

**Universal Periodic Review (33rd session, April-May 2019)**  
**Contribution of UNESCO**

**Norway**

**I. Background and framework**

Scope of international obligations: human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO.

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
<i>Convention against Discrimination in Education 1960</i>	State Party to this Convention (08/01/1963)	Reservation to this Convention shall not be permitted		Right to education
<i>Convention on Technical and Vocational Education 1989</i>	Not a State Party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	12/05/1977 Ratification	<i>Norway declared not to be bound by the provisions of Article 16, paragraph 1 (Letter LA/Depositary/1977/14 of 12 August 1977)</i>		Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	17/01/2007 Ratification			Right to take part in cultural life
Convention on the Protection and Promotion of the	17/01/2007 Ratification			Right to take part in cultural life

Diversity of Cultural Expressions 2005				
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## II. Promotion and protection of human rights on the ground

### Right to Education

1. The **Constitution of Norway of 1814, as amended in 2014**<sup>1</sup>, guarantees the right to education. **Article 109** provides that “Everyone has the right to education” and that “children have the right to receive basic education”. It also provides that “The authorities of the State shall secure the access to secondary education, and equal opportunities to higher education on the basis of qualifications”. On the principle of non-discrimination, **Article 98** provides that “All are equals before the law. No person must be subject to unfair or unreasonable discrimination.” The **Education Act, Act No 61 of 17 July 1998, as last amended in 2013**<sup>2</sup>, guarantees **compulsory and free education**. Section 1.1 of the Act provides that “All forms of discrimination shall be combated.”

### Freedom of opinion and expression

#### ➤ Constitutional and Legislative Framework:

2. The Constitution of Norway under Article 100 guarantees freedom of expression and the right for everybody to speak his/her mind on the administration of the State and on any other subject whatsoever. The law may establish clearly defined and necessary limitations to this right.<sup>3</sup>

3. A Freedom of Information Act has existed in the country since 1970, providing anyone with access to official documents held by public authorities.

4. A new criminal code came into effect in Norway on 1 October 2015, having been approved in 2005. The new code introduced sweeping changes to Norwegian defamation law, repealing virtually all forms of criminal defamation insult.<sup>4</sup>

#### ➤ Implementation of Legislation:

5. According to the Broadcasting Act no. 127 of 1992, the Ministry of Culture and Church Affairs issues licenses for broadcasting and local broadcasting in Norway. The Norwegian Media Authority is the administrative agency for broadcasting and local broadcasting in Norway.<sup>5</sup>

#### ➤ Safety of Journalists:

<sup>1</sup> [https://www.constituteproject.org/constitution/Norway\\_2014.pdf](https://www.constituteproject.org/constitution/Norway_2014.pdf)

<sup>2</sup> <http://www.unesco.org/education/edurights/media/docs/42874aff99686718ce8c5a880e7851f51cf53633.pdf>

<sup>3</sup> [https://www.constituteproject.org/constitution/Norway\\_2004.pdf](https://www.constituteproject.org/constitution/Norway_2004.pdf)

<sup>4</sup> <https://goo.gl/qrtJzk>.

<sup>5</sup> <https://www.regjeringen.no/en/dokumenter/broadcasting-act-/id420612/>

6. UNESCO recorded no killing of journalists in Norway and journalists work in a safe environment.

### III. Review and specific recommendations

7. A number of recommendations was addressed to Norway during the last UPR circle. Recommendations expressed the necessity to ensure equal educational rights and opportunities to children of immigrants, Roma and indigenous people, as well as asylum seekers in Norway, including by addressing discrimination against them. The issue of integrating and assessing human rights education was also raised.

#### Legislative framework

- The **Education Act, Act No 61 of 17 July 1998, as last amended in 2013**<sup>6</sup>, regulates administration and management of public primary and secondary education. Under Section 1.2, it guarantees **10 years of compulsory education** from the age of 6 and the **right to free public primary and lower secondary education**. This section adds that “the right to primary and lower secondary education applies when it is probable that the child will reside in Norway for a period of more than three months.” The act does not explicitly prohibit discrimination. Section 1.1 however provides that “All forms of discrimination shall be combated.”
- The **Kindergarten Act no. 64 of June 2005, as amended in 2010**<sup>7</sup>, is the legislative framework for education and care institutions for children under school age.

#### Access to education

- Norway has achieved **universal primary and secondary education**, with a gross enrolment ratio in primary and secondary education equal to 100% and 0.5% of children out of school in 2014<sup>8</sup>.
- The Education Act provides the **right to primary and lower education for adults** (Section 4A-1) and the right to special education for “pupils who either do not or are unable to benefit satisfactorily from ordinary teaching.” (Section 5-1).
- Although early childhood education and care is non-obligatory, nearly all children benefitted from **pre-primary education**, with a gross enrolment ratio of 98%<sup>9</sup>.
- Access to **tertiary education** in Norway is also very satisfactory, with almost no fees required. The government also provides over 40% of public tertiary expenditure in the form of student aid to compensate for differences in students’ ability to afford living costs during their studies<sup>10</sup>.

#### Quality of education

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<sup>6</sup> <http://www.unesco.org/education/edurights/media/docs/42874aff99686718ce8c5a880e7851f51cf53633.pdf>

<sup>7</sup> <http://www.unesco.org/education/edurights/media/docs/98508daa3b513e48ebb9ef27440f94cad702f45.pdf>

<sup>8</sup> Global Education Monitoring Report, Education for People and Planet: Creating Sustainable Future for All, p409, <http://unesdoc.unesco.org/images/0024/002457/245752e.pdf>

<sup>9</sup> Ibid, p425.

<sup>10</sup> Ibid, p234.

- Private primary and lower secondary schools must meet minimum requirements for quality education as specified by the Government concerning both state-subsidized private schools approved in accordance with the **Private School Act of 2003** section 2-3 and non-subsidized private schools that are approved in accordance with the Education Act section 2-12. Education quality is monitored by the Norwegian Agency for Quality Assurance in Education (NOKUT).

#### Non-discrimination and inclusive education

- With regard to **gender equality**, Norway's **Gender Equality Act, as amended in 2013**<sup>11</sup>, ensures equality of opportunities in education between women and men. Measures such as the Girls and Technology project to increase the number of girls studying natural sciences, or the Gender Balance in Senior Positions and Research Management project to promote gender balance among senior-level researchers, should also be welcomed. Gender segregation nonetheless persists, especially for women and girls with a migration background, who face particular discrimination.
- With regard to **children with special needs**, Norway's **Anti-Discrimination and Accessibility Act**<sup>12</sup> prohibits discrimination on the basis of disability and provides the right to "to suitable individual accommodation of the place of learning, teaching, teaching aids and examinations to ensure equal training and education opportunities" (Section 17)). Section 2-14 of the Education Act provides for Braille instruction and Section 9a-2 states that "the school shall be equipped to provide for the needs of the pupils at the school who have disabilities". In practice, children with special needs are well integrated into mainstream schools<sup>13</sup>.
- With regard to **minorities and indigenous people**, **Article 108** of Norway's Constitution provides that "it is the responsibility of the State to create conditions enabling the Sami people to preserve and develop its language, culture and way of life". Moreover, Section 2-8 of the Education Act authorizes "adapted language education for pupils from language minorities". The **Ethnicity Anti Discrimination Act** entered into force in 2014 and covers all aspects of life including education. In practice however, Sami children and children from other minorities continue to face major discrimination in the field of education. For example, the level of education was said to be substantially lower for Roma children than for society at large<sup>14</sup>.

#### Refugee populations

- In 2015 there was a **large increase of immigrants and asylum seekers** in Norway. With regard to **children refugees**, the government expressed its concerns over the fact that all children should be proficient in Norwegian before entering into schools. Thus, economic support is provided to municipalities for provision of mother-tongue and Norwegian

<sup>11</sup> <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/97445/115635/F550215217/NOR97445.pdf> (not available in English)

<sup>12</sup> <http://www.unesco.org/education/edurights/media/docs/1e9886b4de9ff5e26b8a8f4f33cac6f2d13a2517.pdf>

<sup>13</sup> Global Education Monitoring Report, Education for People and Planet: Creating Sustainable Future for All, p266.

<sup>14</sup> National Report in the framework of the Ninth Consultation on the Implementation of the Convention and Recommendation against Discrimination in Education, 2016, p19, [http://www.unesco.org/education/edurights/media/resources/file/Final\\_version\\_9th\\_report\\_on\\_Convention\\_against\\_Discrimination\\_in\\_Education\\_-\\_pdf](http://www.unesco.org/education/edurights/media/resources/file/Final_version_9th_report_on_Convention_against_Discrimination_in_Education_-_pdf)

language lessons in schools<sup>15</sup>. The Directorate for Education and training have created a website with guidance to kindergartens and schools on refugees.<sup>16</sup>

- With regard to **adult refugees**, Norway developed an introductory program for refugees in order to foster integration. The Norwegian language training and social studies form a vital part of the introductory program, which runs for a full year on a full-time basis.
- Newly arrived refugees and persons who have been granted family reunification are given **classes free of charge**<sup>17</sup>.

#### Safe environment

- Despite measures to prevent violence against children, concerns were expressed over the fact that students were reported to have, on occasions, been **subjected to violence** from adult in school<sup>18</sup>.
- **Bullying and harassment in schools** also remain an issue despite several measures taken by the government<sup>19</sup>.

#### Human rights education

- Integration of human rights into national curricula frameworks was identified as “MEDIUM” for the period 2005-2015. Issues relating to sustainable development and global citizenship were considered as **poorly integrated** into national curricula for the same period<sup>20</sup>.

### **IV. Specific recommendations**

8. Norway should be encouraged to take comprehensive measures to ensure equal educational opportunities for all, especially with regard to vulnerable groups including, children with a migration background, children from indigenous and ethnic minorities, women and girls, and refugee and asylum seekers.
9. Norway should be encouraged to enforce its newly adopted law on discrimination and pursue its efforts to combat all discriminatory practices that prevent the right to education from being enjoyed by all.
10. Norway should be strongly encouraged to pursue its efforts to adopt a rights-based approach to disability and develop a comprehensive inclusive education system.
11. Norway should be encouraged to intensify its efforts to promote human rights by integrating human rights education into national curricula frameworks.
12. Norway should be encouraged to continue submitting comprehensive national reports for the periodic consultations on UNESCO’s education-related standard-setting instruments.

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<sup>15</sup> Ibid, p21.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Concluding observations on the combined fifth and sixth periodic reports of Norway, Committee on the Rights of the Child, p5, [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fNOR%2fCO%2f5-6&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fNOR%2fCO%2f5-6&Lang=en)

<sup>19</sup> National Report in the framework of the Ninth Consultation on the Implementation of the Convention and Recommendation against Discrimination in Education, 2016, p14.

<sup>20</sup> Global Education Monitoring Report, Education for People and Planet: Creating Sustainable Future for All, p457.

13. Norway should be encouraged to share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education<sup>21</sup>.

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### **Freedom of opinion and expression**

14. Norway is recommended to continue with its current dispensation on freedom of expression and opinion.

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### **Cultural rights**

15. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)<sup>22</sup>, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)<sup>23</sup> and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)<sup>24</sup>, Norway is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Norway is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young people and people with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

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### **Freedom of scientific research and the right to benefit from scientific progress and its applications**

16. **Norway** has not submitted its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). Therefore **Norway** is encouraged to report to UNESCO in future on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument paying a particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to the Right to Science, the principle of non-discrimination, including urging active promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.

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<sup>21</sup> [http://www.unesco.org/education/edurights/index.php?action=countries&lng=en#\\_ftn2](http://www.unesco.org/education/edurights/index.php?action=countries&lng=en#_ftn2)

<sup>22</sup> Periodic Report available at: <http://whc.unesco.org/en/activities/862>

<sup>23</sup> Periodic Report available at: <http://ich.unesco.org/doc/download.php?versionID=37530>

<sup>24</sup> Periodic Report available at: <http://en.unesco.org/creativity/governance/periodic-reports/2016/norway>

