



Norwegian
Helsinki Committee

Human rights issues in Norway
- UPR Pre-session 30 August 2024

Gunnar M. Ekeløve-Slydal, Deputy Secretary General
Coordinator of NGO Forum for Human Rights
E-mail: ges@nhc.no

Framework



Norway is a party to UN and Council of Europe human rights treaties, six of which have been incorporated into national legislation. However,

- Norway's reservations to ICCPR art. 10 2(b) and 3 allow Norway to place juveniles in ordinary prisons.
- Norway's declaration of interpretation of CRPD art.12 allows for «the withdrawal of legal capacity or support in exercising legal capacity and/or compulsory guardianship».
- The Parliament has decided against Norway ratifying Optional Protocols providing individual complaints under ICESCR, CRC and CRPD.
- Freedom of religion or belief is not part of the Human Rights Chapter of the Constitution.
- Norway has not ratified the Kampala Amendment to the ICC Statute on the crime of aggression.

Recommendations

- Withdraw reservations to the ICCPR and the declaration of interpretation of CRPD Article 12.
- Ratify Optional Protocols allowing for individual complaints under ICESCR, CRC and CRPD.
- Include freedom of religion or belief in the Constitution's human rights chapter.
- Ratify the Kampala Amendment to the ICC Statute and incorporate the crime of aggression into the Criminal Code Chapter on international crimes.



Prison conditions

- There are about 3500 inmates in Norway's 49 prisons and Half-Way houses, about 650 of whom are in pre-trial detention
- The standards of the prisons are, in general, good.
- Norway's rehabilitation approach is world-renowned and yields good results. Halden Prison has been called "the world's most humane, high-security prison".
- However, limited budgets undermine Norwegian prisons' ability to rehabilitate inmates.
- Recent reports indicate serious problems:
 - Since 2008, there have been at least 79 suicides in prisons, most of them in pre-trial detention.
 - The Council of Europe's (CPT) 2019 recommendation that prisoners should be allowed to spend a minimum of eight hours per day outside their cells has yet to be implemented.
 - In 2022, on average, 664 inmates in Norwegian prisons spent less than 8 hours outside their cells.
 - In 2023, the government proposed new legislation on solitary confinement, but without granting the right to eight hours a day outside of the cell.
 - Prisons and police cells are understaffed and unable to deal effectively with challenging situations.

Need for more funding

- According to Oslo Economics (2023), prisoners in 24 wards spread over 17 prisons were not allowed to spend at least eight hours outside of the cell each day.
- It is estimated that these prisons require one-off investments in buildings equivalent to NOK 195 million NOK and an increase in staffing costing NOK 145 million annually.
 - Oslo Economics (2023): <https://bit.ly/3TOHU4U>



Recommendations

- 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.



Hate speech and other hate crimes



- Research indicates that negative attitudes and hate speech remain a serious issue for the Sámi, Jews, Kvens/Norwegian Finns, Roma people, and the Romani people/Travelers.
- 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' attack on Israel on 7 October 2023 has had severe negative consequences.

Recommendations

- 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.



Land rights and Indigenous Peoples



- 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.
- Recommendation
 - To prevent further 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 license has been legally approved.

Visas to human rights defenders (HRDs)



- Norway recognises human rights defenders as people who take peaceful action to promote and protect the human rights of others. It has led the advocacy in the UN to recognise their positive role.
- Still, HRDs experience refusals from Norway when applying for visas, particularly multi-entry Schengen visas. Such visas enable HRDs to travel to a safe country on short notice if their security conditions deteriorate. The result is a discord between Norway's human rights and visa policies.
- Recommendations
 - 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.