

Human rights concerns in Norway

The Norwegian NGO Forum for Human Rights' stakeholder report to Norway's 4th UPR cycle review in 2024.

The report reflects the main concerns of the organisations listed below:

- [Amnesty International Norway](#)
- The association of gender and sexuality diversity ([FRI](#))
- [FIAN Norway](#)
- International Commission of Jurists Norway ([ICJ Norway](#))
- IPPF Norway, [Sex og Politikk](#)
- Legal Advice for Women ([JURK](#))
- Norwegian Association of Disabled ([NHF](#))
- [Norwegian Bar Association](#)
- [Norwegian Helsinki Committee](#)
- [Norwegian Humanist Association](#)
- Norwegian Organisation for Asylum Seekers ([NOAS](#))
- [Norwegian Peoples' Aid](#)
- Norwegian Students' and Academics' International Assistance Fund ([SAIH](#))

The organisations are members of the Norwegian NGO Forum for Human Rights, a network of 42 organisations (www.ngoforum.no). They have drafted different parts of the report and may not have policies in sections dealing with issues beyond their mandates. The [Church of Norway](#) endorses the report, except for the recommendations in section 3, paragraph 8.

The report builds on previous alternative reports by the NGO Forum to the UN UPR, the UN Human Rights Committee and the UN Committee against Torture. The Forum's most recent alternative reports are available on its website.

Norway received 241 recommendations, 176 fully accepted, and 11 partially accepted in the 3rd UPR cycle. Some NGO Forum recommendations in the 3rd cycle were not accepted and may be repeated in this report.

The Norwegian Ministry of Foreign Affairs arranged meetings and shared its draft UPR report for the 4th cycle with civil society, inviting an inclusive process.

This report does not intend to be a comprehensive statement of human rights problems in Norway. The fact that an issue is not addressed in the report does not mean it is not a relevant human rights concern.

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Framework

1. Reservations and interpretations

1. Norway is a party to UN and Council of Europe human rights treaties, six of which have been incorporated into national legislation.¹ The state has, however, made reservations to the International Covenant on Civil and Political Rights (ICCPR) and declarations of interpretation to the Convention on the Rights of People with Disabilities (CRPD).

2. Norway's reservations to ICCPR art. 10 2(b) and 3 allow Norway to place juveniles in ordinary prisons. According to legislation, persons over 15 can be sentenced to prison. Vulnerable juveniles may end up in prison because childcare, police, and parents fail to cooperate in addressing their issues.² Two special juvenile units are in operation.

3. Norway has declared that it interprets Article 12 of the CRPD to allow for "the withdrawal of legal capacity or support in exercising legal capacity, and/or compulsory guardianship, in cases where such measures are necessary, as a last resort and subject to safeguards." This interpretation may not follow the shift from "the substitute decision-making paradigm to one based on supported decision-making."³

- Stop placing juveniles together with adult inmates and withdraw reservations to ICCPR.
- Withdraw the declaration of interpretation of CRPD Article 12.

2. Optional protocols and incorporation of the CRPD

4. The Parliament decided in 2017 against Norway ratifying the Optional Protocols providing individual complaints under the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD).⁴

5. The government stated in 2016 that there is uncertainty about the consequences of ratification for Norwegian policy despite some of the rights already being incorporated into Norwegian legislation.

6. An important prerequisite for fulfilling the rights in the CRC is that complaint possibilities exist in case of violations. Children have the right to legal assistance even in the case of acute deprivation of liberty, and at the same moment, the child protection agency decides this, cf. CRC, Article 37 (d). This is not practised in Norway.

7. The Government has started a process to incorporate CRPD into Norwegian legislation. In January 2024, an expert committee recommended that CRPD be incorporated into the Human Rights Act.⁵

- Ratify Optional Protocols allowing for individual complaints under ICESCR, CRC and CRPD.
- Incorporate CRPD into the Human Rights Act.

3. Freedom of religion or belief

8. The Constitution was amended in 2012 and 2014 to accommodate a renewed state-church relation and adopt a human rights catalogue.⁶ There are, however, reasons for concern as Articles 2, 4, and 16 emphasise Christian values as the Nation's founding values, demand that the King adhere to the Evangelical Lutheran faith, and state that the Church of Norway is an established church and, as such, is given a privileged position. These articles may hinder equal treatment and lead to discrimination and a breach of the autonomy of the Church of Norway.

- Amend articles 2, 4, and 16 of the Constitution to ensure non-discrimination and equality for religious and life-stance minorities and the majority.
- Include the amended Article on the right to freedom of religion or belief (Article 16) in the Constitution's human rights chapter.

4. The Kampala Amendment

9. The Government is reviewing whether to ratify the Kampala Amendment to the ICC Statute.⁷ The Amendment defines crimes of aggression and ICC jurisdiction. According to the Amendment, state leaders can be prosecuted for planning, preparing, initiating, or executing acts of aggression in breach of international law.

- Ratify the Kampala Amendment to the ICC Statute and incorporate the crime of aggression into the Criminal Code Chapter on international crimes.

Specific rights

5. Right to seek asylum

10. Asylum applicants often face extended waiting periods. The consequences are significant to mental and emotional well-being, impeding integration into Norwegian society and access to essential services, education, and employment.

11. There are issues of discrimination. Ukrainians fleeing from the Russian invasion are granted collective protection, while asylum seekers fleeing from other conflicts must undergo lengthy individual procedures.

12. Immigration authorities remain undecided on how to assess protection applications based on military service evasion in Russia, resulting in such cases not being processed.⁸ Draft evaders experience extended waiting times also if children accompany them.

13. According to the UNHCR, draft evaders do not have a general right to protection. However, they have a right to refugee status if the service entails a risk of forced participation in a conflict that the international community has condemned for war crimes.⁹

- Establish non-discriminatory guidelines for asylum processing, ensuring all applicants receive fair and equal treatment regardless of nationality.
- Reduce the processing time for asylum applications, including procedural reforms, increased personnel, and use of technology.
- Process asylum applications from persons evading military service per UNHCR's interpretation of their rights.

6. Refugee rights undermined

14. There is a concern that the rights of the 1951 Refugee Convention are being undermined. In September 2022, the Ministry of Justice and Public Security issued an instruction regarding assessments of the conditions for asylum in the Immigration Act, Section 28(1), when the applicant already has a residence permit in Norway.¹⁰ The Ministry noted that if the applicant has a permanent residence permit in Norway or a temporary residence permit based on which a permanent residence permit may be issued, there will, in principle, not be a well-founded fear of persecution or a real risk of ill-treatment under Section 28(1) of the Immigration Act. Refugee status will, therefore, not be granted, even if the criteria for being granted status as a refugee according to the Convention are met. This is an incorrect restriction of the Convention.

15. In June 2016, the Norwegian Parliament removed the reasonableness criterion in assessing internal flight from the Immigration Act. This is even though the UNHCR, refugee law experts, the Norwegian Bar Association, and the Immigration Appeals Board have argued that removing the criterion could involve a breach of Norway's obligations under international law.

16. Immigration authorities may deem an asylum application inadmissible if the applicant can be referred to a so-called “safe third country”. In November 2015, a basic safeguard was removed, which conditioned the application of the safe third-country concept on the availability of an asylum procedure.¹¹ Several other legal safeguards connected to applying this concept have been repealed, including the right to free legal advice.¹² An inadmissibility decision made in the first instance may be enforced, and the asylum seeker deported before the applicant’s appeal is assessed by an independent appellate body.¹³

17. The UNHCR found Norway’s safeguards in inadmissibility procedures inadequate. The combined effect of the restrictive measures resulted in a heightened risk of refoulement, including chain refoulement.¹⁴

- Grant all asylum applicants who meet the criteria for refugee status such status with the rights this entails.
- Reintroduce the reasonableness criterion in assessing the internal flight alternative.
- Reintroduce safeguards when deeming asylum applications inadmissible based on the “safe third country” concept.

7. Unaccompanied minor asylum seekers

18. The Child Welfare Services offer care to all unaccompanied asylum seekers under the age of 15 years. For Norwegian citizens, the state child welfare service is responsible for all children until 18. For unaccompanied minor asylum seekers aged 15-18 years, the Norwegian Directorate of Immigration is responsible for the care.¹⁵ This leads to suboptimal care.

19. Unaccompanied children are a category of applicants with special needs.¹⁶ Over 400 minor unaccompanied asylum seekers have been disappearing from reception centres in Norway since 2015.

- Amend legislation to extend the responsibility of the Child Welfare Services to unaccompanied minor asylum seekers between 15 and 18 years to ensure that they have access to child-friendly assistance.

8. Detention of foreigners

20. There is no time limit for internment at the Police Immigration Detention Facility at Trandum, despite recommendations from national and international institutions.¹⁷ The Norwegian Bar Association visited Trandum in May 2023, learning that several foreigners had been detained for more than 500 days.

21. National expert bodies have criticised the conditions at Trandum, including routine and unnecessary body searches, lock-up practices (10 hours and 30 minutes on weekdays and 15 hours and 5 minutes during weekends), isolation, restricted access to means of communication, and the provision of health services by a private company. A 5 May 2021 letter from the Parliamentary Ombud to the Ministry of Justice highlighted “... a risk of breach of the prohibition against inhumane or degrading treatment.”¹⁸ The Supervisory

Board has expressed “scepticism about the police's ability to run the immigration detention centre.”¹⁹

22. On 30 October 2023, the Borgarting Appellate Court convicted the Norwegian state of violating the European Convention on Human Rights Article 3 by conducting 23 routine strip searches over almost four months. The case is being appealed to the Norwegian Supreme Court.

- Consider measures to prevent people from being kept in Trandum for prolonged periods, as the institution is designed only for one or two-day stays.²⁰
- Introduce individual requirements to substantiate any control measures.

9. Prison conditions

23. Solitary confinement and exclusion from meaningful contact remain frequently used despite extensive criticism. A March 2023 report by the Parliamentary Ombudsperson expressed concerns about long-standing issues in Norway’s prisons and detention facilities, including the use of solitary confinement, inadequate mental healthcare and rising levels of suicide and suicide attempts.²¹ In Oslo Prison, inmates are confined to their cells for an average of 19.3 hours daily.²² Disabled individuals are subject to some particular issues, as they are put in isolation because of accessibility issues in parts of the prison.

24. Recommendations made by the Council of Europe Committee for the Prevention of Torture (CPT) in 2019, including that prisoners should be allowed to spend a minimum of eight hours per day outside their cells, have yet to be implemented. According to [Oslo Economics](#), prisoners in 24 wards spread over 17 prisons did not receive this minimum allocation in 2022.²³

25. Oslo Economics estimates that these prisons require one-off investments in buildings equivalent to NOK 195 million and an increase in staffing equivalent to NOK 145 million per year to ensure prisoners can spend a minimum of eight hours per day outside their cells.

26. In 2023, the government proposed new legislation on solitary confinement without granting the right to eight hours a day outside of the cell. Civil society organisations and human rights institutions criticised the proposal.²⁴ The extensive use of solitary confinement may be an important factor behind suicides and mental health problems in Norwegian prisons.

- Provide sufficient resources for specialist health care, adequate prison buildings, and increasing prison staff to secure prisoners' rights.
- Ensure that mentally ill prisoners have access to adequate health care.
- Amend legislation to grant all prisoners a minimum of eight hours a day outside the cell.
- Provide resources to ensure prisoners, including disabled prisoners, are not excluded from the company with others due to building and/or staff conditions.
- Ensure reliable and publicly available data on isolation, the number of suicides and attempted suicides.

- Ensure that the Mandela Rules are adhered to and that inmates cannot be kept in solitary confinement for more than a maximum of 15 days.

10. Suicide in prisons

27. Despite the political acknowledgement that the number of suicides in prisons is too high, prevention has so far largely failed.²⁵ Most of the risk factors were addressed by a 2023 Parliamentary Ombud report,²⁶ which pointed to:

- Inmates not being sufficiently screened for risk of self-harm and suicide on arrival or after major impact events or crises.
- Inmates were not given adequate health care when deemed at risk.
- Inmates were not given structured plans to address serious suicide concerns despite clear regulations imposing such a duty on the prisons.
- Inmates with imminent risk of suicide were met with restraints and use of force to address the risks, amplifying their suffering.

28. In the Bar Association's experience, communication and sharing of knowledge, concerns, plans, and treatment information between health and prison institutions and employees are often inadequate. The police investigation is insufficient, resulting in only one case being investigated since 2008.²⁷ There is no automatic involvement of, or even information to, the next of kin. The police do not interview fellow inmates.

29. Norway has no jurisprudence regarding the right to life and state responsibilities, presumably due to restrictions on the right of the next of kin to information, inadequate investigation, and strict income-based regulations on legal aid rights.²⁸

- Introduce an adequate screening of the risk of self-harm upon arrival.
- Develop plans to address serious suicide concerns, including reviewing the use of coercive measures.
- Develop provisions for post-major impact events and crises.
- Review the legal framework concerning suicide in prisons.
- Establish an independent mechanism to examine suicides.
- Ensure effective legal remedies where financial constraints do not impede access to judicial review of the right to life.

11. Academic freedom

30. The state of academic freedom in Norway is good.²⁹ Academic freedom is enshrined and regulated in the Universities and Colleges Act § 2-2³⁰ and the Guidelines for state basic allocation to research institutes and research groups.³¹

31. The 2022 Official Report on Academic Freedom notes, however, that there have been attempts by politicians, industry, university management, colleagues or other stakeholders to silence researchers.³² The cases relate to the freedom to disseminate research-based knowledge and voice academic critique. Widely used “temporary employment” and the

“instability and lack of research funding” may also threaten the freedom to search for the truth and the ability to follow worthwhile research ideas.

- Consider measures to strengthen academic freedom and an environment where teaching, learning, and research in education and research institutions are carried out freely and without coercion.

12. Preventing discrimination by providing sexuality education

32. The Committee on the Rights of the Child has recommended Norway to «[i]ncrease its efforts to implement a zero-tolerance approach to discrimination on the grounds of race, migration status, sexual orientation or gender identity in the school context”.

Comprehensive sexuality education is a crucial measure to ensure non-discrimination.

33. An Official Report underscores the government's lack of preventative measures, as the Istanbul Convention Article 8 requires.³³ It recommends improved sexuality education in schools. Recent surveys and media statements from pupils and teachers underscore the need for improved sexuality education.³⁴

34. Norway has several official languages, including Sami and sign languages (for persons with disabilities). Sexuality education in these languages is not provided equally as in the other official Norwegian languages. Pupils with disabilities often lack access to sexuality education.

- Improve access to comprehensive sexuality education by providing teacher training and quality-assured teaching resources.
- Ensure non-discrimination by making comprehensive sexuality education accessible in all official languages.
- Ensure non-discrimination by making comprehensive sexuality education equally accessible for all pupils, including those with disability.

13. Strengthen human rights in accessing abortion

35. The Committee on the Elimination of all Forms of Discrimination against Women (CEDAW) has recommended Norway to «[e]nsure that the abortion law respects the autonomy of women and the possibility of removing the involvement of an abortion board».

36. The abortion law is almost 50 years old. In 2022, the World Health Organisation (WHO) updated its guidelines on abortion, emphasising the need to remove all barriers to women’s access to safe abortion. Legal barriers are a health risk and fuel stigma. A 2023 Official Report recommends continuing with abortion boards, while the gestational limit for abortion on demand should be extended from 12 to 18 weeks.³⁵

37. In 2022, there were 164 cases of women requesting an abortion after 18 weeks. Only nine were denied access to abortion. Abortion cases after 18 weeks are complicated and often result from recommendations of medical doctors. Research shows that women’s

meeting with the abortion board places a burden on their health. The boards reinforce the stigmatisation of women in need of health care, affecting the whole of society.

- Adopt a new abortion law that fully realises sexual and reproductive rights. As a minimum, the law must be in line with the WHO guidelines on abortion.

14. Rights of sex workers

38. The purchase of sexual services from adults is prohibited. The provisions of the Criminal Code regulating sexual offences (§ 316) are under review. A December 2022 Official Report recommends decriminalisation.³⁶ The proposal is mainly based on the right to sexual self-determination and the harm principle. The report highlights that less human trafficking for prostitution purposes has been uncovered and prosecuted since the introduction of § 316 in 2009. High levels of violence against people selling sex are, however, well documented.

39. UN bodies, human rights organisations and sex workers' rights movements advocate decriminalising all aspects of sex work.³⁷ The UN Working Group on discrimination against women and girls recommends decriminalisation as a critical measure to prevent violence and discrimination against sex workers.³⁸

- Repeal § 316 and decriminalise the purchase of sexual services.

15. Legalising the third gender

40. During Norway's UPR in 2019, several recommendations addressed sexual orientation and gender identity, including recommendation 140.153, "Guarantee the right and access to health care for transgender people" (Spain).

41. Stereotypes and discrimination related to sexual orientation and gender identities remain widespread. The Directorate for Children, Youth and Families (Bufdir) has proposed introducing a third gender, identifying five main challenges for non-binary persons.³⁹ Non-binary people:

- Have worse living conditions and quality of life than others, including other queers.
- Are more exposed to exclusion, discrimination, and violence than others, including others queer.
- Experience that public services are unaware of gender diversity. This is a barrier to using public services, including healthcare.
- Do not have access to gender confirmation treatment in Norway.
- Lacks legal recognition, affecting their quality of life and living conditions.

42. Bufdir recommends including a third legal gender when Norway will lack available social security numbers in 2032, requiring a new ID system. Today's system identifies whether you are a woman or a man using odd and even numbers.

- Legalise a third gender urgently and not wait until 2032.

16. Ensure the right to necessary gender-affirming healthcare

43. Norway introduced updated guidelines on gender incongruence, adhering to ICD-11 standards, in 2020. However, their implementation remains incomplete. Recent findings indicate that numerous trans individuals, particularly those identifying as non-binary, are being deprived of essential care, compelling many to resort to self-medication. Norwegian health authorities are deliberating whether to categorise all gender-affirming healthcare for minors as experimental, thus imposing mandatory research on all recipients of such treatment.

- Secure access to gender-affirming treatment for all trans people in need of such treatment.
- Establish treatment in accordance with ICD-11 for all trans people, including those who identify as non-binary.

17. The right to food and Norway's petroleum industry

43. The Intergovernmental Panel on Climate Change (IPCC) and UN Secretary-General Antonio Guterres have urged Norway, among others, to reduce or stop oil exploration and emissions from producing and consuming oil and gas.

44. The Government has granted more than 100 new exploration licenses in the last two years. In the previous 20 years, Norway has not significantly reduced national CO2 emissions.

45. In 2020, the UN Committee on Economic, Social and Cultural Rights recommended that Norway “reconsider its decision to increase oil and natural gas exploitation and incorporate its human rights obligations as a primary action into its natural resource exploitation and export policies.”

- Develop policies to mitigate the adverse effects on global food security caused by the continued production, export and combustion of fossil fuels.
- Increase aid to least-developed countries to compensate for climate change effects on food systems and contribute significantly to middle-income countries' mitigation programs.

Groups

18. Violence against women

46. The prevalence of gender-based violence, including sexual violence and rape against women and girls, remains high. According to a 2023 study, one in five women in Norway have been the victim of rape at least once in their lifetime, almost half more than once.⁴⁰ Many rapes are not reported to the police. Survivors who turn to the police experience significant barriers to accessing justice, including the law, which falls short of human rights standards.

47. Criminal prosecution of rape has been a stated priority for the authorities. Despite this, reviews on the quality of rape investigations document several weaknesses.⁴¹ Investigations are handled by police and prosecuting authorities without special training. In 2019, a special task force on rape at the National Criminal Investigation Service (Kripos) was closed.⁴² Few reported rape cases result in successful prosecutions. From 2019 to 2021, between 68% and 78% of the cases were closed.⁴³ According to the Public Committee on Rape, a coordinated, comprehensive and long-term effort to prevent rape does not exist. Rape as a social challenge and public health problem is under-communicated and not prioritised in the distribution of resources.⁴⁴

- Consider measures to ensure compliance with Norway’s international obligations to prevent and address violence against women and girls and ensure that perpetrators are prosecuted commensurate with the gravity of their crimes.
- Adopt a legal definition of rape that places the lack of consent assessed in the context of the surrounding circumstances at its centre, in line with international and regional standards. The law should state that consent cannot be presumed.
- Ensure sufficient resources and capacity building for the police, the prosecution services, and the courts to deal with rape cases sensitively, efficiently and without undue delay.
- Ensure that specialised training in sexual crimes is made mandatory for judges who handle sexual crimes.
- Support research on all forms of sexual violence to study its root causes and effects, incidences and prevalence rates.
- Conduct surveys regularly to assess the prevalence of and trends in rape and other forms of sexual violence.

19. Women in prison

48. Women’s prison conditions have been widely criticised for several years.⁴⁵ They constitute only 6 % of the prison population but make up larger proportions of the statistics on self-harm, mental illness, and the use of severe restraints such as belt beds.⁴⁶ Female inmates have fewer options for activity, outside time, etc. than men. Prisons with better facilities may be placed long distances from their children, family and community. The high-security prisons in the North and West are now closed, and female inmates from these parts of the country serve far away from their communities.

- Establish multiple smaller prison units for women, ensuring that sentence enforcement adheres to proximity, normalcy and progression principles.
- Provide a right to compensatory measures where adherence to the principle of proximity is not feasible.

20. Violations of the rights of older people in care, including adequate food

49. The prevalence of malnutrition among home-dwelling older persons in Norway is relatively high (14 %).⁴⁷ One-third of older persons in hospitals are malnourished.⁴⁸ A recent study of community-dwelling older persons found that 34 % were at nutritional risk, while 2 % were undernourished.⁴⁹ Estimates based on a population-based study indicate that 16-40 % of older persons are malnourished, and 20-59% are at nutritional risk.⁵⁰

50. In March 2020, the UN Committee on Economic, Social and Cultural Rights expressed deep concern, urging Norway “to take immediate action to address acute malnutrition among older persons in health and care institutions in close collaboration with municipalities.” It recommended implementing “a national strategy for healthy nutrition and nourishment for elderly people in institutions and home services, and ... allocate sufficient financial resources to it.”⁵¹

51. In 2021, the Norwegian government launched a “National strategy for good diet and nutrition among elderly in nursing homes and receiving home care service.”⁵² The main measures addressed in this strategy are included in the Government’s 2023 White Paper on safe living at home. It underlines the need to increase staff competency in food and nutrition and measures for systematic nutritional work. Municipalities can apply for state grants to develop and showcase their nutritional work.⁵³ In Norway’s state budget 2024, this grant was allocated to only one model per health region. Norway has five health regions and 365 municipalities. The government’s main nutrition measure is thus available to only five of 365 municipalities.⁵⁴

- Ensure adequate screening of the nutritional status of elderly people receiving care at home, in nursing homes, and other institutional settings.
- Allocate resources to significantly reduce the number of elderly affected by and at risk of under- and malnutrition.
- Ensure that personnel in the municipalities’ health care systems have necessary food and nutrition competency.

21. Restrictions on family reunification

52. Research shows that family splitting and worrying about loved ones lead to poor mental health and are barriers to integration. Several restrictive changes have been introduced to the legal framework on family reunification, making it more difficult for refugees to reunite with their families. Family reunification procedures in Norway are among the most expensive and restrictive in Nordic countries.⁵⁵

- Reduce the admission fees for family reunification and extend the application deadlines.

22. Residence permit for women with minority backgrounds

53. According to section 53 of the Immigration Act, a foreign national on family reunification may be eligible for a residence permit on individual grounds if he or she is exposed to domestic violence.⁵⁶ However, authorities interpret this provision strictly, leading to women remaining in violent relationships because of fear of losing their residence permit if they apply on individual grounds.

54. Another way out of a violent marriage is to apply for a permanent residence permit (section 62). A foreign national may be eligible for permanent residence if they have resided in Norway for three years. However, the required period is five years if the residence permit is based on family reunification with a refugee.

55. A foreign national must support themselves economically to obtain a permanent residence permit (section 62). As of 2023, they must earn NOK 296550 before tax in the previous year. Overall, the barriers to obtaining a permanent residence permit are high. For immigrant women living in violent marriages, this makes it difficult to leave. Many feel forced to stay.

56. Women with minority backgrounds are overrepresented in shelters. In 2022, they constituted 61 % of residents.⁵⁷ The strict requirements for a residence permit on individual grounds represent an impairment of the rule of law for immigrant women in Norway.

- Lower the threshold to obtain a residence permit on individual grounds.
- Reduce the required period for foreign nationals to obtain residence permits on family reunification.

23. Disabled persons' right to vote and engage in political life

57. During elections, many polling stations are inaccessible for disabled persons. The disabled must research accessibility beforehand to ensure they can vote in a location. According to anti-discrimination legislation, polling stations should be accessible, but a municipality can claim an "undue burden" to decide not to make accessibility adjustments. The bar for claiming and being granted undue burden is low.

58. Disabled persons face challenges in political life, including getting the assistance needed to hold positions, attend meetings, campaigns, or otherwise engage in political actions. It is up to the municipality to decide how many hours of assistance an individual needs. Local authorities often fail to assist disabled people's political activities as it is deemed "non-essential care", blocking them from engaging in democracy.

- Ensure equal access for all to participate in democracy by assisting disabled persons and providing accessible locations for polling stations, council meetings, and other political events.

24. Land rights of indigenous peoples

59. Land encroachments connected to the energy transition, such as renewable energy production or mining, are increasingly infringing on Sámi traditional livelihoods, already challenged by climate change. Sámi traditional livelihoods are carriers of language and culture, and access to land is essential to safeguard and develop Sámi languages, culture, and societies. The human rights violation in the Fosen case shows the need for increased legal protection and predictability.⁵⁸

60. To prevent human rights violations, Norway should:

- Strengthen the implementation of the principle of Indigenous Peoples' right to free, prior, and informed consent in energy production and mining licensing processes in Sámi areas by, i.a.,
 - Ensuring independent impact assessment investigations.
 - Making resources available for Sámi rightsholders' genuine and effective participation.
 - Repealing the practice of allowing business projects before the validity of the licence has been legally approved.

25. Hate speech and other hate crimes

61. Research by the Truth and Reconciliation Commission, Norwegian Human Rights Institution, Holocaust Centre and Norwegian Helsinki Committee indicates that negative attitudes and hate speech remain a serious issue for the Sámi, Jews, Kvens/Norwegian Finns, Roma people ('gipsies'), and the Romani people/travellers.⁵⁹

62. A particular problem for the Jews is that hate crimes increase with the level of conflict between Israel and the Palestinian authorities and organisations. The war following Hamas's attack on Israel on 7 October 2023 has had severe negative consequences.

63. The Penal Code prohibits hate speech, and the Government has implemented strategies and funded projects to combat hate crimes. Human rights groups and representatives of the groups, however, advocate for further measures to strengthen the legal status of minorities and provide persons belonging to the minorities better protection against hate crimes.

- Ensure that all police districts prioritise hate speech and other hate crimes.
- Strengthen minority rights at all levels in the Norwegian government structure.
- Adopt a separate law on national minorities in line with the Council of Europe Framework Convention for the Protection of National Minorities.
- Establish a low-threshold online service to report on experienced or observed hate speech.

26. The right to nationality

64. In February 2024, the UNHCR concluded that Norway lacks arrangements for early identification of non-returnable stateless migrants and effective procedures to address such cases. In 2015, the UNHCR published a mapping study with several recommendations concerning stateless persons, including establishing a statelessness assessment procedure.⁶⁰ Norway has not followed these recommendations.

65. Since 2019, it has been legally mandated that a proportionality assessment must be conducted in citizenship revocation cases. This assessment involves weighing the severity of the individual's actions against the potential consequences of losing citizenship for the individual and their family, enhancing legal protection against statelessness. On 7 April 2022, the Parliament rejected a proposal to introduce a statute of limitations for citizenship revocation. The proposal aimed to set a deadline for losing citizenship, even if the person gave incorrect information when applying for a residence permit.

- Improve the situation of unreturnable stateless migrants, who remain in asylum reception centres for years without any effective solution in line with UNHCR recommendations.
- Reform regulations governing forced deportations and citizenship revocation.
- Introduce a statute of limitations for citizenship revocation.

Human rights in foreign policies

27. Visas to human rights defenders (HRDs)

66. Norway recognises HRDs as people who take peaceful action to promote and protect the human rights of others. Norway has played a leading role in the UN in promoting resolutions recognising the role of HRDs and underlining the obligations to protect them. Still, HRDs experience refusals when applying for visas, in particular multi-entry Schengen Visa. Such visas enable HRDs to travel to a safe country on short notice if the security conditions deteriorate. The result is a discord between Norway's human rights and visa policies.

67. Human rights groups, supported by some parties in the Norwegian Parliament, advocate for the Government to introduce humanitarian visas for HRDs as a safeguard. Such visas are not channels for seeking asylum but enable HRDs to remain active in their home country while being able to relocate temporarily if conditions deteriorate.

- Provide visas to HRDs from all countries, particularly countries that do not respect the right to promote and protect human rights.
- Develop and strengthen programs to provide visas and temporary stays to HRDs facing deteriorating conditions in their home country.

28. Magnitsky sanctions and exercise of universal jurisdiction

68. Norway's 2021 Sanction Act permits the Government to impose targeted sanctions (Magnitsky sanctions) "to ensure respect for democracy and the rule of law, human rights, or international law in general" if adopted by intergovernmental organisations or having "broad international support".⁶¹

69. Norwegian law permits authorities, on certain conditions, to exercise universal jurisdiction in cases concerning international crimes. A special section of the national police (Kripos) and the National Authority for the Prosecution of Organized and Other Serious Crimes have been established to prosecute such cases.

70. These measures, together with Norway's ratification of the ICC statute in 2000 and subsequent incorporation of war crimes, crimes against humanity, and genocide into the Norwegian Penal Code, signal Norway's willingness to uphold international law and fight impunity.

71. However, the Government only imposes sanctions adopted by the UN Security Council or the EU. It lacks a proactive policy of inviting like-minded countries to cooperate on Magnitsky sanctions and civil society organisations to submit cases. Its capacity to exercise universal jurisdiction remains limited.

72. There are significant violations of human rights in Gaza, also against Norwegian citizens who were there when Israel started its military campaign as a response to Hamas's 7 October 2023 attack on Israel. The Norwegian State Attorney's Office has received a report on these violations, claiming they amount to crimes against humanity.⁶²

- Develop a Magnitsky sanctions policy, cooperating with like-minded countries to identify cases and inviting civil society submissions.
- Increase the capacity to prosecute core international crimes.
- Investigate human rights violations and crimes against humanity that take place in Gaza against Norwegian citizens.

29. Ethical standards of the Pension Fund Global

73. Norway's Government Pension Fund Global (GPF) invests in companies involved in operations in Occupied Palestinian Territories, contravening international law and ethical standards. The UN Committee on Economic, Social and Cultural Rights has recommended reviewing these investments to ensure compliance with Norway's extraterritorial obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR).

- Amend the guidelines for observation and exclusion from the GPF and withdraw investments from companies linked to occupation and other violations of international law.
- Ensure that the ethical guidelines for GPF investments align with its territorial and extraterritorial obligations under the ICESCR.

Endnotes

¹ Among the core international human rights treaties, Norway did not ratify the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW). The Human Rights Act (1999) incorporates five human rights conventions: The European Convention on Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of all Forms of Discrimination Against Women and the Convention on the Rights of the Child. Under Article 3 of the Act, these conventions prevail in the event of a conflict with regular domestic legislation. The *International Convention on the Elimination of All Forms of Racial Discrimination* has been implemented in Norwegian law by the *Equality and Anti-Discrimination Act (2018)* (<https://bit.ly/4a15ySJ>).

² «Barneombudet har kartlagt 48 ungdommer som har vært i fengsel. Dette er fellestrekkene» [The Ombudsperson for Children has surveyed 48 young people who have been in prison. These are the common features], *Aftenposten* 26 June 2021 (<https://bit.ly/3VvJsDI>).

³ For more information on Norwegian jurisprudence and debate on the legal capacity of persons with disabilities, see Norwegian Human Rights Institution, “Supplementary information from the Norwegian National Human Rights Institution to the UN Committee on the Rights of Persons with Disabilities in relation to the 10th pre-session discussion of Norway on 24 September 2018”, page 4 (<https://bit.ly/2NmwnwL>).

⁴ In 2022, a proposal to ratify the Optional Protocol to the CRC on individual complaints did not gain parliamentary support.

⁵ Expert Committee (consisting of Hilde Indreberg, Kjetil Mujezinović Larsen, and Sven Ole Fagernæs), *Konvensjonen om funksjonshemmedes rettigheter: Inkorporering i menneskerettsloven* [The Convention on the Rights of Persons with Disabilities: Incorporation in the Human Rights Act, Oslo January 2024] (<https://bit.ly/3TTxu5h>).

⁶ For more information, see NGO-Forum’s 2018 submission to the UN Human Rights Committee, pages 3-5 (<https://bit.ly/2Qs7fPL>).

⁷ The Rome Statute of the International Criminal Court was adopted in 1998 and entered into force in 2002 (<https://www.legal-tools.org/doc/7b9af9>). Former Foreign Minister Anniken Huifeldt informed the Parliament on 13 April 2023 that the Government had started reviewing Norway’s ratification of the Kampala amendment (<https://www.altinget.no/statsradensvarer/9886>).

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⁹ UN High Commissioner for Refugees, UNHCR’s Position on Certain Types of Draft Evasion, 1991 (<https://bit.ly/49eMbVd>).

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¹² *Ibid.*, pp. 51-53.

¹³ *Ibid.*, pp. 48-50.

¹⁴ UNHCR, *UNHCR Observations on the proposed amendments to the Norwegian Immigration Act and Regulation: Høring – Endringer i utlendingslovgivningen (Innstramninger II)*, 12.02.2016, p. 41 (para. 115) (<https://www.refworld.org/docid/56c1c6714.html>).

¹⁵ Government, “Children who cross national borders”, 9 May 2019 (<https://bit.ly/4azpcoA>).

¹⁶ *Easo Guidance on reception conditions for unaccompanied children: operation standards and indicators*, December 2018 (<https://bit.ly/3J8ECV6>).

¹⁷ See Letter from the Parliamentary Ombudsman to the Ministry of Justice and Public Security – Follow-up on the conditions at the Police Immigration Detention Centre Trandum, p. 2 (<https://www.sivilombudet.no/aktuelt/etterlyser-tiltak-ved-politiets-utlendingsinternat-pa-trandum/>).

¹⁸ Sivilombudet [Parliamentary Ombud], *Oppfølging av forholdene ved Politiets utlendingsinternat, Trandum, brev til Justis- og beredskapsdepartementet*, 5 May 2021, p. 1 (<https://www.sivilombudet.no/wp-content/uploads/2021/05/Oppfolging-av-forholdene-ved-Politiets-utlendingsinternat-Trandum.pdf>).

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- ¹⁹ Justis- og beredskapsdepartementet, *Oppfølging av forholdene ved Politiets utlendingsinternat Trandum, brev til Sivilombudet*, 15 March 2022, p. 1 (<https://www.sivilombudet.no/wp-content/uploads/2023/01/150322-Svar-fra-Justis-og-beredskapsdepartementet-til-Sivilombudet-Trandum.pdf>).
- ²⁰ Advokatforeningen: - Trandum ikke egnet til langtidsinnternering (<https://bit.ly/43JsuUd>).
- ²¹ Sivilombudet [Parliamentary Ombud], *Selvord og selvmordsforsøk i fengsel* [Suicide and attempted suicide in prison], Oslo 2023 (https://www.sivilombudet.no/wp-content/uploads/2023/03/Rapport_Selvord_i_fengsel.pdf).
- ²² «Dette er Norges verste fengsel å være innsatt i» [This is Norway's worst prison to be inmate in], Dagsavisen 9 October 2023 (<https://bit.ly/3TE4v4c>).
- ²³ OE-rapport 2023-61 Sykdom og soningsforhold i norske fengsel (1).pdf (<https://bit.ly/3TOHU4U>).
- ²⁴ Advokatforeningen [Bar Association], *Forslag om endring i straffegjennomføringsloven og helse- og omsorgstjenesteloven* [Proposed amendments to the Penal Implementation Act and the Health and Care Services Act], 1 June 2023 (<https://www.advokatforeningen.no/horingsuttalelser/2023/juni/forslag-om-endring-i-straffegjennomforingsloven-og-helse--og-omsorgstjenesteloven/>).
- ²⁵ Since 2008, at least 73 persons have committed suicide. In 2022 alone, 95 attempts were registered, up from 57 in 2021. Amnesty International Norway, *Psykisk helse i norske fengsler* [Mental Health in Norwegian Prisons] (<https://amnesty.no/fengsel>).
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- ²⁷ «Politiet har kun etterforsket ett fengsel etter selvmord bak murene» [The police has only investigated one prison after suicide behind the walls], VG 13 January 2023 (<https://bit.ly/4aoi0vS>).
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