in the Baltic region covers areas such as democratic development, promoting secure living conditions, protecting children at risk and combating human trafficking and organised crime. Cooperative bodies and networks have been established to promote joint efforts in these and other areas.

The mandate of the CBSS Commissioner for Democratic Development and Human Rights was not extended at the end of 2003 because this area is covered by cooperation in the Council of Europe, the OSCE and the EU-Russia dialogue.

12.4. The Barents Cooperation

The Barents Cooperation consists partly of cooperation between governments (through the Euro-Arctic Barents Council, which consists of the Nordic countries, Russia and the EU Commission) and partly of regional cooperation (through the Barents Regional Council, which consists of 13 participant counties in Russia, Finland, Sweden and Norway and representatives of indigenous peoples). The Barents region covers an area five times the size of Norway and has a population of approximately 6 million. Norway holds the chairmanship of the Barents Council in the period October 2003 to October 2005.

One of the main goals of the Barents Cooperation is to promote sustainable development in general, which includes strengthening democracy, the rule of law and good governance in the Russian areas. These goals are pursued by means of comprehensive, wide-ranging cooperation on projects. People-to-people cooperation and cooperation between counties are cornerstones of these efforts.

The increased opportunities for contact under the Barents Cooperation have given many sectors of the Russian population insights into how a democratic society is organised and functions. There is emphasis on freedom of information, transparency in public administration and decision-

making processes, the involvement of underprivileged groups and transfers of expertise in many areas. Youth work is a key area. The aim is to spur the emergence of a new generation that is better equipped to take part in reforming and developing Russia.

The Barents Cooperation also provides an important platform for cooperation between indigenous

peoples in the region, the Sami people, the Nenets and the Vepsians. The main focus is on protecting and strengthening the cultural identity of indigenous peoples and improving health services and other standards of living, and on promoting the rights of indigenous peoples as laid down in Agenda 21.

13

Human rights dialogues

In the Action Plan for Human Rights, human rights dialogues are described as cooperation on human rights with countries where there are human rights problems, but where there is also potential for improvement through dialogue and contact.

The goal of human rights dialogues is to establish contact between actors at different levels. Political contacts are a key element of dialogues. However, the network building that takes place between senior civil servants, the judiciary, academics and non-governmental organisations is equally important. These networks make it possible to exchange information, express concern and voice criticism through contacts based on trust.

Mutual trust is a precondition for human rights dialogues: we must not impose our social system on our partner countries. We must listen to and learn from our cooperation partners what they consider to be the most urgent human rights problems, which measures they deem to be most effective, or how they think human rights projects should be implemented. Conversations, discussions and critical questions about the human rights situation give rise to reflection and perhaps to ideas for action on both sides.

One important principle is that a human rights dialogue must not preclude Norway's freedom to criticise human rights violations in the partner country in international forums and elsewhere. A human rights dialogue is just one of several instruments to improve the human rights situation in a country.

Working methods, the level of intensity and the choice of topics may vary from one dialogue to another. In the past year, there has been stronger focus in dialogues on cooperation in multilateral forums. Thus, the dialogue no longer addresses only the internal human rights situation, but also international cooperation on human rights.

On the basis of an independent evaluation of the human rights dialogue with China presented in May 2002, cooperation has been reoriented to focus on fewer topics over a longer period of time so as to be able to deal with matters in depth. There has also been emphasis on establishing

projects in priority areas of focus in order to ensure continuous dialogue and that the work brings results. In 2003 more importance than before was attached to the dialogue process. For instance, never before has there been such broad participation by either Norway or China at a round table conference as during the dialogue meeting with China in Oslo in November 2003.

13.1 China

Since 1997, Norway has been engaged in a formal human rights dialogue with China, with annual round table conferences at which experts participate.

At this year's round table, groups of experts discussed the topics of workers' rights, prisoners' rights and the rights of detainees. A number of activities were proposed, which are being followed up prior to the next round table, and which include Norwegian visits to Chinese prisons and labour camps (Re-education Through Labour Camps).

There is emphasis on providing assistance to Norwegian actors who wish to promote human rights in China. Examples include support for the Norwegian Medical Association's cooperation with the Chinese Society of Psychiatrists in the field of psychiatry and human rights, and the joint projects between the NHO and LO and their Chinese sister organisations on corporate social responsibility and workers' rights.

A China Programme was established at the Norwegian Centre for Human Rights in 1997. Under this programme, which is financed by the Ministry of Foreign Affairs, the Centre staff work closely with Chinese academic institutions and other groups to promote human rights education and combat discrimination in working life and domestic violence against women. The programme also plays a key role in connection with visits to Norway by representatives of Chinese institutions, and in building up knowledge of China at Norwegian universities and research centres. The programme staff has adopted a long-term approach, and an important result of their work was the launch in 2003 of the first major presentation of international human

rights in Chinese. The textbook and related teaching plan are now in use at 14 Chinese universities.

13.2 Indonesia

In April 2002, a human rights dialogue with Indonesia was formally inaugurated in Jakarta. The dialogue is conducted at state secretarial/ministerial level and between Norwegian and Indonesian experts from public institutions and non-governmental organisations. Dialogue meetings are held annually, either in Indonesia or in Norway. In Indonesia, the dialogue consists of political consultations and a conference of experts.

In Norway, the dialogue is conducted in the form of a seminar for experts with no political participation. The seminar held in May 2003 focused on Indonesia's ad hoc tribunals and the human rights tribunals that are now being established. Norway would like to be involved in the process of establishing tribunals at an early stage. In order to enable the tribunals to combat human rights violations as effectively as possible, there has been emphasis on providing training and support for judges, investigative mechanisms, the prosecuting authority and witness protection. The dialogue meeting was the first of its kind to bring together several actors in connection with the human rights tribunals. A number of specific measures are now being implemented to increase the efficiency of the legal prosecution of human rights violations.

Another focus of attention is corruption in the judicial system. Due process of law and the autonomy of the tribunal are undermined by

rampant corruption. The human rights dialogue also covers support to strengthen the democratisation process in Indonesia. Norway supports the Partnership for Good Government programme, and finances a study of democracy carried out by the Centre for Development and the Environment at the University of Oslo and Demos, an Indonesian non-governmental organisation.

In May 2002, an Indonesia Programme was established at the Centre for Human Rights, which covers human rights education, judicial reforms, human rights in conflict-torn areas and improving knowledge about Indonesia in Norway. The topics discussed at the official dialogue meetings and the areas covered by the Indonesia Programme are closely related.

The Ministry of Foreign Affairs also works closely with the Indonesian Embassy in Oslo, and provided support for the embassy's forum on human rights in Indonesia that was held in September 2003.

13.3 Vietnam

In 2003 the human rights dialogue between Norway and Vietnam was formalised by a visit to Vietnam by a Norwegian delegation comprising representatives of the Ministry of Foreign Affairs, Norad, the Supreme Court and the University of Oslo. The dialogue, which is conducted at a high official level, focuses on capital punishment, prison conditions, minority rights and cooperation on human rights in international forums. Efforts are now being made to translate cooperation into concrete action, for instance through cooperation on projects.



China 1996: Bridge building

14

Appendices



14.1 Ombudsman mechanisms

In Norway there are a number of mechanisms in addition to courts of law that can deal with complaints concerning alleged human rights violations. The outcome of these complaints is not binding on the authorities or on private individuals, but considerable importance is attached to them. The most important of these monitoring and complaint mechanisms is the Parliamentary Ombudsman (the Storting's Ombudsman for Public Administration). The report of the Parliamentary Ombudsman is included below, as are the reports of the Gender Equality Ombud and the Ombudsmen for the Armed Forces and for the Civilian National Service. The Centre for Combating Ethnic Discrimination has a function similar to that of the Ombudsmen within its particular sphere of activity, and its report has therefore been included at the end of this section.

14.1.1 *The Parliamentary Ombudsman*

The Parliamentary Ombudsman, the Storting's Ombudsman for Public Administration, oversees administrative procedures and the application of the law in public administration. An important aspect of this work is ensuring that the authorities fulfil their human rights obligations. This is why the Storting amended the Ombudsman Act in 2003, so that it now explicitly states that it is the responsibility of the ombudsman to help ensure that human rights are respected. This legislative amendment highlights the legal foundation for the activities of the Ombudsman in this field, and thus has an important signal effect for both the general public and the public administration.

Through his work on individual cases, the Parliamentary Ombudsman seeks to create broader awareness of Norway's commitments pursuant to international human rights treaties, particularly the European Convention on Human Rights (ECHR) and the conventions that have been incorporated into Norwegian law. In the complaints dealt with in the past year, human rights issues were examined in several cases. The question of double prosecution in breach of the ECHR was raised, for instance in cases concerning the confiscation of driving licences and the conversion of grants to loans and the

calling in of loans by the State Educational Loan Fund.

The Parliamentary Ombudsman also considers it important to promote human rights in ways other than by dealing with individual cases. The question of human rights is often discussed at meetings and during visits to government administrative bodies, including prisons (Ringerike Prison was visited in 2003). Human rights issues are also raised at meetings with non-governmental organisations. The Norwegian Centre for Human Rights and the Parliamentary Ombudsman have agreed that the Centre can pass individual inquiries on to the Ombudsman with a view to securing and promoting human rights in Norwegian law.

Human rights are also a topic at meetings between the Parliamentary Ombudsman and delegations and representatives from other countries. As a result of these meetings, experience gained in human rights work is exchanged across national borders. Furthermore, the meetings underscore the fact that the Ombudsman mechanism is a democratic institution that seeks to ensure the observance of human rights. In 2003 the Parliamentary Ombudsman visited Kenya and other countries, and received visitors from a great many countries.

By participating in and speaking at seminars and conferences, the Parliamentary Ombudsman also seeks to increase the efficiency of the implementation of the human rights obligations that Norway has assumed. In 2003, the Parliamentary Ombudsman hosted the eighth round table conference of European ombudsmen, arranged in cooperation with the Council of Europe's Commissioner for Human Rights. The Round Table Conference brings up for discussion human rights issues encountered by ombudsmen in their day-to-day activities. The Ombudsman of the European Parliament, the President of the Mexican National Commission on National Human Rights, and representatives of a complaints commission in the German Bundestag and of the Human Rights Ombudsperson in Kosovo also participated. The topics of the conference were prisoners' rights, minority rights, the right of access to public documents and the rela-

tionship between ombudsmen and courts of law. The topics were discussed in the light of the Council of Europe's conventions in this field and the activities of the European Court of Human Rights.

14.1.2 The Gender Equality Ombud

The Gender Equality Ombud enforces the Gender Equality Act, which prohibits differential treatment on the basis of gender, but allows differential treatment in order to promote gender equality. The Act applies to all areas of society, but most of the complaints concern matters relating to employment.

Enforcement of the Gender Equality Act entails dealing with individual cases and providing guidance and information on the provisions of the Act. In 2003 the Ombud received 476 written complaints, an increase from 422 cases in 2002. The Gender Equality Ombud believes there are still major challenges in efforts to promote gender equality in Norway:

The Norwegian labour market is segregated by gender. Some sectors are entirely dominated by women, while others are dominated by men. Girls and boys still make traditional choices with regard to professional and vocational training. There are still differences in men's and women's pay, even when women and men do the same type of work and have the same qualifications. Almost half of the labour force today is women, but the proportion of women in senior management is still low. There is a particularly large lack of women in the management and on the boards of directors of private companies. Although more than half of all university and college students is women, they are strongly under-represented in senior academic positions. Careers and family life are closely interrelated. It is therefore important to encourage a more equal distribution of care functions between men and women than is the case at present. The Gender Equality Ombud seldom receives complaints from foreign women or women with a minority background. There is a need to strengthen gender equality efforts that target these women.

The Gender Equality Ombud continued to be very active at the international level in 2003. The annual meeting of Nordic Ombudsmen was held in Helsinki. These meetings are important venues for exchanges of experience and views between countries with relatively similar problems and cultures. Furthermore, it is important for the Norwegian Ombud to have the opportunity to discuss the development of rights in the EU, even if the Ombud is a member of the EU's Advisory Committee on Equal Opportunities for Women and Men. In 2003, the Gender Equality Ombud received visits from several international delegations and participated in conferences in other countries. International cooperation is important in order to be able to develop the right to equality in accordance with Norway's international commitments. Most importantly, however, the Gender Equality Ombud can in this way better help to safeguard the human rights of women at the international level.

14.1.3 The Ombudsman for the Armed Forces and the Ombudsman for the Civilian National Service

According to the instructions of the Storting, the Ombudsman for the Armed Forces and the Ombudsman for the Civilian National Service are to safeguard the rights of military personnel and civilian national service personnel, respectively. Since soldiers and civilian national service personnel must have equal rights while performing their compulsory service, the policy of the Storting has always been to have the same persons sit on both committees.

The Storting, government ministers and the Chief of Defence may submit cases concerning personnel performing compulsory military service and employees of the Defence Forces to the committees for advisory comment. The role of the committees as protector of the rights of service personnel is laid down in the instructions mandating them to deal with cases of general interest. Besides issuing comments, the committees take up matters on their own initiative when this is deemed necessary. The Ombudsmen must also deal with complaints from individuals who consider that they have been unlawfully or unrea-

sonably treated by their respective administrative authorities.

Each year, the Ombudsmen report on some 110-150 complaints from individuals in the Defence Forces or the civilian national service. Between thirty and forty percent of these complaints culminate in a decision in the complainant's favour.

The Committee of the Ombudsman for the Armed Forces has also carried out surveys of the Defence Forces' treatment of soldiers and other personnel belonging to minority religions. Field chaplains serve as the Defence Forces' advisors on issues concerning the right to free exercise of religion. The Committee has ascertained that no cases of violation of a person's freedom of religion by military authorities have been found.

Based on their insight into the situation as regards the rights of Defence Forces personnel, the Committee and the Ombudsman also play an active monitoring role to ensure a corresponding positive trend as regards the rights of civilian national service personnel.

Norway enforces a system of compulsory military service under which all fit men between the ages of 19 and 44 must perform military service or alternative civilian service. This constitutional duty may conflict with the civil interests and rights of the individual. It is the responsibility of the two ombudsman mechanisms to help reduce possible conflicts between individual rights and social obligations in the best possible way.

The Ombudsman received no specific complaints of this nature in 2003, but received a few telephone enquiries concerning general human rights, such as Article 24 of the Universal Declaration of Human Rights concerning the right of every person to rest and leisure. The questions, mainly from personnel on shift duty, were related to the strain of long working hours. Due to a desire to maintain the shift system with its advantages and disadvantages and where the strain on personnel can vary considerably, these personnel have nevertheless not requested that the Ombudsman take action to follow up these enquiries and shed light on actual conditions.

Some personnel who do not meet current requirements for various types of financial support have submitted questions relating to Article 25 of the Universal Declaration, which concerns the right of every person to a standard of living that is adequate for the health and well-being of himself and his family, etc.

However, in the Ombudsman's experience, the rights of the individual in relation to the authorities concerned generally appear to be well safeguarded.

14.1.4 The Centre for Combating Ethnic Discrimination

The Centre for Combating Ethnic Discrimination was established in 1998. The primary purpose of the Centre is to ensure that individuals are protected against discrimination. In the Centre's mandate, ethnic discrimination is defined as negative differential treatment on grounds of religion, race, skin colour or national or ethnic origin. The work of the Centre is based on the UN Convention on the Elimination of All Forms of Racial Discrimination.

The Centre has three functions: legal aid, documentation and influence. Both legal aid activities and other sources of information are useful for shedding light on the nature of discrimination and for proposing changes and improvements.

In early 2003, an external research group that has followed the Centre's activities for several years presented a positive evaluation of the Centre's work. The researchers' evaluation report was published at a time when the Government had presented plans to merge the Centre, the Gender Equality Ombud and the Centre for Gender Equality in Norway to form an effective new body to combat discrimination based on gender and ethnicity. It also proposed to establish a joint complaints commission. The Centre for Combating Ethnic Discrimination welcomes this proposal and hopes that a new joint enforcement mechanism to combat discrimination based on gender and ethnic origin will continue to fulfil the functions already performed by the Centre itself, the Gender Equality Ombud and the Centre for

Gender Equality in Norway. In particular, the new Act prohibiting ethnic discrimination, which is to apply to all areas of society except for the purely personal sphere, will provide a far better basis for active efforts to combat discrimination and promote ethnic equality than the current fragmented, incomplete legislation. The Centre considers it positive that the new mechanism will cover discrimination based on a wider range of grounds, and is of the opinion that this underscores the important human rights aspect of discrimination issues.

In 2003 the Centre was encouraged in its efforts to promote human rights when the UN Committee on the Elimination of Racial Discrimination (CERD) published its concluding observations to Norway's 16th Periodic Report to CERD. On the basis of the Centre's supplementary shadow report, which was submitted simultaneously with the Government's own information, CERD was able to ascertain that discrimination still exists in Norway on the labour and housing markets and in places serving the general public such as bars, restaurants, cafés, etc. By providing a shadow report, the Centre has helped to correct and supplement the official picture of discrimination in Norway, and pave the way for important changes. The Government has announced that it will attach great importance to CERD's recommendations when it develops further measures to combat discrimination and promote ethnic equality.

It is the Centre's opinion that the Supreme Court's acquittal of neo-Nazi Terje Sjølie, who was charged with making racist statements during a Nazi demonstration, is a clear setback on the human rights front in Norway. The Centre provided support and funding for the Jewish

Communities in Oslo and Trondheim and the Anti-Racist Centre when they submitted a complaint regarding Sjølie's acquittal to the UN Committee on the Elimination of Racial Discrimination. To promote a more nuanced discussion of the distinction between freedom of expression and protection against racist statements, the Centre arranged a conference on this topic in late November.

The Centre's activities cover the entire country, and the Centre receives complaints from all over Norway. However, the vast majority of persons who contact the Centre live in Oslo and southeastern Norway. There may be several reasons for this, but there is still reason to believe that discrimination is also a problem outside the southeastern region. The Centre is planning to establish a pilot programme to provide legal aid on a regional basis in order to reach potential users who live outside the central southeastern region of Norway. The Centre has participated in developing Internet-based learning tools for secondary schools, which were introduced at the start of the school year. It conducted a survey of the political representation of persons from an immigrant background on municipal and county councils, and introduced an election campaign declaration for use by local parties in municipal elections, in which they assured voters that the participating parties' election campaign was not xenophobic.

In early September, Centre representatives attended the inauguration of the new Resource Centre for the Rights of Indigenous Peoples. On the same occasion, they also met with representatives of the Sami Parliament, the Legal Aid Office for Indre Finnmark, and others.

14.2 Statistics

Table 1: Statistics relating to financial assistance for international human rights measures, by region 2003 (NOK 1000)

Region	Country	2003	Region	Country	2003	
Africa	Africa, unspecified	112,889	Asia	China	27,954	
	Angola	68,768		East Timor	31,336	
	Botswana	2,802		Georgia	9,678	
	Burundi	6,883		India	23,725	
	Cameroon	2,331		Indonesia	16,486	
	Cape Verde	49		Kirghizstan	8,198	
	Congo (Dem Rep)	33,170		Laos	2,010	
	Ethiopia	55,439		Malaysia	1,031	
	Eritrea	27,955		Mongolia	5,718	
	Ghana	46		Nepal	54,571	
	Guinea-Bissau	233		North Korea	5,000	
	Ivory Coast	204		Pakistan	35,072	
	Kenya	28,284		Philippines	6,356	
	Lesotho	1,693		South Asia, unspecified	18,255	
	Liberia	3,304		Sri Lanka	105,330	
	Madagascar	2,731		Tadzhikistan	4,018	
	Malawi	52,186		Thailand	1,124	
	Mali	42,077		Vietnam	12,377	
	Mozambique	68,860		Total Asia	547,002	
	Namibia	1,044		Europe	Albania	15,246
	Niger	4,175			Bosnia-Herzegovina	62,719
	Nigeria	2,307	Croatia		46,245	
	Rwanda	19,235	Europe, unspecified		98,608	
	Senegal	827	Fed Rep of Yugoslavia		40,390	
	Sierra Leone	1,675	Former Yugoslavia, unspec.		77,900	
	Somalia	24,947	Macedonia		27,311	
	South Africa	49,071	Moldova		4,468	
	Sub-Saharan Africa, unspec.	17,283	Turkey	433		
	Sudan	76,089	Total Europe	373,321		
	Swaziland	1,195	Global activities	Global, unspecified	220,917	
	Tanzania	87,098	Total Global	Unspecified	220,917	
	Uganda	95,548	Latin America	America, unspecified	10,690	
	Zambia	100,605		Belize	521	
Zimbabwe	28,871	Bolivia		19,536		
Total Africa	1,019,782	Brazil		19,270		
Asia	Afghanistan	47,359		Central America, unspecified	18,467	
	Armenia	1,142		Chile	2,196	
	Asia, unspecified	36,914		Colombia	33,118	
	Azerbaijan	8,149		Cuba	5,434	
	Bangladesh	69,913		Dominican Rep	2,083	
	Bhutan	175		Ecuador	16,389	
	Burma	7,787	El Salvador	6,397		
	Cambodia	7,324				

Region	Country	2003
	Guatemala	78,190
	Haiti	12,383
	Honduras	7,473
	Jamaica	2,393
	Mexico	45
	Nicaragua	51,140
	Paraguay	4,774
	Peru	5,883
	South America, unspecified	922
Total Latin America		297,305
Middle East	Iran	550
	Iraq	18,020
	Jordan	2,232
	Lebanon	9,471
	Middle East, unspecified	3,026
	Palestinian Area	71,191
	Yemen	414
Total Middle East		104,904
Oceania	Papua New-Guinea	1,604
Total Oceania		1,604
Multilateral assistance ¹⁾		130,937
Total		2,695,771

1) Comprises general contributions to the following multilateral organisations and institutions:

AFDB
IDEA
UNCHR

Table 2: Statistics relating to financial assistance for international human rights measures, alphabetical 2003 (NOK 1000)

Country	Total	Country	Total
Afghanistan	47,359	Indonesia	16,486
Africa, unspecified	112,889	Iran	550
Albania	15,246	Iraq	18,020
America, unspecified	10,690	Ivory Coast	204
Angola	68,768	Jamaica	2,393
Armenia	1,142	Jordan	2,232
Azerbaijan	8,149	Kenya	28,284
Asia, unspecified	36,914	Kirghizstan	8,198
Bangladesh	69,913	Laos	2,010
Belize	521	Lebanon	9,471
Bhutan	175	Lesotho	1,693
Bolivia	19,536	Liberia	3,304
Bosnia-Herzegovina	62,719	Madagascar	2,731
Botswana	2,802	Macedonia	27,311
Brazil	19,270	Malawi	35,691
Burma	7,787	Malaysia	1,031
Burundi	6,883	Mali	42,077
Cambodia	7,324	Mexico	45
Cameroon	2,331	Middle East, unspecified	3,026
Cape Verde	49	Moldova	4,468
Central America, unspecified	18,467	Mongolia	5,718
Chile	2,196	Mozambique	68,860
China	27,954	Namibia	1,044
Colombia	33,118	Nepal	54,571
Congo (Dem Rep)	33,170	Nicaragua	51,140
Croatia	46,245	Niger	4,175
Cuba	5,434	Nigeria	2,307
Dominican Republic	2,083	North Korea	5,000
East Timor	31,336	Palestinian Area	71,191
Ecuador	16,389	Pakistan	35,072
El Salvador	6,397	Papua New Guinea	1,604
Ethiopia	55,439	Paraguay	4,774
Eritrea	27,955	Peru	5,883
Europe, unspecified	98,608	Philippines	6,356
Former Yugoslavia	40,390	Rwanda	19,235
Former Yugoslavia, unspecified	77,900	South Africa	49,071
Georgia	9,678	South America, unspecified	922
Ghana	46	South Asia, unspecified	18,255
Guatemala	78,190	Senegal	827
Guinea-Bissau	233	Sierra Leone	1,675
Haiti	12,383	Somalia	24,947
Honduras	7,473	Sri Lanka	105,330
India	23,725	Sub-Saharan Africa, unspecified	17,283

Country	Total
Sudan	76,089
Swaziland	1,195
Tajikistan	4,018
Tanzania	87,098
Thailand	1,124
Turkey	433
Uganda	95,548
Vietnam	12,377
Yemen	414
Zambia	100,605
Zimbabwe	28,871
Global Unspecified	220,917
Multilateral contributions ¹⁾	130,937
Total	2,695,771

1) Comprises general contributions to the following multilateral organisations and institutions:

AFDB
IDEA
UNCHR
World Bank

Table 3: Contributions canalised through Norwegian and foreign NGOs 2003 (NOK 1000)

Region	Country	Non NGO	Norwegian NGO	Local NGO	Regional NGO	Global NGO	Research institution	Total
Africa	Africa unspecified	59,875	28,226	5,100		19,552	135	112,889
	Angola	22,425	40,159	6,184				68,768
	Botswana	745	2,057					2,802
	Burundi		5,883	1,000				6,883
	Cambodia	4,614	710	2,000				7,324
	Cameroon		2,331					2,331
	Cape Verde		49					49
	China	9,070	12,080	8			6,796	27,954
	Congo (Dem Rep)	15,200	17,970					33,170
	East Timor	29,386	1,950					31,336
	Ethiopia	25,495	24,260	3,922		1,031	731	55,439
	Eritrea	16,132	11,823					27,955
	Ghana		46					46
	Guinea-Bissau		233					233
	Ivory Coast		204					204
	Kenya	8,590	16,104	3,590				28,284
	Lesotho		1,693					1,693
	Liberia	1,580	1,724					3,304
	Madagascar		2,731					2,731
	Malawi	21,088	27,780	431	1,250	1,137	499	52,186
	Mali	10,000	31,566				511	42,077
	Mozambique	22,426	37,782	7,202	1,100	350		68,860
	Namibia		244				800	1,044
	Niger		4,175					4,175
	Nigeria	78	2,229					2,307
	Rwanda	2,829	16,406					19,235
	Sub-Saharan Africa, unspecified	4,159	3,665	2,000		386	7,073	17,283
	Senegal		827					827
	Sierra Leone		1,675					1,675
	Somalia	19,711	5,236					24,947
	South Africa	19,546	19,634	1,390		500	8,000	49,071
	Sudan	23,154	49,935	3,000				76,089
	Swaziland		1,195					1,195
	Tanzania	64,973	15,091	5,185	1,850			87,098
	Uganda	50,605	41,857	3,086				95,548
	Zambia	68,734	15,327	16,328		-84	300	100,605
	Zimbabwe	8,830	14,490	5,552				28,871
Total Africa		466,176	444,515	63,970	4,200	22,872	18,049	1,019,782
Asia	Afghanistan	34,504	11,874				981	47,359
	Armenia	224	564				355	1,142
	Asia, unspecified	24,341	7,438			700	4,435	36,914
	Azerbaijan	2,172	5,976					8,149

Region	Country	Non NGO	Norwegian NGO	Local NGO	Regional NGO	Global NGO	Research institution	Total
	Bangladesh	31,532	14,653	23,615			113	69,913
	Bhutan		175					175
	Burma	3,800	1,687	2,300				7,787
	Georgia	4,374	5,205				98	9,678
	India	9,477	4,020	10,218			10	23,725
	Indonesia	7,737	3,929	2,000			2,820	16,486
	Kirghizstan	8,234	-36					8,198
	Laos	1,670	340					2,010
	Malaysia		1,031					1,031
	Mongolia	1,571	4,147					5,718
	Nepal	34,779	18,694	1,098				54,571
	North Korea	5,000						5,000
	Pakistan	22,974		12,098				35,072
	Philippines	2,517	3,562	277				6,356
	South Asia, unspecified	3,635	14,621					18,255
	Sri-Lanka	62,546	38,631	4,054			100	105,330
	Tadsjikistan	4,025	-7					4,018
	Thailand	801	323					1,124
	Vietnam	5,022	7,325				30	12,377
Total Asia		314,005	158,890	57,668		700	15,739	547,002
Europe	Albania	10,793	953	500		3,000		15,246
	Bosnia-Herzegovina	51,200	11,330				189	62,719
	Croatia	33,526	12,720					46,245
	Europe, unspecified	55,451	16,066	80		1,228	25,783	98,608
	Former Yugoslavia	17,626	20,295			2,000	470	40,390
	Former Yugo. unspecified	55,306	20,964			1,630		77,900
	Macedonia	23,008	4,316				-13	27,311
	Moldova	3,266	1,202					4,468
	Turkey		433					433
Total Europe		250,174	88,279	580		7,858	26,459	373,321
Global		133,086	46,928	100		21,601	19,202	220,917
Total Global		133,086	46,928	100		21,601	19,202	220,917
Latin-America	America, unspecified		10,690					10,690
	Belize		521					521
	Bolivia		19,536					19,536
	Brazil	1,954	11,731	5,585				19,270
	Central-America, unspec.	12,367	1,354		4,746			18,467
	Chile	571	1,125	500				2,196
	Colombia	12,619	19,749		750			33,118
	Cuba	442	5,410			-418		5,434
	Dominican Republic		2,083					2,083
	Ecuador		16,389					16,389
	El-Salvador	1,250	5,147					6,397

Table 3: Contributions canalised through Norwegian and foreign NGOs 2003 (NOK 1000)

	Guatemala	42,957	28,796	4,050	1,750	750	-113	78,190
	Haiti	1,300	10,382				700	12,383
	Honduras	1,000	6,473					7,473
	Jamaica		2,393					2,393
	Mexico	45						45
	Nicaragua	23,584	25,803	1,754				51,140
	Paraguay	83	1,852	2,839				4,774
	Peru	1,642	2,260	1,981				5,883
	South-America, unspec.	22	900					922
Total Latin-America		99,835	172,594	16,708	7,246	332	588	297,305
Middle East, unspecified	Palestinian Area	23,047	32,272	7,845			8,028	71,191
	Iraq	18,020						18,020
	Iran	550						550
	Jordan	1,461	770					2,232
	Lebanon	5,000	4,471					9,471
	Middle East, unspecified	68	2,957					3,026
	Yemen	73	342					414
Total Middle East		48,219	40,812	7,845			8,028	104,904
Oceania	Papua New Guinea	1,604						1,604
Total Oceania		1,604						1,604
Multilateral assistance ¹⁾								130,937
Total		1,442,433	953,623	146,871	11,446	53,364	88,033	2,695,771

1) Comprises general contributions to the following multilateral organisations and institutions:

AFDB
IDEA
UNCHR
World Bank

Table 4: Human rights measures distributed by type of aid, regional 2003 (NOK 1000)

Region	Country	Bilateral	Multi-bilateral	Total
Africa	Africa, unspecified	83,557	29,332	112,889
	Angola	58,927	9,842	68,768
	Botswana	2,802		2,802
	Burundi	6,883		6,883
	Cameroon	2,331		2,331
	Cape Verde	49		49
	Congo (Dem Rep)	24,470	8,700	33,170
	Ethiopia	44,295	11,144	55,439
	Eritrea	17,955	10,000	27,955
	Ghana	46		46
	Guinea-Bissau	233		233
	Ivory Coast	204		204
	Kenya	21,284	7,000	28,284
	Lesotho	1,693		1,693
	Liberia	2,064	1,240	3,304
	Madagascar	2,731		2,731
	Malawi	41,811	10,375	52,186
	Mali	32,077	10,000	42,077
	Mozambique	56,960	11,900	68,860
	Namibia	1,044		1,044
	Niger	4,175		4,175
	Nigeria	2,307		2,307
	Rwanda	16,435	2,800	19,235
	Senegal	827		827
	Sierra-Leone	1,675		1,675
	Somalia	12,447	12,500	24,947
	South-Africa	49,071		49,071
	Sub-Saharan Africa, unspecified	15,283	2,000	17,283
	Sudan	76,089		76,089
	Swaziland	1,195		1,195
Tanzania	86,863	235	87,098	
Uganda	89,868	5,680	95,548	
Zambia	100,605		100,605	
Zimbabwe	28,871		28,871	
Total Africa		887,034	132,747	1,019,782
Asia	Afghanistan	24,459	22,900	47,359
	Armenia	918	224	1,142
	Asia, unspecified	20,973	15,942	36,914
	Azerbaijan	8,149		8,149
	Bangladesh	49,669	20,244	69,913
	Bhutan	175		175
	Burma	7,787		7,787
	Cambodia	5,324	2,000	7,324

Table 4: Human rights measures distributed by type of aid, regional 2003 (NOK 1000)

Region	Country	Bilateral	Multi-bilateral	Total
	China	27,954		27,954
	East Timor	2,074	29,261	31,336
	Georgia	5,593	4,084	9,678
	India	16,359	7,366	23,725
	Indonesia	9,986	6,500	16,486
	Kirghizstan	539	7,659	8,198
	Laos	340	1,670	2,010
	Malaysia	1,031		1,031
	Mongolia	4,147	1,571	5,718
	Nepal	22,332	32,239	54,571
	North Korea		5,000	5,000
	Pakistan	17,672	17,400	35,072
	Philippines	6,356		6,356
	South-Asia, unspecified	18,036	220	18,255
	Sri-Lanka	80,082	25,248	105,330
	Tadsjikistan	18	4,000	4,018
	Thailand	1,124		1,124
	Vietnam	8,277	4,100	12,377
Total Asia		339,374	207,628	547,002
Europe				
	Albania	6,347	8,899	15,246
	Bosnia-Herzegovina	42,877	19,842	62,719
	Croatia	34,387	11,859	46,245
	Europe, unspecified	61,387	37,221	98,608
	Former Yugoslavia	38,235	2,155	40,390
	Former Yugoslavia, unspecified	56,820	21,079	77,900
	Macedonia	15,162	12,149	27,311
	Moldova	3,809	659	4,468
	Turkey	433		433
Total Europe		259,458	113,862	373,321
Global	Global Unspecified	146,785	74,132	220,917
Total Global		146,785	74,132	220,917
Latin-America				
	America, unspecified	10,690		10,690
	Belize	521		521
	Bolivia	19,536		19,536
	Brazil	19,270		19,270
	Central America, unspecified	11,050	7,417	18,467
	Chile	2,196		2,196
	Colombia	24,618	8,500	33,118
	Cuba	5,434		5,434
	Dominican Republic	2,083		2,083

Region	Country	Bilateral	Multi-bilateral	Total
	Ecuador	16,389		16,389
	El-Salvador	6,397		6,397
	Guatemala	47,578	30,612	78,190
	Haiti	11,383	1,000	12,383
	Honduras	6,973	500	7,473
	Jamaica	2,393		2,393
	Mexico	45		45
	Nicaragua	43,959	7,181	51,140
	Paraguay	4,774		4,774
	Peru	5,883		5,883
	South-America, unspecified	922	922	922
Total Latin-America		242,094	55,211	297,305
Middle East				
	Iraq	3,020	15,000	18,020
	Iran	550		550
	Jordan	2,232		2,232
	Lebanon	9,471		9,471
	Middle East, unspecified	3,026		3,026
	Palestinian Area	70,191	1,000	71,191
	Yemen	414		414
Total Middle East		88,904	16,000	104,904
Oceania				
	Papua New Guinea	1,604		1,604
Total Oceania				1,604
Multilateral assistance ¹⁾				130,937
Total		1,965,254	599,581	2,695,771

1) Comprises general contributions to the following multilateral organisations and institutions:

AFDB
IDEA
UNCHR
World Bank

Table 5: Human Rights measures distributed by type of aid, alphabetical 2003 (NOK 1000)

Country	Bilateral	Multi-bilateral	Total
Afghanistan	24,459	22,900	47,359
Africa, unspecified	83,557	29,332	112,889
Albania	6,347	8,899	15,246
America, unspecified	10,690		10,690
Angola	58,927	9,842	68,768
Armenia	918	224	1,142
Asia, unspecified	20,973	15,942	36,914
Azerbaijan	8,149		8,149
Bangladesh	49,669	20,244	69,913
Belize	521		521
Bhutan	175		175
Bolivia	19,536		19,536
Bosnia-Herzegovina	42,877	19,842	62,719
Botswana	2,802		2,802
Brazil	19,270		19,270
Burma	7,787		7,787
Burundi	6,883		6,883
Cambodia	5,324	2,000	7,324
Cameroon	2,331		2,331
Cape Verde	49		49
Central America, unspecified	11,050	7,417	18,467
Chile	2,196		2,196
China	27,954		27,954
Colombia	24,618	8,500	33,118
Congo (Dem Rep)	24,470	8,700	33,170
Croatia	34,387	11,859	46,245
Cuba	5,434		5,434
Dominican Republic	2,083		2,083
East Timor	2,074	29,261	31,336
Ecuador	16,389		16,389
El Salvador	6,397		6,397
Eritrea	17,955	10,000	27,955
Ethiopia	44,295	11,144	55,439
Europe, unspecified	61,387	37,221	98,608
Former Yugoslavia	38,235	2,155	40,390
Former Yugoslavia, unspecified	56,820	21,079	77,900
Georgia	5,593	4,084	9,678
Ghana	-46		-46
Guatemala	47,578	30,612	78,190
Guinea-Bissau	233		233
Haiti	11,383	1,000	12,383
Honduras	6,973	500	7,473

Country	Bilateral	Multi-bilateral	Total
India	16,359	7,366	23,725
Indonesia	9,986	6,500	16,486
Iraq	3,020	15,000	18,020
Iran	550		550
Ivory Coast	204		204
Jamaica	2,393		2,393
Jordan	2,232		2,232
Kenya	21,284	7,000	28,284
Kirghizstan	539	7,659	8,198
Laos	340	1,670	2,010
Lesotho	1,693		1,693
Lebanon	9,471		9,471
Liberia	2,064	1,240	3,304
Madagascar	2,731		2,731
Macedonia	15,162	12,149	27,311
Malawi	41,811	10,375	52,186
Malaysia	1,031		1,031
Mali	32,077	10,000	42,077
Mexico	45		45
Middle East, unspecified	3,026		3,026
Moldova	3,809	659	4,468
Mongolia	4,147	1,571	5,718
Mozambique	56,960	11,900	68,860
Namibia	1,044		1,044
Nepal	22,332	32,239	54,571
Nicaragua	43,959	7,181	51,140
Niger	4,175		4,175
Nigeria	2,307		2,307
North Korea		5,000	5,000
Pakistan	17,672	17,400	35,072
Palestinian Area	70,191	1,000	71,191
Papua Ny-Guinea	1,604		1,604
Paraguay	4,774		4,774
Peru	5,883		5,883
Philippines	6,356		6,356
Rwanda	16,435	2,800	19,235
Senegal	827		827
Sierra Leone	1,675		1,675
Somalia	12,447	12,500	24,947
South Africa	49,071		49,071
South America, unspecified	922		922
South Asia, unspecified	18,036	220	18,255

Table 5: Human Rights measures distributed by type of aid, alphabetical 2003 (NOK 1000)

Country	Bilateral	Multi-bilateral	Total
Sri Lanka	80,082	25,248	105,330
Sub-Saharan Africa, unspecified	15,283	2,000	17,283
Sudan	76,089		76,089
Swaziland	1,195		1,195
Tajikistan	18	4,000	4,018
Tanzania	86,863	235	87,098
Thailand	1,124		1,124
Turkey	433		433
Uganda	89,868	5,680	95,548
Vietnam	8,277	4,100	12,377
Yemen	414		414
Zambia	100,605		100,605
Zimbabwe	28,871		28,871
Global Unspecified	146,785	74,132	220,917
Multilateral contributions ¹⁾			130,937
Total	1,965,254	,599,581	2,695,771

1) Comprises general contributions to the following multilateral organisations and institutions:

AFDB
IDEA
UNCHR
World Bank

14.3 Sources of further information

The following non-governmental organisations and public institutions work with human rights issues:

Amnesty International Norge

P.O. Box 702 Sentrum
0106 OSLO
Tel.: +47 22 40 22 00
Fax: +47 22 42 94 70
E-mail: info@amnesty.no

**Antirasistisk Senter
Antiracist Centre**

P.O. Box 244 Sentrum
0103 OSLO
Tel.: +47 23 13 90 00
Fax: +47 23 13 90 13
E-mail: epost@antirasistisk-senter.no

**Barneombudet
Ombudsman for Children**

P.O. Box 8125 DEP
0028 OSLO
Tel.: +47 22 99 39 50
Fax: +47 22 99 39 70
E-mail: bo@barneombudet.no

**CARE Norge
CARE Norway**

Universitetsgt. 12
0164 OSLO
Tel.: +47 22 99 26 00
Fax: +47 22 99 26 01
E-mail: care.norge@care.norge

**Chr. Michelsens Institutt
Christian Michelsen Institute**

Fantoftveien 38
5036 FANTOFT
Tel.: +47 55 57 40 00
Fax: +47 55 57 41 66
E-mail: cmi@cmi.no

**Den norske Helsingforskomité
Norwegian Helsinki Committee**

Tordenskiolds gate 6B
0160 OSLO
Tel.: +47 22 47 92 02
Fax: +47 22 47 92 01
E-mail: nhc@nhc.no

**Den norske lægeforenings MR-utvalg
Norwegian Medical Association's Committee
on Human Rights**

Bjørn Oscar Hoftvedt
P.O. Box 1152 Sentrum
0107 OSLO
Tel.: +47 23 10 90 00
Fax: +47 23 10 90 01
E-mail: bjorn.hoftvedt@legeforeningen.no

**Den norske Tibet-komité
Norwegian Tibet Committee**

Tordenskiolds gate 6B
0160 OSLO
Tel.: +47 23 30 11 23
Fax: +47 23 30 11 01
E-mail: info@tibet.no

**Fellesrådet for Afrika
Norwegian Council for Africa**

Osterhausgt. 27
0183 OSLO
Tel.: +47 22 98 93 12
Fax: +47 22 98 93 01
E-mail: afrika@afrika.no

**Flyktningerådet
Norwegian Refugee Council**

P.O. Box 6758 St. Olavs Plass
0130 OSLO
Tel.: +47 23 10 98 00
Fax: +47 23 10 98 01
E-mail: nrc@nrc.no

**FN-sambandet
UN Association of Norway**

Storgata 33A
0184 OSLO
Tel.: +47 22 86 84 00
Fax: +47 22 86 84 01
E-mail: fn-sambandet@fn-sambandet.no

**FOKUS - Forum for kvinner og
utviklingsspørsmål
Forum for Women and Development**

Storgata 11
0155 OSLO
Tel.: +47 23 01 03 00
E-mail: fokus@fokuskvinner.no

**Funksjonshemmedes Fellesorganisasjon
Norwegian Federation of Organisations of
Disabled People**

Sandakerveien 99
0404 OSLO
Tel.: +47 22 79 91 00
Fax: +47 22 79 91 98
E-mail: info@ffo.no

**Human-Etisk Forbund
Norwegian Humanist Association**

P.O. Box 6744 St. Olavs Plass
0166 OSLO
Tel.: +47 23 15 60 00
Fax: +47 23 15 60 01
E-mail: human@human.no

International Romani Union – Norway

Kjelsåsveien 28 F
0488 OSLO
Tel.: +47 22 89 20 21
Fax: +47 22 15 77 58

**International Society for Health and
Human Rights**

Urtegata 50
0187 OSLO
Tel.: +47 23 30 11 00
Fax: + 47 23 30 11 01
E-mail: ishhr@ishhr.org

**Kirkens Nødhjelp
Norwegian Church Aid**

P.O. Box 4544 Nydalen
0404 OSLO
Tel.: +47 22 09 27 00
Fax: +47 22 09 27 20
E-mail: nca-oslo@nca.no

LO

Norwegian Confederation of Trade Unions

Youngsgate 11
0181 OSLO
Tel.: +47 23 06 10 50
Fax: +47 23 06 17 43
E-mail: lo@lo.no

**Landsrådet for norske barne- og
ungdomsorganisasjoner – LNU
Norwegian Youth Council**

Nedre Vollgate 5
0158 OSLO
Tel.: +47 23 31 06 00
Fax: +47 23 31 06 01
E-mail: lnu@lnu.no

**Latin-Amerikagruppene i Norge
Latin America Groups in Norway**

Solidaritetshuset
Osterhausgate 27
0183 OSLO
Tel.: +47 22 98 93 20
Fax: +47 22 98 93 01
E-mail: info@latin-amerikagruppene.no

**Likestillingsombudet
Norwegian Gender Equality Ombud**

P.O. Box 8048 DEP
0031 OSLO
Tel.: +47 24 05 59 70
Fax: +47 24 05 59 80
E-mail: post@likestillingsombudet.no

**Utdanningsforbundet
Union of Education Norway**

P.O. Box 9190 Grønland
0134 OSLO
Tel.: +47 24 14 20 00
Fax: +47 24 14 21 00
E-mail: post@utdanningsforbundet.no

**Mellomkirkelig Råd for Den norske kirke
Church of Norway Council of Ecumenical
and International Relations**

P.O. Box 799 Sentrum
0106 OSLO.
Tel.: +47 23 08 12 00
Fax: +47 23 08 12 01
E-mail: post.kirkeradet@kirken.no

**MiRA-ressursenter for innvandrerkvinner
MiRA Resource Centre for Black, Immigrant
and Refugee Women**

P.O. Box 1749 Vika
0212 OSLO
Tel.: +47 22 11 69 20
Fax: +47 22 36 40 19
E-mail: post@mirasenteret.no

**NHO
Confederation of Norwegian Business and
Industry**

P.O. Box 5250 Majorstuen
0303 OSLO
Tel.: +47 23 08 80 00
Fax: +47 23 08 80 01
E-mail: firmapost@nho.no

**Norad
Norwegian Agency for Development
Cooperation**

P.O. Box 8034 DEP
0030 OSLO
Tel.: +47 22 24 20 30
Fax: +47 22 24 20 31
E-mail: postmottak@norad.no

**Norges Røde Kors
Norwegian Red Cross**

P.O. Box 1 Grønland
0133 OSLO
Tel.: +47 22 05 40 00
Fax: +47 22 05 40 40
E-mail: nrx.center@redcross.no

**Norsk Folkehjelp
Norwegian People's Aid**

P.O. Box 8844 Youngstorget
0028 OSLO
Tel.: +47 22 03 77 00
Fax: +47 22 20 08 77
E-mail: norsk.folkehjelp@npaid.no

**Norske Kveners Forbund/Ruijan Kveeniliitto
Norwegian Kven Foundation**

Hansjordnesgata 9
9009 TROMSØ
Tel.: +47 77 69 65 02
E-mail: post@kvener.no

**Norsk Organisasjon for Asylsøkere (NOAS)
Norwegian Organisation for Asylum Seekers**

P.O. Box 8893 Youngstorget
0028 OSLO
Tel.: +47 22 36 56 60
Fax: +47 22 36 56 61
E-mail: noas@noas.org

**Norsk P.E.N.
Norwegian P.E.N.**

Tordenskioldsgate 6B
0160 OSLO
Tel.: +47 22 47 92 20
Fax: +47 22 47 92 01
E-mail: norskpen@norskpen.no

**Norsk Senter for Demokratistøtte
Norwegian Centre for Democracy Support**

P.O. Box 8055 DEP
0031 OSLO
Tel.: +47 24 14 57 00/23
E-mail: anja.riiser@fredskorpset.no

**Norsk Senter for menneskerettigheter (UiO)
Norwegian Centre for Human Rights**

Universitetsgata 22 - 24
0162 OSLO
Tel.: +47 22 84 20 01
Fax: +47 22 84 20 02
E-mail: info@nchr.uio.no

**Organisasjonen mot offentlig diskriminering
(OMOD)**

**Foundation Against Public/Official
Discrimination**

P.O. Box 2832 Tøyen
0608 OSLO
Tel.: +47 22 20 87 37
Fax: +47 22 20 62 17
E-mail: omod@online.no

**Oslokoalisjonen for religions- og livssyns-
frihet**

**Oslo Coalition on Freedom of Religion
or Belief**

Universitetsgata 22 - 24
0162 OSLO
Tel.: +47 22 84 20 45
Fax: +47 22 84 20 02
E-mail: lena.larsen@nchr.uio.no

**Plan Norge
Plan Norway**

Wesselsgt. 8
0165 OSLO
Tel.: +47 09909
Fax: +47 22 33 32 32
E-mail: info@plan-norge.no

Redd Barna
Save the Children Norway
P.O. Box 6902 St. Olavs Plass
0130 OSLO
Tel.: +47 22 99 09 00
Fax: +47 22 99 08 60
E-mail: post@reddbarna.no

Romanifolkets Landsforening
Romani People's Association of Norway
P.O. Box 80
2436 VÅLER
Tel.: +47 62 42 35 31

Samerådet
Saami Council
FIN-99980 UTSJOKI,
Finland
Tel.: +358 16 677 351
Fax: +358 16 677 353
E-mail: saamicouncil@saamicouncil.net

Sametinget
Sámediggi (Saami Parliament)
P.O. Box 144
9730 KARASJOK
Tel.: +47 78 47 40 00
Fax: +47 78 47 40 90
E-mail: samediggi@samediggi.no

Senter mot etnisk diskriminering
Centre for Combating Ethnic Discrimination
P.O. Box 677 Sentrum
0106 OSLO
Tel.: +47 22 24 69 70
Fax: +47 22 24 69 72
E-mail: smed@smed.no

Skogfinske interesser i Norge
Forest Finns
v/ Birger Nesholen
2260 KIRKENÆR
Tel.: +47 62 94 73 15

Stiftelsen Menneskerettighetshuset
Norwegian Human Rights House
Tordenskioldsgate 6B
0160 OSLO
Tel.: +47 22 47 92 00
Fax: +47 22 47 92 01
E-mail: webmaster@humanrightshouse.org

Stiftelsen Roma
The Roma Foundation
v/Anne Jorunn Merkesvik
Nettaveien 22
4275 SÆVELANDSVIK
Tel.: +47 412 26 769

Stiftelsen romanifolket/taterne
The Romani People's Foundation
Skarpsnogata 2
0271 OSLO
Tel.: +47 22 44 44 69
E-mail: thunlaw@online.no

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E-mail: au@sos-rasisme.no

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