

NORWAY 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Norway is a parliamentary democracy and constitutional monarchy. The government consists of a prime minister, a cabinet, and a 169-seat parliament (Storting), which is elected every four years and may not be dissolved. The monarch generally appoints the leader of the majority party or majority coalition as prime minister with the approval of parliament. Observers considered the multiparty parliamentary elections in 2017 to be free and fair.

The national police have primary responsibility for internal security. Police may call on the armed forces for assistance in crises. In such circumstances the armed forces operate under police authority. The National Police Directorate, an entity of the Ministry of Justice and Public Security, oversees the police force. Civilian authorities maintained effective control over the security forces. Members of the security forces did not commit any abuses.

There were no reports of significant human rights abuses.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings. The Police Directorate holds investigative and prosecutorial powers for the general public, but an independent national body investigates and prosecutes accusations of misconduct by police and prosecutors. The military police have jurisdiction over military personnel.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

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

Impunity was not a significant problem in the security forces.

Prison and Detention Center Conditions

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Physical Conditions: The country has no detention centers for pretrial prisoners. By law authorities must transfer all detainees from police stations to prisons within 48 hours; they usually make the transfer within 24 hours. Prisons generally met international standards, and there were no major concerns regarding physical conditions or inmate abuse.

A report on the 2018 visit by the Council of Europe’s Committee for the Prevention of Torture (CPT) found that, in the Bodo, Ila, and Ullersmo Prisons, remand prisoners subjected to court-ordered full isolation were usually locked in their cells for 22 hours a day, had very limited contact with staff, and were offered one hour of outdoor exercise (alone) and one-hour access to a fitness room (alone). The Ministry of Justice and Public Security reported only eight cases of prisoners in court-remanded total isolation, down from 19 in 2018. This was the lowest number of prisoners in the 12 years of data provided by the Ministry of Justice and Public Security.

The CPT delegation observed, “major problems in the prisons visited in transferring severely mentally ill prisoners to psychiatric hospitals.”

Administration: Authorities conducted proper investigations of credible allegations of mistreatment. At the Bodo and Ullersmo Prisons, newly arrived prisoners waited sometimes for several weeks before receiving visits due to delays in obtaining the necessary clearance for their visitors.

Independent Monitoring: The government permitted visits, including unannounced visits, by independent human rights observers.

Improvements: Representatives of Amnesty International Norway noted that a separate ward for prisoners in need of psychiatric care had been established at Ila Prison.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

The law requires warrants authorized by a prosecutor for arrests. Police may make an arrest without a warrant if any delay would entail risk of injury to police or civilians or damage to property. If police arrest a person without a warrant, a prosecutor must consider as soon as possible whether to uphold the arrest. Detainees must be informed of the charges against them immediately after an arrest, and, if the prosecutor wishes to detain suspects, he or she must arraign them no later than three days after arrest. There were no reports that these rights were not respected. The arraigning judge determines whether the accused should be held in custody or released pending trial. There is a bail system, but it was rarely utilized. Officials routinely released defendants, including nonresident foreigners, accused of minor crimes pending trial. Defendants accused of serious or violent crimes usually remained in custody until trial.

By law authorities should provide detainees access to a lawyer of their choice before interrogation or, if the requested lawyer is unavailable, to an attorney appointed by the government. The government pays the attorney fees in all cases. Criminal detainees benefited from legal aid if the period of police custody was expected to last more than 24 hours (for adults) or 12 hours (for juveniles). Consequently, it was not uncommon for criminal suspects to be subjected to police questioning without a lawyer present.

The law mandates that detainees be transferred from a temporary police holding cell to a regular prison cell within 48 hours. There were no reports that these rights were not respected.

The law provides that a court must determine whether and for how long a detainee may be held in solitary confinement during pretrial detention.

e. Denial of Fair Public Trial

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

Trial Procedures

The constitution and the law provide for the right to a fair and public trial, and an independent judiciary generally enforced this right. Defendants enjoy a presumption of innocence and the right to be informed promptly of the charges against them. Trials were held without undue delay. Defendants have the right to be present at their trials. Defendants also have the right to counsel of their choice at public expense, to adequate time and facilities to prepare a defense, to free assistance of an interpreter as necessary from the moment charged through all appeals, to confront and question adverse witnesses, and to present their own evidence and witnesses. Defendants may not be compelled to testify or to confess guilt. They have the right to appeal.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals or organizations may seek civil remedies for human rights violations through domestic courts. They may appeal cases alleging violations of the European Convention on Human Rights by the government to the European Court of Human Rights (ECHR) after exhausting all avenues of appeal in domestic courts.

Property Restitution

The government and the Jewish community reported that Holocaust-era restitution was not an issue. No litigation or restitution claims regarding real or immovable property were pending before authorities. The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly on July 29, 2020, can be found on the Department's website:

<https://www.state.gov/reports/just-act-report-to-congress/>.

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

The constitution and law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

On June 16, the National Institute for Public Health stopped the use of a contact-tracing application for mobile telephones to track COVID-19 infections introduced on April 16 after an injunction by the Data Protection Authority. The Data Protection Authority raised concerns about personal data protection and criticized the application's use of GPS. Amnesty International Norway found that the application collected too much data and sent it to a server in Ireland, making the information available to foreign countries and actors.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

Freedom of Speech: The law prohibits “threatening or insulting anyone, or inciting hatred or repression of or contempt for anyone because of his or her: (a) skin color or national or ethnic origin; (b) religion or life stance; (c) sexual orientation or lifestyle; or (d) disability.” Violators are subject to a fine or imprisonment for not more than three years.

The Supreme Court handed out two decisions related to the hate speech law during the year. In one case the court affirmed a sentence of 24 days' conditional imprisonment and a fine related to Facebook comments telling a public figure to “go back to Somalia” and calling her a “cockroach.” In the other case, the court ruled that enforcement of the hate crime law would not weaken a free and open public debate. Individuals were punished for Facebook comments including “Fatherland is most important” and “it is probably better that we remove these rats from the surface of the earth.”

In June the new Freedom of Expression Commission met for the first time and focused on examining the social, technological, legal, and economic frameworks for free speech.

Freedom of Press and Media, Including Online Media: Independent media were active and expressed a wide variety of views without restriction. The prohibitions against hate speech applied also to the print and broadcast media, the publication of books, and online newspapers and journals.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

The Norwegian National Institute for Public Health stopped the use of a contact-tracing application for mobile telephones two months after its national introduction to track COVID infections following an injunction by the Norwegian Data Protection Authority (see section 1.f.).

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

Freedom of Peaceful Assembly

The law provides for the right to assemble peacefully, and the government generally respected that right. In August there were complaints of excessive use of force when police in riot gear used tear gas and pepper spray on counterdemonstrators at a rally by the organization Stop the Islamization of Norway (SIAN) in Bergen after counterdemonstrators jumped police barriers and physically assaulted the SIAN leader. Police cut short a separate SIAN protest in Oslo the following week after using tear gas on counterdemonstrators to curb violence.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Refoulement: In 2017 a UNHCR report found that Afghan families with children, and unaccompanied and separated Afghan minors are regularly denied status on the presumption they could find protection in a different locale in Afghanistan from their home area, despite deteriorating security situations. As of August 31, the government had returned seven rejected asylum seekers to Afghanistan.

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

The nongovernmental organization (NGO) Norwegian Organization for Asylum Seekers (NOAS) continued to criticize the country's Internal Flight Alternative, which considers whether a potential asylum seeker first attempted to flee to another part of their country of origin before claiming asylum in Norway.

NOAS criticized the perceived lack of openness and transparency in the Immigration Appeals Board, an agency of the Ministry of Justice and Public Security. It noted the board's strict criteria to hear cases and that only 8 percent of asylum seekers were granted a hearing with the appeals board. The applicant cannot appeal a final decision by the appeals board, but the appeals board may

make a final decision based on an issue that was not originally in question, which removes the applicant's opportunity to respond to the board's grounds for rejecting the case. The Immigration Directorate, also an agency of the Ministry of Justice and Public Security, stated 75 percent of asylum applications were granted protection in the initial review.

Refugee groups raised concerns over a lack of consistency across the government's determinations. For example, although the Directorate of Immigration deems a few regions of Afghanistan to be dangerous, the Appeals Board considers all of Afghanistan to be safe without an individual fear of persecution.

The closure of borders in response to COVID-19 and UNHCR's decision to pause its resettlement program affected the government's ability to meet its commitments. The Immigration Directorate was unable to send personnel to coordinate with UNHCR over the selection of UN quota refugees for three months. The Immigration Directorate reported arrivals in April and May were just a quarter of what could be expected under normal circumstances (an average of 10 asylum seekers a week against 40 in 2019). The Immigration Directorate moved to Skype interviews for refugees in May to work through the 800 planned refugees from internment camps in Libya. A possibility of doing more hearings through Skype concerned NOAS, because digital platforms would be a problem for the refugees in terms of communication, expressing their case, and translation.

As of August 27, the country received 264 UN quota refugees of their commitment of 3,015, and the Immigration Directorate reduced its estimates for the year from 3,000 to 1,200 asylum seekers. In June the head of UNHCR in Greece criticized the government for stating that it would not participate in the program until at least 10 of the 12 other participating countries met their pledged goals for UN quota refugees. The government announced it would accept 50 refugees from the Moria camps in Greece following fires in the camps in September.

The Immigration Directorate granted asylum in almost 600 outstanding Somali refugee cases that had been pending since 2016.

Safe Country of Origin/Transit: The country is party to the EU's Dublin III regulation, which allows the government to transfer asylum seekers to the European country determined to be responsible for adjudicating the case. Dublin returns were temporarily halted as a health and safety precaution in response to COVID-19.

Freedom of Movement: The law permits detention of migrants to establish their identity or to deport them if authorities deem it likely the persons would evade an order to leave. The detention is limited and subject to judicial review.

Durable Solutions: The government offered resettlement for refugees in cooperation with UNHCR. The government's Directorate of Immigration had several programs to settle refugees permanently in the country.

Through the International Organization for Migration, the government assisted the return of unsuccessful asylum seekers to their countries of origin through voluntary programs that offered financial and logistical support for repatriation. Identity documents issued by either the Norwegian or the returnee's government are required in order to use this program. The government continued routinely to offer migrants cash support in addition to airfare to encourage persons with rejected asylum claims to leave the country voluntarily.

Individuals granted refugee status may apply for citizenship when they meet the legal requirements, which include a minimum length of residence of seven of the previous 10 years, completion of an integration course on Norwegian society, and successfully passing a language test.

The government continued to provide welfare and support for refugees living in the country as part of the government's Integration Goals program administered by the Ministry of Children and Families. In order to facilitate the transition of immigrants into productive members of society, refugees, are eligible for programs designed to provide Norwegian language instruction, job training, job placement, access to schools and universities, and basic instruction for living in the country's society. Refugees and asylum applicants have access to welfare benefits for short-term or long-term housing and medical care, and are provided direct access to, or financial support for, necessities such as food, clothing, basic entertainment, and public transportation. Children are eligible to attend public schools and preschools as if they were citizens, and there are programs for children who have recently arrived and need language assistance prior to entering the regular education system.

A new law allowing dual citizenship entered into force. Eligibility for citizenship is no longer contingent on renouncing one's prior citizenship.

Temporary Protection: As of the end of July, the government provided temporary humanitarian protection to 45 individuals who may not qualify as refugees. Permits for temporary protection may be renewed and can become permanent. The government provided temporary protection to fewer than five unaccompanied minors, who were granted residence permits in the country until the age of 18. NOAS continued to raise concerns that the temporary protection for these minors expires when they turn 18, even though the circumstances that led to the determination of their need for humanitarian protection remain unchanged.

g. Stateless Persons

According to UNHCR, 2,372 stateless persons lived in the country at the end of 2019; they were not counted as refugees. According to the Directorate of Immigration, at the end of August an additional 81 stateless asylum seekers lived in reception centers, a decrease of 50.6 percent from the same period in 2018. Of these, 28 persons had permission to stay, and 87 were under orders to leave the country. The remainder continued the asylum application process.

The law does not contain any express guarantee under which persons born in the country who would otherwise be stateless can obtain Norwegian nationality. The Directorate of Immigration does not interpret statelessness as an independent ground for obtaining a residence permit in the country under the 1954 Convention Relating to the Status of Statelessness. The Directorate of Immigration may grant residency in cases where practical obstacles to return were beyond the control of the person concerned. UNHCR and NOAS recommended that the country create a stateless definition in its law.

A joint UNHCR-government 2017-21 strategy on statelessness acknowledged the need to improve statistical data on statelessness. The Directorate of Immigration did not have data on stateless asylum seekers for the year.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Observers considered the parliamentary elections held in 2017 to be free and fair.

Participation of Women and Members of Minority Groups: No laws limit the participation of women or members of minority groups in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were no reports of government corruption during the year.

Financial Disclosure: By law income and asset information from the tax forms of all citizens, including public officials, must be made public each year. Failure to declare properly may result in up to two years in prison. Each year ministers and members of parliament must declare their income, assets, liabilities, outside employment, and holdings in public companies. Ministers may face fines for noncompliance, but the law does not provide formal sanctions for members of parliament. Disclosures made by ministers and members of parliament are publicly available on the parliamentary website within 20 days of disclosure. Civil servants face fines if they fail to disclose any conflict of interest during decision-making processes. Ministers, members of parliament, and civil servants must disclose any employment obtained within a year after leaving public service.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

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

Government Human Rights Bodies: The country has ombudsmen for public administration (the parliamentary ombudsman), children, equality and discrimination (the equality and antidiscrimination ombudsman, or LDO), and health-care patients. Parliament appoints the parliamentary ombudsman, while the government appoints the others. All ombudsmen enjoyed the government's cooperation and operated without government interference. The parliamentary ombudsman and the LDO hear complaints against actions by government officials.

Although the ombudsmen's recommendations are not legally binding, authorities usually complied with them.

Parliament's Standing Committee on Scrutiny and Constitutional Affairs reviews the reports of the parliamentary ombudsman, while the Standing Committee on Justice and Public Security is responsible for matters relating to the judicial system, police, and the penal, civil, and criminal codes.

The National Human Rights Institution (NIM) is an independent body funded by the parliament. NIM submits an annual report to parliament on human rights in the country. By advising the government, disseminating public information, promoting education and research on human rights, and facilitating cooperation with relevant public bodies, it makes recommendations to help ensure that the country's international human rights obligations are fulfilled.

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

Women

Rape and Domestic Violence: The law criminalizes rape of men and women, including spousal rape, and the government generally enforced the law. The penalty for rape is up to 21 years in prison, depending on the severity of the assault, the age of the victim, and the circumstances in which the crime occurred. Most cases resulted in sentences of three years and four months in prison. The Military Police's annual survey released in May showed an increase in gender-related and sexual offenses in the armed forces from 30 in 2018 to 57 in 2019.

The law provides penalties of up to six years in prison for domestic violence and up to 21 years for aggravated rape. Violence against women, including spousal abuse, was a problem. A government white paper on the police noted that the number of sexual offenses increased dramatically from 2003 to 2018 with a trend towards internet-based offenses. The government generally enforced the law, although the foundation Oslo Crisis Center continued to criticize the conviction rate (approximately 10 percent) as too low.

The government had programs to prevent rape and domestic violence, and offices within the police districts offered counseling and support to victims. All police districts had a domestic violence coordinator. The government continued to implement its three-year *Action Plan against Rape* that focuses on prevention, improvements of care and services to victims, and improvements to the judicial

system. The National Police Directorate oversees the implementation of the national action plan and submits annual reports on the trends in the prosecution of rapes and sexual violence.

Public and private organizations operated 47 government-funded shelters and managed five 24-hour crisis hotlines. Victims of domestic violence have a right to consult a lawyer free of charge before deciding whether to make a formal complaint. If the government initiates criminal proceedings, the victim is entitled to free assistance from a victim's advocate. Victims may also qualify for a one-time payment from a government-sponsored fund.

Sexual Harassment: The law provides that “employees shall not be subjected to harassment or other unseemly behavior,” and the government effectively enforced this provision. The law applies to employers with as few as 20 employees and requires companies to incorporate the activity and reporting obligations into the boards of public limited companies. Employers who violate the law are subject to fines or prison sentences of up to two years, depending on the seriousness of the offense. The Discrimination Tribunal has the authority to enforce sexual harassment cases more in line with other cases of discrimination and harassment and puts an onus on public authorities to work actively for gender equality and prevention of harassment, sexual harassment, and gender-based violence. The costs and resources needed to bring such cases to court have been barriers to victims seeking redress in all but the most egregious cases.

The government and the armed forces implemented measures to counter sexual harassment in the military after a 2018 survey highlighted unwanted sexual behavior. The attorney general worked with the armed forces to develop better guidelines for prosecuting cases of sexual harassment.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: Under the law public and private authorities must advance gender equality in all areas of society. The law mandates that 40 percent of the members of boards of directors of publicly listed companies be women, requires companies to incorporate the activity and reporting obligations into the boards of public limited companies, and applies to employers with as few as 20 employees to be women. Companies largely complied with the law.

Although women have the same legal status as men, they experienced discrimination in terms of gaining employment as well as discrimination in the

workplace itself (see section 7.d.). As of September the Equality and Discrimination Ombudsman received 169 complaints of gender discrimination as well as 137 complaints related to parental leave. The Equality and Discrimination Ombudsman noticed a downward trend in reported discrimination cases, which was believed to be related to the COVID-19 pandemic.

Children

Birth Registration: Citizenship is derived from one's parents; children born in the country do not automatically become citizens. All birth clinics in the country reported births to a central birth register and provided the parents with a birth certificate. The birth certificate does not confer citizenship.

Child Abuse: The law criminalizes child abuse, and the government generally enforced the law. In 2019 the Department of Children, Youth, and Family Affairs initiated 46,864 investigations of alleged child abuse and completed 46,946 investigations. By the end of 2019, the government's Child Welfare Services assisted 54,592 children, of whom 44,821 received in-home assistance, while 9,771 were removed from their family home.

In June parliament instituted a nationwide children's welfare mediation process, which the Department of Children, Youth, and Family Affairs had piloted in five counties since 2016. The mediation process brings the parties together under the authority of county social welfare boards that are involved in a judiciary capacity, but in a far less formal setting than a courtroom. The parties speak directly rather than through lawyers (although they may have lawyers present) and participate on a voluntary basis with the goal of avoiding lengthy court cases.

During the four-year mediation process pilot, two-thirds of cases were either withdrawn or resulted in an agreement between parents and the child welfare service. Only one-third of cases required continued court hearings.

As of August the ECHR ruled that the government violated the European Convention on Human Rights in seven child-welfare cases and acquitted it in two. The ECHR had on hold 31 open cases against the Child Welfare Services pending the results of the government's appeal of two of the seven judgments against it. In May the ECHR accepted the government's treatment plan after refusing an earlier plan in a 2018 case involving a Romani child.

Child, Early, and Forced Marriage: The minimum legal age for marriage in the country is 18 for both women and men.

Sexual Exploitation of Children: Commercial sexual exploitation of children younger than 18 is illegal, both in the country and abroad when committed by a citizen of the country. In both cases the punishment is either a fine or a prison sentence of up to two years. Child pornography is also illegal and punishable by a fine or a prison sentence of up to three years. The government generally enforced the law. In 2019 there was a 22-percent decrease in the number of reported cases from 2018. A judge set a November trial date for a male employee at a school in Oslo accused of taking around 100 photos of boys in the shower at the swimming pool and cyber bullying a boy between 2017 and 2019. According to the indictment, police found 10,600 unique media files that sexualize children on his computer. The minimum age for consensual sex is 16.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

At least 1,500 Jews lived in the country, 809 of whom belonged to Jewish congregations. The government does not keep statistics that require citizens to report their religion.

Jewish community leaders reported the public and government generally supported the community although they acknowledged incidents of anti-Semitism. In July the director of public prosecutions declined to bring a case to the Supreme Court after a court of appeals in March acquitted three men of hate speech charges arising from a 2018 incident when they raised a Nazi flag outside the site of a World War II Gestapo headquarters. Antiterror police arrested and deported a man who lived in the country since 1991 for alleged links to a Palestinian group that carried out the 1982 attack on the Jo Goldenberg restaurant in the Parisian Jewish Quarter in 1983, which killed six and injured 20 persons.

Three members of the Nordic Resistance Movement handed out hate propaganda outside an Oslo synagogue on Yom Kippur, the most holy day of the Jewish calendar. A leader in the synagogue said anti-Semitism was being downplayed.

According to NGOs and research institutes, including the University of Oslo, the Institute for Social Research, and the Jewish community, hate speech on the internet against ethnic minorities and religious groups continued to be a problem. The government continued to implement measures from its *Action Plan against Anti-Semitism 2016-2020* and provided 16 million kroner (\$1.7 million) in funding through the year's budget. The action plan provided programmatic support and coordination towards integrating anti-Semitism education into all schools, supporting Jewish museums and cultural institutions, funding research on anti-Semitism and Jewish life, and public advocacy programs to combat anti-Semitism.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities, and the government effectively enforced and implemented these provisions. The law mandates access to public buildings, information, and communications for persons with disabilities. All children up to the age of 15 have the right to attend the school closest to their home. The government provides a right to education supports upon the completion of a needs assessment. Two out of three children with disabilities who need additional educational supports receive additional instruction outside their classroom.

According to the Office of the Equality and Antidiscrimination Ombudsman, as of September it received 207 complaints of discrimination based on disability.

During the year the government released a strategy to ensure equality for persons with disabilities. The 10-year strategy aims to reduce discrimination and increase access and opportunities to housing, transportation, employment and health care as well as participation in cultural and social activities.

National/Racial/Ethnic Minorities

Discrimination against immigrants, including asylum seekers and irregular migrants, and ethnic minorities remained a problem. Ethnic discrimination occurred in employment and housing issues.

Racial profiling is against the law, but authorities did not keep records relating to the stop and search of members of vulnerable groups. NGOs such as the Center against Racism continued to report complaints of police profiling of members of ethnic and racial minority groups, particularly young men. As tens of thousands of individuals participated in antiracism protests throughout the country, on June 9, Prime Minister Solberg publicly acknowledged that racial profiling of adolescent men with a minority background was a problem, although she noted significant improvement among police. During the year the LDO received 137 reports of ethnic discrimination.

According to NGOs and research institutes, including the University of Oslo, the Institute for Social Research, and the Center against Racism, hate speech on the internet against ethnic minorities, continued to be a problem. The government continued to implement the national strategy against hate speech released in late 2016 and implemented a new three-year *Action Plan against Racism and Discrimination on the Basis of Ethnicity and Religion*.

In addition to the Sami, five ethnically non-Norwegian groups with a long-standing attachment to the country have a special protected status under the law: Kvens/Norwegian Finns, Jews, Forest Finns, Roma, and Romani/Tater people (a distinct group of travelers who emigrated to Norway and Sweden in the 1500s).

Romani groups noted concerns of a disproportionate number of Romani children taken into custody by the Directorate for Children, Youth, and Family Affairs. In a 2018 decision, the ECHR noted that the government made decisions for individual families based on a general presumption that the Romani population had a higher tendency to abduct their children. The government argued this justified their decision to keep the children separated from their parents without granting parental visits during the investigation into the reports that led to the children being taken from their homes. These investigations could take years. The ECHR found insufficient evidence to support this presumption. The government developed a mediation program during the year that led to greater numbers of agreements between parents and the child welfare service.

On June 15, the minister of culture appointed a commission to report on racism and the lack of ethnic diversity in the Norwegian Sports Federation. In its report in September, the commission noted a lack of knowledge and awareness as some of the main challenges to address and recommended guidelines and information campaigns for dealing with racism in sports.

Indigenous People

There is no official registry of Sami in the country. As of 2018 government statistics showed that 55,544 persons lived in the areas defined as “Sami,” in the northern part of the country. In addition to participating freely in the national political process, the Sami elect their own parliament, the Samediggi, which exercises certain administrative and financial powers according to the law. In 2017, a total of 16,958 registered for the Sami parliamentary elections. Members of the Sami parliament also represent their constituents in international fora and organizations such as the Arctic Council and the United Nations. Elections for the Sami parliament follow the national election schedule and last took place in 2017.

The constitution provides a right for the Sami to safeguard and develop their language, culture, and community. NGOs and Sami officials continued to express concern over Sami children’s lack of access to Sami language education due to a lack of qualified teachers. This year’s annual government report on the Sami language, culture, and community announced the government’s plans to work with the Sami parliament and technology companies to make the Sami language more easily accessible.

The Sami remained concerned about high levels of domestic violence within Sami communities and a lack of cultural understanding and training by police and social welfare services which has rendered many domestic violence prevention, treatment, and criminal justice programs ineffective. They continued to express concern about damage to their traditional reindeer grazing areas and migratory routes by land development and extractive industries. They also objected to what they considered to be inadequate consultation by the government regarding restrictions on the maximum size of their herds.

The Sami have a right under the law to consultation on the use of a large land area. Under the law three of the six members of the council to determine the proper usage of the land must be Sami. As the government moved to develop greater wind-power capabilities, the Sami raised concerns about the use of their land. Reindeer avoid the wind turbines, which leads to limited grazing areas and increased density in remaining areas. The government stated it takes the reindeer industry and the Sami parliament into account when considering proposals for new wind projects.

The Sami Council, with delegates from nine member organizations in Finland, Norway, Sweden, and Russia, held a hearing in February on a possible new railway to the Arctic Ocean via Oulu and Rovaniemi in Finland to Kirkenes. During the hearing Sami reindeer herders from Finland and Norway said they would veto such a railway project. Aili Keskitalo, President of the Norwegian Sami Parliament, pointed to areas in north Sweden and Norway where trains kill hundreds of reindeer annually.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation and gender identity in housing, employment, citizenship law, and access to government services such as health care. While violence motivated by discriminatory attitudes towards transgender persons is not considered a hate crime, crimes based on discriminatory attitudes towards sexual orientation can be treated as aggravating circumstances.

According to NGOs and research institutes, including the University of Oslo, the Institute for Social Research, and the Organization for Sexual and Gender Diversity, hate speech on the internet against lesbian, gay, bisexual, and transgender, and intersex persons continued to be a problem.

Other Societal Violence or Discrimination

In 2019 the number of hate crimes rose to 278 from 175 in 2016. Hate crimes targeting Muslims rose from 19 to 46 during the same period, and during 2018 and 2019 religious hate crimes were only directed at Muslims, according to police. Media and the Norwegian Center against Racism reported continued anti-Muslim and anti-immigrant sentiment in society. During the summer SIAN held multiple protests that were faced by larger groups of counterdemonstrators. The Center against Racism, other NGOs, and politicians urged individuals not to give SIAN the attention it was seeking.

On June 11, Philip Manshaus was sentenced to 21 years in prison for the attempted terrorist attack on the al-Noor Islamic Cultural Center outside of Oslo and the murder of his stepsister in August 2019. The sentence is the maximum permitted under the law and the strictest ever to be given.

According to NGOs and research institutes, including the University of Oslo, the Institute for Social Research, and the Center against Racism, hate speech on the internet against religious groups continued to be a problem.

On September 23, the government launched its *Action Plan against Discrimination of and Hate against Muslims*. The four-year plan responds to recent studies showing an increase in negative attitudes towards Muslims in the country, the terrorist attack against the al-Noor Islamic Center, and the increasing threat from right-wing extremists as assessed by the Police Security Service in its annual threat assessment. The plan contains 18 measures focusing on research and education, dialogue across religious communities and police initiatives such as registration of hate crimes towards Muslims as a separate category in the crime statistics.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers, including migrant workers (those who have a work permit in the country), to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination and requires reinstatement of workers fired for union activity.

The right to strike excludes members of the military and senior civil servants. With the approval of parliament, the government may compel arbitration in any industrial sector if it determines that a strike threatens public safety. Trade unions criticized the government for intervening too quickly in labor disputes.

The government effectively enforced applicable laws. The penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination.

The *Global Rights Index* compiled by the International Trade Union Confederation noted a sporadic violation of workers' rights in the country. In one instance, after a collective agreement ended a 35-day strike of Norse Production workers in 2017, the owners bankrupted the company, established a new subcontractor at the same location with the same management, and did not rehire any of the unionized workers, nor did the company renew the collective agreement. A 2019 court decision found that the company clearly violated the workers' rights and ordered the company to pay 19.5 million kronor (two million dollars) in financial loss and redress to the 45 plaintiff workers.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, and the government effectively enforced laws against it. Penalties were commensurate with those for other analogous crimes, such as kidnapping. A maximum sentence of up to six years' imprisonment for offenses involving adult victims and up to 10 years' imprisonment for offenses involving child victims were commensurate with analogous crimes. In 2019 police received 62 reports of violations of the labor law, 10 violations of other related laws, and no reports of forced labor from the Norwegian Labor Inspection Authority (NLIA).

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

Children between the ages of 13 and 15 may be employed up to 12 hours per week in light work that does not adversely affect their health, development, or schooling. Examples of light work include assistant work in offices or stores. Children younger than 15 need parental permission to work, and those older than 15 can work as part of vocational training, as long as they are supervised. Between the ages of 15 and 18, children not in school may work up to 40 hours per week and a maximum eight hours per day. The law limits work by children who remain in school to only those hours "not affecting schooling" without specific limits, but less than 40 hours per week. Child welfare laws explicitly protect children from exploitive labor practices. The government effectively enforced these laws, and both civil and criminal penalties were commensurate with those for other analogous serious crimes, such as kidnapping.

While employers generally observed minimum age rules, there were reports that children were trafficked for forced labor (see section 7.b.). Children were subjected to forced begging and criminal activity, particularly drug smuggling and theft. Commercial sexual exploitation of children also occurred. There were also reports of children forced to work as unpaid domestic help.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in respect of employment and occupation. The government effectively enforced the law and invoked penalties when violations

were discovered. Penalties were commensurate with laws related to civil rights, such as election interference.

Discrimination in employment and occupation occurred with respect to gender and ethnicity. The law provides that women and men engaged in the same activity shall receive equal wages for work of equal value. In 2019 women earned on average 12 percent less than men on a monthly basis, according to the Directorate for Children, Youth, and Family Affairs, which also reported that 36 percent of women and 15 percent of men worked part time in 2019, the most recent year for which data were available.

Equally qualified immigrants sometimes had more difficulty finding employment than nonimmigrants. As of August the unemployment rate among immigrants was 13.7 percent, compared with 4.9 percent among nonimmigrants, according to Statistics Norway. African immigrants had the highest unemployment rate at 18.1 percent, followed by Asians at 15.4 percent, immigrants from eastern EU countries at 14.6 percent, and South and Central Americans at 14.1 percent.

e. Acceptable Conditions of Work

The law does not mandate an official minimum wage. Instead, minimum wages were set in collective bargaining agreements. Statistics Norway used 60 percent of the median household income after tax for the relative poverty limit. In 2017, the most recent year for which data were available, 11.2 percent of the population had an income below the poverty limit.

The law provides for premium pay of 40 percent of salary for overtime and prohibits compulsory overtime in excess of 10 hours per week. The government effectively enforced the laws and penalties were commensurate with those for similar crimes, such as fraud.

The law provides the same benefits for citizens and foreign workers with residency permits but forbids the employment of foreign workers who do not have residency permits. The law provides for safe and physically acceptable working conditions for all employed persons. The NLIA, in consultation with nongovernment experts, sets occupational safety and health standards. These standards are appropriate across all sectors of the industry in the country. The law requires enterprises with 50 or more workers to establish environment committees composed of management, workers, and health-care personnel. Enterprises with 10 or more workers must have safety delegates elected by their employees. Workers may

remove themselves from situations that endanger health or safety without jeopardy to their employment; authorities effectively protected employees in this situation.

The NLIA effectively enforced laws and standards regarding acceptable work conditions in the formal sector. The number of labor inspectors was sufficient to enforce compliance. The NLIA may close an enterprise immediately if the life or health of employees is in imminent danger and may report enterprises to police for serious breaches of the law. A serious violation may result in fines or, in the worst case, imprisonment. The penalties for violations of occupational safety and health laws were commensurate with those for similar crimes, such as negligence.