U.S. DEPARTMENT of STATE

Norway

Country Reports on Human Rights Practices - 2007
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Norway is a parliamentary democracy and constitutional monarchy; King Harald V is head of state. With a population of approximately 4.6 million, the country is governed by a prime minister, a cabinet, and the 169-seat Storting (parliament) that is elected every four years and cannot be dissolved. Free and fair elections to the multiparty parliament were held in 2005. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the rights of its citizens, and the law and the independent judiciary provided effective means of addressing isolated instances of abuse. During the year there were reports of violence against women and trafficking of women. Two incidents of apparent racism involving public sector employees generated significant media attention and public debate.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

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

b. Disappearance

There were no reports of politically motivated disappearances.

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

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

Prison and Detention Center Conditions

Prison conditions generally met international standards, and the government permitted visits by independent human rights observers; however, no such visits took place during the year. The system was considered transparent, and prisoners were represented by an ombudsman who could visit at prisoner request or on the ombudsman's own initiative.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

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

The police force was generally effective, and corruption was not generally a problem. Adequate measures were in place to investigate police abuses. An independent police complaint commission investigates reports of corruption within the police force. There was a significant allegation of police brutality and racism in 2006. A Norwegian citizen of Nigerian origin, Eugene Obiora, died in September 2006 after four police officers arrested him in Trondheim. Obiora struggled during the arrest, and the police used a neck hold to restrain him. Obiora lost consciousness and later died in the hospital. The case against the four policemen initially was dismissed for lack of evidence. On appeal, the public prosecutor cleared the police officers of responsibility for Obiora's death on December 7. In connection with the incident, evidence of a racist attitude--graffiti on the wall of the police station handling the case--was leaked to the media. The charge of racism was actively under investigation at year's end.

Arrest and Detention

The law requires warrants for arrests, and police generally arrested a person based on a warrant authorized by a prosecutor. Police must file charges against detained persons within four hours, and detainees must be promptly informed of the charges against them. An arrested suspect must be arraigned within 24 hours, at which time the arraigning judge determines whether the accused should be held in custody or released pending trial. These legal provisions were generally respected in practice. Arrested persons were allowed prompt access to a lawyer of their choosing or, if they could not afford one, to an attorney appointed by the government. Arrested persons were generally allowed access to family members.

There is no bail system or similar mechanism. Defendants accused of minor crimes were routinely released pending trial. Defendants accused of serious or violent crimes, who are deemed a threat, remain in custody until trial.

e. Denial of Fair Public Trial

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

Trial Procedures

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

Trials are public, but juries are only used in criminal cases heard by the court of appeals. Charges are stated clearly and formally, and defendants enjoy a presumption of innocence. Defendants have the right to be present, to have counsel, to confront and question witnesses, to present evidence and witnesses, and to appeal. Defendants and their attorneys have access to government-held evidence relevant to their cases. The law extends the above rights to all citizens. There are no military courts; military crimes are tried in a civilian court, with the addition of a military judge to assist the civilian judges in trying the case.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters.

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

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

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

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

Internet Freedom

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

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

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

c. Freedom of Religion

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

The state church is the Evangelical Lutheran Church of Norway, which was supported financially by the government. The constitution requires that the king and at least half of the cabinet belong to this church. Other denominations operated freely.

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

Amendments in 2005 to the law requiring that "religious knowledge and education in ethics" be taught as a subject in public schools effectively ended a controversy between the government and a group of non-Christians, parents, and the Humanist Association (an atheist organization) who had successfully challenged the legality of the law mandating the course.

The law permits private or religious schools and day care centers to ask persons seeking employment whether they will respect and teach the denomination's beliefs and principles. Employers may reject applicants on the basis of their responses; no statistics were available on how frequently this occurred. In February the Ministry of Education allowed schools to ban the wearing of the niqab (a veil worn by strictly observant Muslim women that entirely covers the face except for the eyes), but there were no reports of such bans being implemented.

Societal Abuses and Discrimination

The Jewish population is relatively small, with about 1,000 members.

Four persons charged in an armed attack on the synagogue in Oslo in September 2006 awaited court action at year's end; three of the four were accused of terrorism, and the main accused remained in custody.

The government continued to support organizations that worked on combating discrimination. The government also supported the foundation called "The White Buses," which took students from Norway to Auschwitz to educate them about the Holocaust.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

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

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees and asylum seekers. The law prohibits forced exile, and the government did not employ it.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution. The government granted refugee status or asylum, and accepted refugees for resettlement.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol, and provided it to 900 persons through early November.

In June 13 Afghan refugees were involuntarily returned to Afghanistan after their asylum applications were denied. Some observers asserted that the government's decision in this case was inconsistent with its international obligations, but the government defended its actions as appropriate and maintained that the areas they were returning to (mostly around Kabul) were safe. On the eve of their deportation, several of the refugees claimed they had converted to Christianity, but their claims were ruled by the Church of Norway to be unsubstantiated. The authorities halted deportation after August because the security situation in the region to which some of the refugees were to be returned had deteriorated. Those refugees were permitted to refile their asylum claims even though they had previously been denied.

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 held on the basis of universal suffrage.

Elections and Political Participation

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

Political parties operated without restriction or outside interference.

There were 64 women in the 169-seat parliament and six women among the 19 Supreme Court justices. Women headed 10 of the 19 government ministries. There was one member of a minority in parliament. There were no minority ministers or Supreme Court justices.

Government Corruption and Transparency

There were no confirmed reports of government corruption at the federal level during the year. A case against several senior military members accused of inappropriately receiving free travel was dismissed, and the officers were cleared.

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

The law provides for public access to government information, and the government provided this access in practice.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views. The country has a parliamentary ombudsman who had the government's cooperation and operated without government interference.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

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

Women

The law criminalizes rape, including spousal rape, and the government enforced the law. The number of rapes reported during the year was 900, an increase from 2006.

The penalty for rape is generally one to 10 years in prison depending on the severity of the assault, the age of the victim, and the circumstances under which the crime occurred. Although the number of rapes reported to the police rose in recent years, the number of rape convictions went down. A task force convened by the chief prosecutor's office to examine this trend reported in March that one problem was that the system is male-dominated; no concrete steps were identified to improve the system. The Ministry of Defense also identified a gap in the reporting and investigation of sexual assaults against female enlistees.

Violence against women, including spousal abuse, was a problem. The law provides higher penalties for domestic violence than for simple assault, and the government enforced the law in practice. In 2006, 936 cases of domestic violence were registered. The penalty for domestic violence is generally one to six years in prison, with an increased term in more severe cases.

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

Prostitution is legal, but organized prostitution and pimping are illegal. Nongovernmental organizations (NGOs) and the government estimated that more than 2,500 persons sold sexual services in 2006. A few of these were men, and NGOs reported that a few persons selling sexual services appeared to be under the age of 18, although they generally claimed to be older. An estimated 73 percent of the persons engaged in prostitution were foreign women.

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

Women have the same legal status as men and enjoy identical rights under family and property laws and in the judicial system. The office of the gender equality ombudsman was generally effective in processing and investigating complaints of sexual discrimination. In 2006 the office received 276 complaints, a substantial drop

from 2005.

The law protects the rights of women and provides that women and men engaged in the same activity shall have equal wages for work of equal value. According to the office of the gender equality ombudsman, which monitors enforcement of the law, women generally received 10 to 15 percent less in pay and benefits than men for equal work.

A 2005 law mandates that 40 percent of publicly listed companies' directorships were to be held by women. By the end of the year, 83 percent of corporations had complied. Existing companies that have not complied are to be warned and will then have one month to complete the requirements or they will be compulsorily dissolved. Corporations established after 2005 must meet the requirement before they can be registered as a company.

Children

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

The government provides free education for children through the postsecondary level. Education is compulsory for 10 years, or through the 10th grade; most children stayed in school at least until the age of 18. The school attendance rate was virtually 100 percent; parents lose a direct stipend of approximately $300 (970 crowns) per month per child if their children fail to attend school.

The government provides extensive, free medical care for children.

In 2006 childcare services investigated 30,800 allegations of abuse and intervened in 6,800 cases that authorities considered to constitute child abuse or failure to care for a child. An independent children's ombudsman office within the Ministry of Children and Families is responsible for the protection of children under the law. The directorate for children, youth, and family affairs provides assistance and support services. With five regional offices and 26 professional teams, the directorate is the government's principal agency for the welfare and protection of children and families.

Trafficking in Persons

Although the law prohibits trafficking in persons, there were unconfirmed reports that women, and possibly children under 18 years of age, were trafficked to and in the country for commercial sexual exploitation. The prevalence of trafficking is minor.

The maximum sentence for trafficking in persons is five years, with a maximum sentence of 10 years for aggravated cases; sentences are determined by several factors, including the victim's age, the use of violence or coercion, and any proceeds derived from exploitation. Traffickers can also be charged with violating pimping, immigration, and slavery prohibitions. Victims may sue their traffickers for compensation without impediment.

The Ministry of Justice and Police coordinates and implements antitrafficking measures. In 2006 police districts investigated 54 trafficking cases; there were 6 prosecutions and 5 convictions.

The government cooperated with foreign governments, Interpol, and Europol in the investigation and prosecution of trafficking cases. The country's collaboration with other Scandinavian countries was particularly strong.

Police identified a number of possible victims trafficked by organized criminals for the purpose of sexual exploitation. Most of these suspected victims were women from Nigeria, Russia, Albania, Eastern Europe, and the Baltic countries. Suspected victims were often reluctant to press charges, making it difficult for police to identify and assist them and to prosecute traffickers.

Government officials believed that organized crime groups were responsible for most trafficking.

Although trafficking victims may be prosecuted for violating immigration laws, no such prosecutions occurred during the year. Deportation decisions concerning victims of trafficking may be suspended for a 90-day reflection period to provide time for practical assistance and counseling to the individuals concerned.

Government officials sought to improve public awareness of trafficking. At the end of 2006, the government also issued a new plan of action to intensify efforts to combat trafficking, both domestically and internationally.

NGOs conducted outreach programs to provide trafficking victims with information on their legal rights and available health and other services. Foreign victims of trafficking have the same legal rights as other foreigners to apply for residency, asylum, welfare, social aid, and emergency health care.

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

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. The law mandates access to public buildings for persons with disabilities, and the government generally enforced this provision in practice.

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

National/Racial/Ethnic Minorities

Two cases of official racial discrimination were reported in the media. The first involved the death in police custody of Norwegian-Nigerian Obiora (see section 1.d.). The second involved a Somali male who was left disoriented and bleeding after being physically assaulted in a public park. Ambulance personnel called to the scene refused to transport the victim, calling him a "pig" and leaving him without medical attention. Recorded comments between ambulance personnel and their dispatcher were clearly racist. The victim made his way to the hospital by taxi, where he was put in a medically induced coma to recuperate. The two ambulance personnel who abandoned the victim were suspended from service. The incident sparked a public debate about racism in other public services as well.

Indigenous People

The rights of the indigenous Sami were protected by the government, which provided Sami language instruction at schools in their areas, radio and television programs broadcast or subtitled in Sami, and subsidies for Sami-oriented newspapers and books. A deputy minister in the Ministry of Labor and Social Inclusion deals specifically with Sami issues.

In addition to participating freely in the national political process, the Sami elect their own constituent assembly, the Sameting. The law establishing the Sameting stipulates that this 39-seat consultative group is to meet regularly to deal with "all matters, which in [its] opinion are of special importance to the Sami people."

Other Societal Abuses and Discrimination

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

Section 6 Worker Rights

a. The Right of Association

The law allows workers to form and join unions of their choice without previous authorization or excessive requirements, and they exercised these rights in practice. Approximately 56 percent of the workforce was unionized.

b. The Right to Organize and Bargain Collectively

All workers, including government employees and military personnel, have the right to organize and bargain collectively, and they exercised this right in practice.

The law provides for the right to strike, and workers exercised this right in practice; however, the government may, with the approval of parliament, compel compulsory arbitration under certain circumstances. Unlike in the previous year, the government did not invoke compulsory arbitration.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and there were no reports that such practices occurred.

d. Prohibition of Child Labor and Minimum Age for Employment

The government implemented laws and policies to protect children from exploitation in the workplace. Children 13 to 18 years of age may be employed part time in light work that will not adversely affect their health, development, or schooling. Minimum age rules were observed in practice and enforced by the Directorate of Labor Inspections (DLI). There were no other reports of illegal child labor during the year.

e. Acceptable Conditions of Work

There is no legislated or specified minimum wage, but wages normally fall within a national scale negotiated by labor, employers, and local governments. The average daily wage provided a decent standard of living for a worker and family. Approximately 200,000 persons lived below the country's poverty line.

The law limits the normal workweek to 37.5 hours and provides for 25 working days of paid leave per year (31 days for those over age 60). The law mandates a 28-hour rest period on weekends and holidays. The law provides for premium pay for overtime and prohibits excessive compulsory overtime.

The law provides for safe and physically acceptable working conditions for all employed persons. Specific standards are set by the DLI in consultation with nongovernmental experts. Under the law, environment committees composed of representatives of management, workers, and health personnel must be established in all enterprises with 50 or more workers, and safety delegates must be elected in all organizations. Workers have the right to remove themselves from situations that endanger their health, but no statistics were available on whether they exercised this right in practice. The DLI effectively monitored compliance with labor legislation and standards.

Although foreign workers were provided the same legal protections, the media reported complaints from children of immigrants that they were excluded from mainstream society and that they had fewer and inferior job opportunities than did ethnic majority citizens.

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