

Norway's 23rd/24th report under the International Convention on the Elimination of All Forms of Racial Discrimination

Introduction

Minister of Children and Equality Solveig Horne headed the Norwegian delegation in connection with the dialogue meeting with the Committee on the Elimination of Racial Discrimination (CERD) regarding Norway's 21st/22nd report. The dialogue meeting with CERD (hereafter "the Committee") was held in Geneva in August 2015. On 25 September 2015, the Norwegian Government received the Committee's concluding observations on Norway's combined 21st/22nd report. Norway provided midterm reporting to the Committee in September 2016. That midterm reporting was in response to the Committee's recommendations in paragraphs 14, 30 and 38.

This report contains:

- responses to the Committee's other observations
- responses to the Committee's follow-up questions of 22 December 2016 relating to the autumn 2016 midterm reporting
- reporting on Articles 1 to 7 of the International Convention on the Elimination of All Forms of Racial Discrimination, in accordance with the guidelines

Norway's 23rd/24th report to the Committee is available in English and Norwegian.

An updated common core document will be sent to the United Nations in the near future.

Reporting on Articles 1 to 7 of the Convention

Article 1 A nos. 1-4

Anti-discrimination legislation

Constitutional amendments of May 2014

In connection with the 200th anniversary of the Norwegian Constitution, in May 2014, a comprehensive revision of the Constitution was undertaken with the main purpose of strengthening the Constitution's protection of human rights. As a result of the reform, the Constitution now contains an extensive human rights catalogue that includes the most central civil and political rights as well as certain economic, social and cultural rights. The equality principle and the prohibition against discrimination are asserted in section 98 of the Constitution, which reads as follows: "All people are equal under the law. No human being must be subject to unfair or disproportionate differential treatment."

Equality and Anti-Discrimination Act and new act on the enforcement system

In June 2017 the Storting (Norway's parliament) adopted a comprehensive Equality and Anti-Discrimination Act. The act prohibits discrimination on grounds of gender, pregnancy, parental/adoption leave, care responsibilities, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression, age or combinations of these factors. "Ethnicity" refers, among other things, to national origin, descent, skin colour and language.

The Equality and Anti-Discrimination Act will enter into force on 1 January 2018, replacing the four present acts relating to equality and discrimination (including the Ethnicity Anti-Discrimination Act of 2013). The rules contained in the Ethnicity Anti-Discrimination Act have by and large been retained.

Along with the Equality and Anti-Discrimination Act, the Storting adopted a new act on to the enforcement system. The Equality and Anti-Discrimination Ombud will be strengthened as a forceful proponent of equality, and the enforcement tasks will be transferred to a new and stronger anti-discrimination tribunal. The tribunal will be authorised to award damages in employment cases and compensation when the circumstances of a case are relatively simple.

The Act and the enforcement system are discussed in more detail in the common core document.

Article 2 A

Nordic Sami Convention

Norway, Sweden and Finland have concluded negotiations on a Nordic Sami Convention. The negotiation leaders accepted the negotiated convention text on 13 January 2017. The convention is now under consideration in the three states. According to the Convention text, the Convention must be submitted to the Sami parliaments before signing. The preamble to the Convention also states that the Convention requires the endorsement of the Sami parliaments.

An overarching objective of the convention is that the Sami people should be able to preserve, practise and develop their culture with the smallest possible interference of the national borders. The Convention contains seven chapters, on the following topics: 1) General rights of the Sami, 2) Self-determination, 3) Language and culture, 4) Land and water, 5) Livelihoods, 6) Implementation of the Convention, 7) Provisions on signing, ratification, denunciation, etc.

The convention envisages that a working group associated with the Nordic Officials Committee on Sami Affairs follows up the implementation of the Convention. The working group is to consist of six members appointed by and representing the respective states and Sami parliaments. Implementation will take place through dialogue with the goal of obtaining agreement on approaches that advance the purposes of the Convention.

Article 2 B

New tasks for the Norwegian Directorate for Children, Youth and Family Affairs

Since 2014, the Directorate for Children, Youth and Family Affairs has been given responsibilities related to equality and non-discrimination in connection with ethnicity, religion and belief. The directorate coordinates the Forum on Ethnic Discrimination, a meeting place for central government actors that is intended to help ensure that ethnic minorities do not suffer discrimination in public services. The directorate also organises dialogue meetings with immigrant organisations and representatives of national minorities and the Sami population. To increase expertise and knowledge about ethnic discrimination, the directorate in 2015 commissioned a research report on discrimination against the Sami, national minorities and immigrants in Norway (*Diskriminering av samer, nasjonale minoriteter og innvandrere i Norge. En kunnskapsgjennomgang*). The report shows that

immigrants in Norway experience discrimination in most areas of society and that more knowledge is needed with regard to discrimination against the Sami and national minorities. The directorate is working to develop indicators of discrimination and developments in the equality situation for immigrants and their children, indigenous people and national minorities. To that end the Fafo Research Foundation has prepared a report on indicators of discrimination against immigrants, indigenous people and national minorities. The report indicates that the most extensive available statistics concern immigrants and their children, that Sami-related statistics are geographically limited, and that there are few or no statistics on national minorities.

White paper on coordinated efforts to enhance adult learning

In Meld. St. 16 (2015–2016), a white paper on coordinated efforts to enhance adult learning (*Fra utenforskap til ny sjanse*), the Government presented a number of measures and strategies to help give individuals the competence needed for stable and lasting ties to working life. The measures include expanding the right of young people to an upper secondary education, developing tools to assess basic skills, more use of ordinary education in the Introduction Programme for newly arrived immigrants and developing a programme (*Fagbrev på jobb*) in which participants can earn a trade certificate while on the job.

Many NAV users possess a low level of formal qualifications and weak basic skills. In 2016, a new two-year NAV training programme was set up with the aim of providing upper secondary-level training with an emphasis on vocational subjects. The target group is job seekers over the age of 19 with a low level of formal qualifications or weak basic skills, and who are not entitled to upper secondary instruction in the ordinary educational system. The programme of vocational training in the form of upper secondary training may only be provided to persons who are without entitlement under the Education Act or the Introduction Act.

Changes have also been made to increase enrolment opportunities in basic skills courses provided as part of NAV's labour market training and to open the way for improved Norwegian-language training for unemployed persons who lack entitlement under the Introduction Act.

Certain groups are to be given admission priority to NAV employment schemes. This applies to persons with disabilities, youth, long-term recipients of social assistance and immigrants from countries outside the EEA.

Meld. St. 30 (2015–2016) *From reception centre to the labour market – an effective integration policy*

In May 2016 the Government submitted the white paper *From reception centre to the labour market – an effective integration policy* (Meld. St. 30 (2015–2016)). The migration situation in Europe and Norway in 2015 and 2016 was the point of departure for this white paper. It considers how integration policies and measures should be organised so that more newly arrived immigrants with a refugee background can find work or an education earlier and cement ties to the labour market. The Norwegian welfare model is dependent on high labour participation. Integration requires cooperation by many parties. The Government is insistent that the time spent in reception facilities be used efficiently, that settlement in municipalities occur as soon as possible after permission to stay is granted, that qualification training for employment be purposeful in nature, and that skills and education obtained abroad be put to

use. Those who live in Norway over time are required to gain knowledge of Norwegian language and society. This takes a special effort by each person who intends to live in Norway. Those entering Norwegian society must be given incentives and opportunities to participate in working life and in society as a whole. If new residents are to succeed, all parties must pitch in: public authorities, local communities, volunteer agencies, the labour market, business and industry and, not least, individual immigrants themselves. Integration policy must develop continuously in order to address society's need for a determined policy approach in this area.

According to the white paper, the Norwegian Labour and Welfare Service will begin cooperating with municipalities at an earlier stage of planning and implementing the Introduction Programme for newly arrived immigrants. Assessing the skills of immigrants with a refugee background while they are still in the reception phase has started up. Such assessment will be followed by vocational guidance. The Labour and Welfare Service has received additional resources for vocational guidance in 2016 and 2017.

In May 2016, the Government and the main employee and employer organisations signed a cooperative declaration on faster workplace integration of refugees, called fast-tracking. Refugees who already possess skills in demand by the labour market are the target group. The Labour and Welfare Service plays a key role in this fast-tracking and will facilitate rapid participation in working life through such means as increased use of wage subsidies. Participation is combined with Norwegian-language training provided by the municipality.

Reference is also made to Article 5 I E no. 1.

Action plans

Since the previous reporting, the Government has submitted action plans and strategies that advance human rights and contribute to fulfilment of the International Convention on the Elimination of All Forms of Racial Discrimination. An overview of relevant documents follows.

In March the Government presented a new *Action plan to combat negative social control, forced marriage and female genital mutilation (2017-2020): The right to decide about one's own life*. The plan has 28 measures divided into five priority areas: 1) enhancing legal protection for vulnerable persons, 2) increasing support for people with broken family and network ties, 3) changing attitudes and practices in affected environments, 4) strengthening knowledge in the service agencies, and 5) strengthening research and knowledge exchange. The measures expand upon the *Action plan against forced marriage, female genital mutilation and severe restrictions on young people's freedom (2013–2016)*. National housing and support services for young people over the age of 18 have been strengthened during the 2014–2017 period. Non-governmental organisations receive grants to implement preventative measures. On 17 March 2017 the Government submitted a consent proposal to the Storting on ratification of the Council of Europe Convention Preventing and Combating Violence Against Women and Domestic Violence (the Istanbul Convention). Amendments to Norway's Penal Code have been implemented to fulfil the obligation under the convention to criminalise forced marriage.

The *Action plan against radicalisation and violent extremism* was submitted in 2014. With this plan the Government is strengthening the effort to prevent radicalisation and violent

extremism. Radicalisation and violent extremism at their worst culminate in terrorism. Prevention is thus a key to protecting basic values such as democracy, human rights and safety. Being able to live without fear of being subjected to hatred and violence is a fundamental value. The action plan is dynamic, meaning that new initiatives will be prepared in response to social developments and prevailing risks. The plan originally consisted of 30 measures and has since been expanded by approximately 10 new ones. The measures contained in the action plan are intended to keep people from being drawn towards radicalised environments and radical extremists. The work is being directed by the Ministry of Justice and Public Security.

The Government's *Action plan against human trafficking* was presented in December 2016. Human trafficking is the slavery of our time. The action plan contains measures to combat trafficking in human beings and to assist victims. The plan was developed with input from the relevant authorities and organisations.

The Government's action plan for 2017–2020 to combat discrimination due to sexual orientation, gender identity and gender expression (*Trygghet, mangfold, åpenhet: Regjeringens handlingsplan mot diskriminering på grunn av seksuell orientering, kjønnsidentitet og kjønnsuttrykk*) was presented in the summer of 2016. The Government's goal is to ensure the rights of LGBTI persons, contribute to openness and actively counteract discrimination. The plan includes more than 40 measures addressing a number of areas of society, including day care, school, working life, health, etc. A comprehensive effort is being readied to develop and more widely disseminate knowledge about the challenges faced by LGBTI persons and the best way for services to be provided. The action plan also includes steps to combat hate crime and violence.

The Government's *Action plan against antisemitism 2016–2020* was presented in the autumn of 2016. The Government seeks to address prejudices and harassment against Jews. The action plan has 11 measures pertaining to such areas as school, research, culture and the police. The Government's goal is that the combination of action plan measures will contribute to a reduction of antisemitism in Norway.

Strategies

The Government has launched a first-of-its-kind strategy against child poverty: *Children living in poverty: The Government's strategy (2015–2017)*. The strategy's 64 measures will help ensure that all children have equal opportunities for participation and personal development. The goal of the strategy is to keep poverty from being passed down generation to generation, and to improve the quality of children's lives here and now. Children and youth were consulted in the strategy's design. Its measures, many of them involving multidisciplinary cooperation, are directed towards participation and inclusion, work, education, health, research and strengthening of families with children.

The Government's strategy against hate speech for 2016–2020 (*Regjeringens strategi mot hatefulle ytringer 2016-2020*) contains a total of 23 measures in the priority areas of knowledge, justice, the media, children and youth, "meeting places" and working life. The strategy will help prevent hate speech while raising awareness about it. It will also contribute to the creation of effective dialogue arenas and a debate climate where no one is excluded as a consequence of hate speech.