

## **NORWAY**

Norway is a parliamentary democracy and constitutional monarchy. The population is approximately 4.9 million. The country is governed by a prime minister, a cabinet, and a 169-seat parliament (Storting) that is elected every four years and cannot be dissolved. Free and fair elections to the multiparty parliament were held in September 2009. Security forces reported to civilian authorities.

During the year extensive use of holding cells, violence against women, and trafficking of men, women, and children were continuing problems.

### **RESPECT FOR HUMAN RIGHTS**

Section 1    Respect for the Integrity of the Person, Including Freedom From:

a.    Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b.    Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

#### **Prison and Detention Center Conditions**

Prison conditions mostly met international standards, and the government permitted visits by independent human rights observers; however, there were reports of juveniles being held with adults in holding cells and prison. In November the bar association reported that nearly half of all those arrested during the year were kept in holding cells for longer than 48 hours. In September 2009, the latest date for which government figures were available, police disclosed that due to long waiting lists for prison cells and geographical factors, they had

detained approximately 1,500 arrestees during the year in temporary holding cells for longer than the 48 hours allowed by law. Police holding cells were austere and designed for short stays and a transient inmate population. During the year Oslo police reportedly expressed alarm over what they described as some suicidal detainees in holding cells. Media reported that on March 30, a 48-year-old male committed suicide in police custody in Hamar after having spent nearly five days in a holding cell. The Bureau for the Investigation of Police Affairs reportedly concluded in December that the case involved serious misconduct in the use of police arrest and that police significantly exceeded the deadline for a pretrial detention hearing. Authorities fined the Hedmark Police District 50,000 kroner (\$8,400); a final decision on possible additional penalties was pending in anticipation of further depositions. Trandum, the country's only detention center dedicated solely to foreign nationals awaiting deportation, was understaffed, but the problem was rectified during the year according to the parliamentary ombudsman's office (see section 2.d.).

On December 31, there were 3,433 prisoners in the country. There were fewer inmates at the end of the year, because some prisoners were released early for Christmas and others had not been called in to start their sentences. During the latter half of the year, after the country's total prison capacity increased from 3,500 to 3,826, the prison population was usually between 3,700 and 3,800. A total of 1,173 women and 62 juveniles were imprisoned during the year; on average, there were 108 women and 10 juveniles in prison in the country at any given time during the year. The country has three separate prisons for women: Bredtveit (64 places), Sandefjord (14) and Ravneberget (53). In addition, seven other prisons have women's departments with a total of 57 places. A number of other prisons in the country can accommodate women as needed.

Other than Trandum detention center, the country has no separate detention facilities apart from police station holding cells. Nationwide there are 45 prisons, most of which contain separate cells for pretrial detainees. According to government officials, the Trandum detention center can house 150 alien detainees, but usually holds no more than 70. In March the Norwegian Labor Inspection Authority (NLIA) placed a cap of 45 detainees in Trandum due to concerns about employees' safety due to understaffing. According to the Police Officers' Union, the decision required the moving of 20 detainees; of these, almost half were ordered deported, and the rest were released after specific assessment of the status and progress in their cases. To assess the need for concrete measures to address capacity problems, the government introduced an improved tool for recording statistics on the use of police custody.

The government also initiated measures to provide individually adapted follow-up of young offenders, including projects based on the principles of restorative justice. To avoid juveniles' serving their sentences with adults or in total isolation, the government established two separate prison units for young offenders. The government also supported alternatives to prison, such as serving a sentence in a child welfare institution or through other means developed on a case-by-case basis by mediation boards. Authorities also escalated the frequency of community service sentences for juveniles.

The prison system was considered transparent; prisoners were represented by an ombudsman who could visit at a prisoner's request or at the ombudsman's own initiative. The ombudsman does not act on behalf of prisoners and detainees to consider such matters as alternatives to incarceration for nonviolent offenders to alleviate overcrowding; only the courts handle sentencing. The ombudsman may conduct investigations, however, and may express a legal, nonbinding opinion on whether public authorities have erred or committed any injustice. The ombudsman also may serve on behalf of prisoners and detainees concerning the status and circumstances of confinement of juvenile offenders but received few complaints on this issue. The ombudsman reportedly received no reports of prisoners serving beyond the maximum sentence for the charged offense. The government permitted monitoring visits by independent human rights groups, the media, and the International Committee of the Red Cross; however, no such visits took place during the year. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions; there were no such complaints or allegations during the year.

Representatives from the national Police Directorate, the relevant state prosecutor's office, and the ombudsman's office carried out inspection visits to ensure prisons and detention facilities were equipped and operated in accordance with all relevant regulations, particularly concerning the prisoner's health conditions. Each police district had its own mechanism or entity for informing prisoners of their rights. Prisoners and detainees had reasonable access to visitors and were permitted religious observance.

To help reduce the waiting list for the country's prisons, in 2008 the government began a two-year pilot project testing electronic monitoring as an alternative to imprisonment for offenders sentenced to less than four months in prison or those with fewer than four months left of a longer sentence for a nonviolent crime.

Juvenile offenders and "first-time" offenders were a priority target group. The electronically monitored offenders had to participate in a motivational and crime prevention program and other activities individually matched to each offender's rehabilitation needs. The stated goal was to maintain and advance offenders' social and economic capabilities and to prevent recidivism. By February 2009, the latest date for which figures were available, authorities had tagged 192 offenders, only eight of whom were returned to prison due to misconduct. On average, approximately 70 offenders were under electronic monitoring at any given time during the year.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The national police have primary responsibility for internal security; the police may call on the armed forces for assistance in crises. In such circumstances the armed forces are under police authority. The Ministry of Justice and Police oversees the police force.

Civilian authorities maintained effective control over the national police, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

The Organization against Public Discrimination (OMOD) and the Norwegian Center against Racism received some complaints that public security officials used discriminatory racial profiling techniques to stop and search members of ethnic minorities. Evidence of racial profiling was anecdotal because police did not keep records of stop and search activities.

During the year the government continued to support measures to improve the level of trust between police and adolescents from ethnic minorities. The Ministry of Justice and Police, the Police Directorate, and local police districts had regular dialogues with minority and immigrant organizations. A continuing project in several police districts focused on policing in a multiethnic environment, the results of which may be used as a basis for further police training.

## Arrest Procedures and Treatment While in Detention

The law requires warrants authorized by a prosecutor for arrests except when the perpetrator is caught in the act of committing a crime, and police usually arrested a person based on a warrant. Police are required to file a justification to hold detained persons in custody within four hours of their arrest and must inform detainees of the charges against them within three days. Authorities must arraign an arrested suspect within 24 hours (not including Saturday and Sunday), at which time the arraigning judge determines whether the accused should be held in custody or released pending trial. There is no bail system. Nonresident foreigners were not released pending trial. Defendants accused of minor crimes were routinely released pending trial. Defendants accused of serious or violent crimes usually remained in custody until trial. Arrested persons were allowed access to a lawyer of their choosing before interrogation or, if they could not afford one, to an attorney appointed by the government. Authorities usually allowed arrested persons access to family members. The law mandates that detainees be transferred from a temporary police-holding cell to a regular prison cell within 48 hours.

The law permits detention of aliens to establish identity or to effect their removal from the country, if it is most likely they will evade an order to leave. The Police Officers' Union expressed concern about conditions at the Trandum Detention Center for foreign nationals, which the Police Immigration Unit (PUI) administered. According to the Police Officers' Union, authorities released ten detainees from Trandum in March due to "intolerable conditions" stemming from a ratio of 16 detainees to one employee. During the year understaffing at the center led detainees to set fires and nearly to riot. The employee protection ombudsman shut down the center for a few days in April, partly due to concerns over air quality following a fire. The NLIA determined the conditions were good enough to reopen shortly thereafter. As of November the parliamentary ombudsman's office reported that the PUI hired additional staff for Trandum and rectified the problems.

### e. Denial of Fair Public Trial

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

### Trial Procedures

Defendants enjoy a presumption of innocence. Trials are public. In criminal cases involving a maximum prison sentence of at least six years, a court of appeal sits

with a jury of 10 civilian members; there is no right to a jury trial in other instances. Defendants have the right to be present at their trial, to have counsel, at public expense if necessary, to confront and question witnesses, to present evidence and witnesses, and to appeal. Defendants and their attorneys have access to government-held evidence relevant to their cases. The law extends these rights to all citizens.

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

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Regional Human Rights Court Decisions

There are no barriers to access to the European Court of Human Rights (ECHR) by citizens. During the year through October, the ECHR found for the government in its two cases involving the country. In 2009 the ECHR issued one judgment against the state which found the country had violated the right to respect for private and family life as provided under the European Convention on Human Rights. The government complied with the ECHR judgment by paying the damages assessed.

#### Civil Judicial Procedures and Remedies

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

##### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice.

#### Section 2 Respect for Civil Liberties, Including:

##### a. Freedom of Speech and Press

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

The law prohibits "discriminatory or hateful expressions," defined as "threatening or insulting anyone, or inciting hatred or persecution of or contempt for anyone because of his or her: a) skin color or national or ethnic origin, b) religion or life stance, or c) homosexuality, lifestyle, or orientation." Violators are subject to a fine or imprisonment not to exceed three years. There were no reported charges or convictions for violating the hate speech law during the year.

#### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms or attempted to collect personally identifiable information. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. As of the second quarter of the year, according to Statistics Norway, approximately 90 percent of households had Internet access, and 81 percent of the population used the Internet daily.

#### Academic Freedom and Cultural Events

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

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

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

#### c. Freedom of Religion

For a complete description of religious freedom, see the *2010 International Religious Freedom Report* at [www.state.gov/g/drl/irf/rpt/](http://www.state.gov/g/drl/irf/rpt/).

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

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

The law prohibits forced exile, and the government did not employ it.

### Protection of Refugees

The law provides for the granting of asylum or refugee status, and the government established a system for providing protection to refugees.

The country is party to the Dublin II regulation, which allows the government to return refugees and asylum seekers to the first country they entered that is also a party to the regulation. As of October the country returned 255 refugees and asylum seekers to Greece, which is a Dublin II regulation country, only on a case-by-case basis. Following a written request by the ECHR in October, the Immigration Appeals Board issued a press release, stating that it would suspend the deportation of asylum seekers to Greece under the Dublin II regulation until the ECHR ruled on the issue in a pending case involving another European country.

In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The government granted refugee status or asylum and accepted refugees for resettlement. NGOs expressed concern, however, regarding the government's increasing tendency to return persons to areas the UNHCR deemed unsafe, against UNHCR advice. The media reported that, as of the second quarter of the year, authorities had returned 207 refugees to Greece, Iraq, Somalia, Afghanistan, and Sri Lanka, reportedly against UNHCR advice. The government responded that it met regularly with the UNHCR and followed most guidelines, but it reviewed each case individually and, following careful research, in some instances did not follow UNHCR advice.

According to the Norwegian Directorate for Immigration (UDI), the government also provided temporary protection to individuals who might not qualify as refugees and provided it to 2,060 persons.



As a general rule asylum seekers in the country were not taken into custody pending assessment of their applications or following final rejection; they were admitted to open reception centers located across the country, where they had freedom of movement. There were 132 such reception centers, 17 of which were reserved for unaccompanied minors. As of November the reception centers housed approximately 17,000 persons, including those who received a final rejection, and had a total capacity of 19,000 persons.

The government provided legal guardians to unaccompanied minor asylum seekers. NGOs reported great variation in the recruitment and training of legal guardians, resulting in arbitrary differences in representation. Child Welfare Services took over legal care for unaccompanied minor asylum seekers under 15 years of age, including the responsibility to find legal guardians. Due to logistical difficulties following a steep rise in the number of unaccompanied minors arriving in the country in recent years (from 403 in 2007 to 1,647 by the end of September 2009), immigration authorities remained responsible for older children (ages 15-18). According to the ombudsman for children, this division of responsibility resulted in unequal treatment, as the Child Welfare Service was better equipped to provide follow-up services and find competent guardians. The government responded that the 15-18 year olds were accommodated in reception centers particularly adjusted for this group, and that their living conditions had improved in the last two years, both with regard to care and availability of leisure activities.

Unaccompanied minor asylum seekers who are at least 15½ years of age at the time of arrival were given a temporary residence permit. The permit expires when they reach 18 years of age, at which time they must return to their country of origin. As of October authorities gave a temporary permit to 38 unaccompanied minors, mostly from Afghanistan (15), Iraq (six), and Ethiopia (three). Some NGOs and local government leaders objected to the practice, expressing concern about its possible psychological impact on children from war-torn countries.

In early July rejected asylum seekers rioted and set fires at the Lier and Fagerli asylum transit centers outside of Oslo. The centers, which burned to the ground during the unrest, had provided housing and food for 250 foreign nationals whose applications for asylum had been rejected and who were expected to leave the country voluntarily or by compulsion if necessary. The Norwegian Center against Racism maintained that the incidents should not have been a surprise; prior to the incidents, residents had expressed dissatisfaction with the centers' conditions and anguish over their own status. Following the fires, the government decided not to rebuild the two transit centers and instead to establish "return" centers. The new

centers would focus on reducing waiting time to a minimum and on preparing the center residents for return to their home countries or countries of first asylum.

In late July six Palestinian asylum seekers at a reception center in Svolvær and one Palestinian at a center in Finnmark, both above the Arctic Circle, began a hunger strike in protest over the length of time authorities were taking to process their asylum applications. The spokesman for the Svolvær group told the media he had been waiting 18 months for the UDI to process his application. The Police Immigration Unit escorted the Finnmark hunger striker to Oslo, en route to his country of first asylum, reportedly based on a decision made before his strike began.

### Stateless Persons

According to UNHCR statistics, there were 2,860 stateless persons in the country as of the end of 2009. Citizenship is derived from one's parents; children born in the country do not automatically become citizens. According to government authorities, 95 percent of stateless persons in the country were of Palestinian origin. Others are mostly from the Baltic countries, where there are unresolved nationality issues for some residents. The law authorizes revocation of Norwegian citizenship granted on the basis of false identity information. Since the law requires applicants for Norwegian citizenship to renounce their original citizenship, revoking Norwegian citizenship can result in statelessness if the person's original citizenship is not reinstated. The government effectively implemented laws and policies to provide stateless persons the opportunity to gain nationality on a nondiscriminatory basis.

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

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

### Elections and Political Participation

In September 2009 the country held parliamentary elections that were considered free and fair. The elections resulted in a second term for a coalition government of the Labor, Socialist Left, and Center parties.

Political parties operated without restriction or outside interference.

Following the September 2009 elections, there were 67 women in the 169-seat parliament (nearly 40 percent). There were nine women among the 19 Supreme Court justices, and women headed half of the 20 government ministries. Women led five of the seven political parties represented in parliament. There was one member of parliament from a minority group and one alternate member, both Pakistani-Norwegians. There were no minority ministers or Supreme Court justices. Most major political parties in the country voluntarily apply a gender quota system for purposes of nominations and the composition of party-governing bodies at all levels.

#### Section 4 Official Corruption and Government Transparency

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

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

The law provides for public access to government information, and the government provided access in practice to both citizens and noncitizens, including foreign media.

#### Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

The country has parliamentary ombudsmen for public administration, for children, and for equality and antidiscrimination. All of the ombudsmen enjoyed the government's cooperation and operated without government interference. The ombudsmen hear complaints on actions by government officials, but their offices did not issue any reports specifically on human rights problems. Although the ombudsmen's recommendations are not legally binding, in practice government

authorities usually complied with those from the ombudsmen for children and public administration.

Parliament's Standing Committee on Scrutiny and Constitutional Affairs reviews the reports of the parliamentary ombudsmen. Its Standing Committee on Justice is responsible for matters relating to the judicial system, police, the penal code, and the civil and criminal code.

In August the Equality and Antidiscrimination Tribunal confirmed the assessment of the Ombudsman for Equality and Antidiscrimination (LDO) that the banning of religious headscarves (hijabs) in police uniform regulations was discriminatory. The minister of justice and the Police Officers' Union responded that the decision to forbid hijabs would stand based on a thorough political and judicial evaluation of the regulations concerning police uniforms. The government's decision led some commentators and NGOs to question the LDO's purpose.

## Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced this prohibition in practice, although racial profiling, violence against women, and trafficking in persons were problems.

### Women

The law criminalizes rape, including spousal rape, and the government generally enforced the law. According to police, 1,126 rapes and attempted rapes were reported during 2009 and 489 rapes and attempted rapes reported through the second quarter of the year, the latest date for which figures were available.

The penalty for rape is generally one to 10 years in prison, depending on the severity of the assault, the age of the victim, and the circumstances under which the crime occurred. Very few cases, however, resulted in a maximum sentence. During the year 84 percent of rape cases reported to police never reached the courts; authorities believe this was usually due to the victim's reluctance to press charges, while Amnesty International believed systemic inadequacies were largely to blame. Approximately 36 percent of rape trials during the year ended in acquittal.

In 2008 a government-appointed public committee concluded that a structural failure in the police to prioritize rape cases led to the low percentage of cases prosecuted and offenders convicted. As of the third quarter of the year, the government had not implemented many of the recommendations in the report, including the suggestion that police set up an independent sexual violence unit.

Violence against women, including spousal abuse, was a problem. The law provides higher penalties for domestic violence than for simple assault, generally one to three years in prison, with an increased term of up to six years in more severe cases. The government generally enforced the law in practice. In 2009, the latest period for which data were available, 2,144 cases of domestic violence were registered, a 47 percent increase over 2008.

The government generally and police agencies in particular had programs to prevent rape and domestic violence and to counsel victims. Each of the country's 27 police districts had a domestic violence coordinator to assist victims. Public and private organizations operated 50 government-funded shelters and managed five 24-hour crisis hotlines. The shelters provided support and counseling for victims and helped them gain access to social services, doctors, lawyers, and housing authorities. Victims of domestic violence have a right to consult a lawyer free of charge before deciding whether to make a formal complaint. If criminal proceedings are instituted, the victim is entitled to free assistance from a victim's advocate. This also applies to children who have been subjected to violence, sexual abuse, or genital mutilation.

The law provides that "employees shall not be subjected to harassment or other unseemly behavior," and the government effectively enforced this provision. Employers who violate this law are subject to fines or prison sentences of up to two years, depending on the seriousness of the offense.

Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence. There was easy access to contraception, and 88 percent of women used some form of contraception according to 2008 data from the UN Population Fund (UNFPA). There was skilled attendance during childbirth and essential prenatal and postpartum care; in 2008 the UNFPA, the World Health Organization (WHO), and the UN Children's Fund estimated the maternal mortality rate to be seven per 100,000 births. Women were diagnosed and treated for sexually transmitted infections, including HIV, equally with men.

Women have the same legal status as men and enjoy identical rights under family and property laws and in the judicial system. The LDO was generally effective in processing and investigating complaints of gender discrimination. In 2009 the office received 65 complaints and addressed 510 information requests related to alleged sexual discrimination. Of the 65 complaints, 21 were processed by year's end. The LDO issued an official statement in ten of the cases, finding an illegal practice in eight. As of September, the latest date for which figures were available, the LDO had received 287 information requests and 36 complaints, eight of which resulted in a finding of illegal gender discrimination.

The law provides that women and men engaged in the same activity shall receive equal wages for work of equal value. According to Statistics Norway, women received largely the same pay and benefits as men for equal work but earned on average 85 percent of what men earned per month. The government attributed this to differences in the professions chosen and the predominance of women in part-time or public sector work.

The law mandates that 40 percent of the boards of directors of publicly listed companies be women; virtually all public companies complied with the law.

### Children

Citizenship is derived from one's parents; children born in the country do not automatically become citizens. All birth clinics in the country reported childbirths to a central birth register, which included names, birth certificates, and social security numbers, including those of the parents.

In 2009 childcare services initiated 30,100 investigations of alleged abuse, 8.2 percent more than in the previous year and a record high. Childcare services completed 29,900 investigations in 2009 and offered intervention or services in approximately half the cases. An independent children's ombudsman office within the Ministry of Children, Equality and Social Inclusion (MCESI) is responsible for the protection of children under the law. The directorate for children, youth, and family affairs provides assistance and support services. With five regional offices and 26 professional teams, the directorate is the government's principal agency for the welfare and protection of children and families.

Female genital mutilation (FGM) is illegal. Since 2004 police have received 15 reports of FGM involving families originally from countries where the practice is

customary. Of these, one report was still under police investigation, while the others were dropped. None of the cases involved FGM performed in the country.

In what officials described as an effort to prevent FGM, the national government initiated a pilot project in 2008 that offered counseling and voluntary genital examination to all girls and women who came from areas where, according to the WHO, the incidence of female genital mutilation was 30 percent or more. According to the government, the offer was part of the municipal health examination which qualified doctors carried out. Counseling and genital examination were offered to all relevant groups of girls (immigrants and those born in the country of immigrant parents) before starting school (five to six years old), in the fifth grade (10-11 years old), and 10th grade (15-16 years old). The genital examination would only be carried out with valid consent of the patient, parent, or guardian in compliance with the law. There were unconfirmed reports that some parents were told that, if they did not acquiesce to the exam or counseling, they might be referred to the Department of Child Protective Services. OMOD expressed privacy concerns on behalf of the targeted girls and reported that parents of African ancestry felt stigmatized by the project.

Forced marriage and aiding and abetting a forced marriage are punishable under the law. In the first half of the year, authorities were advised of 49 forced marriages, a 50 percent increase from 2009. As of July an NGO hotline also received 71 calls for help in averting or annulling a forced marriage. During the year the Directorate for Integration and Diversity assumed responsibility for managing emergency housing for children fleeing a forced marriage. Two NGOs that previously managed emergency housing reported that during the year children fleeing a forced marriage often ended up in shelters for drug addicts due to slow case processing.

An estimated 10,000 to 18,000 persons were illegally resident in the country, including an unknown number of children. Children have the right to basic health services regardless of their residence status and are entitled to primary and lower secondary education. NGOs expressed concern that many children without legal residence are not receiving health services or attending school because they and their families live in hiding to avoid expulsion. Juss Buss, a student legal aid organization, reported that case workers at the Labor and Welfare Administration were unaware illegal residents were entitled to these rights, leading them to reject some illegal residents' requests for emergency assistance.

The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at [http://travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html) as well as country-specific information at [http://travel.state.gov/abduction/country/country\\_3781.html](http://travel.state.gov/abduction/country/country_3781.html).

### Anti-Semitism

The Jewish population is relatively small, consisting of approximately 1,100 persons.

In March a state-owned broadcasting company televised a news feature, highlighting anecdotal reports of bullying against Jewish students, particularly by Muslim youth. Four teachers interviewed anonymously on the news program stated that anti-Semitism had become acceptable among some students, with some denying the Holocaust openly in the classroom and claiming Jews were responsible for the 9/11 attacks.

Shortly after the newscast, Oslo's governing mayor invited representatives from the Jewish community, the Islamic Council, the Christian Council, the Center for Studies of Holocaust and Religious Minorities (Holocaust Center), and Oslo's Department of Cultural Affairs and Education to discuss how to eradicate harassment of religious minorities. The city's stated goal was to determine the scope of the problem and to introduce targeted measures. In May the Ministry of Education inaugurated a working group to analyze ways to counter racism and anti-Semitism in the country's primary and secondary schools. The Holocaust Center in Oslo was the secretariat for the group.

NGO representatives and leaders of the Jewish and Muslim communities applauded the government's prompt response to the problem identified in the March news program. Some expressed concern, however, that the news feature identified Muslim youth as the main instigators, noting that the problem was more nuanced. The concern led to a debate regarding the existence of anti-Semitism and the line between criticism of Israeli policy and anti-Semitism.

In October one of the country's leading newspapers published on its front page a painting by a prominent Norwegian artist, under the headline "This painting did not get to be hung." The painting, which portrayed a blood-spattered Israeli flag and faceless soldiers over a pile of skulls and body parts, was one of two works



removed a few days earlier by French authorities from the artist's traveling exhibit at the French Cultural Center in Damascus. The exhibit had been billed as an homage to the children of Gaza. In an editorial, the rabbi of the Oslo Jewish Community wrote that the painting crossed the line from legitimate anti-Israel criticism to anti-Semitism. The rabbi called on the government to distance itself from the messages in the artwork, which he said could promote hatred and dehumanization of Jews. He also questioned the newspaper editors' decision to publish the painting, which he said steps on "my symbols, my faith, and my cultural identity," without additional context from the Israeli Gaza war that would show the suffering of both sides in the conflict. The editors responded that their decision to publish the painting was not anti-Semitic but was a protest directed at the State of Israel.

A survey conducted during the year in conjunction with the International Civic and Citizenship Education Study, concluded that the vast majority of ninth graders in the country had a high level of awareness about the Holocaust, Nazism, and racism. Ninety-one percent of the 14- and 15-year-olds surveyed knew that six million Jews were killed during the Holocaust, while 9 percent did not. The survey evidenced no discernible pattern of responses among particular ethnic or religious groups.

The government continued to support organizations working to combat racism, discrimination, and anti-Semitism, including organizations such as the White Buses foundation, which took students from the country to Auschwitz and other World War II-era concentration camps to educate them about the Holocaust. In March the country completed a one-year rotating chairmanship of the International Task Force for Holocaust Education, Remembrance, and Research.

### Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

### Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services, and the government effectively enforced these provisions. The law applies generally to all persons with disabilities without enumerating specific types of disabilities. It mandates access to public buildings, information, and

communications for persons with disabilities, and the government generally enforced this provision in practice. The MCESI and the State Council on Disability divide the responsibility to protect the rights of persons with disabilities. The State Council served as an advisory body for the MCESI, which coordinated national policy and managed the social benefits system for persons with disabilities. All educational institutions are required to have an appointed contact person for disabled students as well as a plan of action to include this group of students.

#### National/Racial/Ethnic Minorities

On January 3, a 63-year-old immigrant woman died of a heart attack after her family members made nine emergency calls to the ambulance service. The family subsequently sued, contending the operators refused to acknowledge the emergency call due to discrimination. The operators stated they perceived the caller's language as threatening and thus waited for police to arrive before entering the building. On September 14, the Bureau for the Investigation of Police Affairs acquitted the operators of gross misconduct and breach of the Health Personnel Act, but criticized two of the operators for their actions. The Board of Health Supervision had not concluded its investigation of the incident at year's end.

In February the Center against Racism found what it perceived as evidence of ethnic discrimination following a test of five nightclubs in Oslo. According to the same NGO, groups of youths who did not appear to be ethnic Norwegian were rejected in three of five clubs, while groups of ethnic Norwegian youths in the same lines were admitted without question. The claim received media attention, and some of the youth involved started their own initiative to gather a larger sampling of information. In response, the minister of children, equality and social inclusion publicly condemned racism in nightclubs, and the LDO investigated the issue. In October the LDO concluded its investigation, finding six nightclubs in Oslo had engaged in ethnic discrimination and recommending the nightclubs lose their liquor license and improve training. The law provides for the withdrawal of a license to serve food and beverages for breach of the Antidiscrimination Act. There were no reports of licenses withdrawn during the year.

Immigrants and their children sometimes had more difficulty finding employment than equally qualified ethnic Norwegians. There were also stark differences in the overall unemployment rate. As of May the unemployment rate among immigrants was 7.3 percent, compared with 2.2 percent among nonimmigrants, according to government statistics. African immigrants had the highest unemployment rate at

13.5 percent, followed by immigrants from eastern EU countries at 9.3 percent and Asians at 8.2 percent.

### Indigenous People

The Sami are Norway's indigenous people; there are approximately 50,000 Sami living in the northern part of the country. In addition to participating freely in the national political process, the country's Sami elect their own parliament, the Samediggi. The law establishing the Sami parliament stipulates that this 39-seat consultative group meet regularly to deal with "all matters, which in [its] opinion are of special importance to the Sami people."

### Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Gay pride marches were authorized and registered; police provided sufficient protection to marchers. On June 26, the main march of the year took place peacefully in Oslo through a neighborhood where gays and lesbians had previously been harassed.

In August 2009 an unknown assailant attacked two gay men who were holding hands while walking in a majority Muslim neighborhood of Oslo. Police were unable to identify a suspect during the year.

### Other Societal Violence or Discrimination

There were no media reports of societal violence against persons with HIV/AIDS. However, an NGO reported that persons with HIV/AIDS continued to face discrimination by some dentists and medical personnel but did not provide information on specific incidents. An NGO criticized as insufficiently funded the government's five-year national HIV strategy to increase acceptance and knowledge of the disease, both to limit new infections and to provide persons living with HIV better opportunities for social inclusion.

## Section 7 Worker Rights

### a. The Right of Association

The law allows workers to form and join independent unions of their choice without previous authorization or excessive requirements, and workers exercised

these rights in practice. Approximately 53 percent of the workforce belonged to a union. The law allows unions to conduct their activities without government interference, and workers exercised this right in practice.

The law provides for the right to strike, except for military forces and senior civil servants, and workers exercised this right in practice. However, with the approval of parliament, the government may compel arbitration in all industrial sectors under certain circumstances, such as when a strike threatens the quality of health care or endangers public safety. The government invoked compulsory arbitration during the year to end a two-week hospital strike.

b. The Right to Organize and Bargain Collectively

All workers, including government employees and military personnel, have the right to organize and to bargain collectively, and they exercised this right in practice. Approximately 50 percent of workers were covered by collective bargaining agreements.

The law prohibits antiunion discrimination and there were no reports that it occurred during the year.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and the government enforced these provisions in practice. However, there were reports that persons were trafficked for labor. For further information, see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

d. Prohibition of Child Labor and Minimum Age for Employment

There are laws to protect children from exploitation in the workplace, and the government effectively enforced these laws; however, children were trafficked for forced labor. For further information, see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

Children 13 to 15 years of age may be employed up to 12 hours per week in light work that does not adversely affect their health, development, or schooling. Between the ages of 15 and 18, persons not in school may work up to 40 hours per week, while persons who remain in school may only work a number of hours that

does not adversely affect their schooling, in fact substantially less than 40 hours. Minimum age rules were observed in practice and enforced by the NLIA.

e. Acceptable Conditions of Work

There is no legislated or specified minimum wage, although in practice there was a minimum wage in certain sectors. Wages are set in collective bargaining agreements negotiated by labor unions, employers, and the government. The agreements may include minimum wage levels for specific sectors on a biennial basis. The average daily wage provided a decent standard of living for a worker and family.

The law limits the normal workweek to 37.5 hours and provides for 25 working days of paid leave per year (31 days for workers over age 60). The law mandates a 28-hour rest period on weekends and holidays. The law provides for premium pay of 40 percent of salary for overtime and prohibits compulsory overtime in excess of 10 hours per week. Although the law provides the same benefits for citizens and foreign or migrant workers, there were reports, especially in the construction industry, of foreign workers being underpaid or overworked beyond legally permissible limits.

The law provides for safe and physically acceptable working conditions for all employed persons. The NLIA, in consultation with nongovernment experts, set specific standards. Under the law, enterprises with 50 or more workers must establish environment committees composed of management, workers, and health personnel. All enterprises with 10 or more workers must have safety delegates, who are elected by the employees. Workers have the right to remove themselves from situations that endanger their health, but no data was available on whether they exercised this right in practice. The NLIA effectively monitored compliance with labor legislation and standards.