



Convention on the Rights of the Child

Distr.: General
29 January 2010
Advance Unedited Version
Original: English

Committee on the Rights of the Child

Fifty-third session

11-29 January 2010

Consideration of reports submitted by States parties under article 44 of the Convention

Concluding observations: Norway

1. The Committee considered the fourth periodic report of Norway (CRC/C/NOR/4) at its 1480th and 1482nd meetings (see CRC/C/SR. 1480 and 1482), held on 21 January 2010, and adopted, at the 1501st meeting, held on 29 January 2010, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the fourth periodic report, which also includes information on the implementation of the Convention's two protocols, as well as the written replies to its list of issues (CRC/C/NOR/Q/4/Add.1), and commends the informative report and the frank and constructive dialogue with a multisectoral delegation at a senior level, which allowed a better understanding of the situation of children in the State party.

B. Follow-up measures and progress achieved by the State party

3. The Committee notes with appreciation the adoption of:

(a) amendments to the Child Welfare Act, including Chapter 5A on child care centres for minors. (June/July 2009);

(b) a new Act relating to the establishment of an expert child commission dealing with child welfare cases (March 2009);

(c) the Anti-Discrimination and Accessibility Act (January 2009);

(d) the new Immigration Act (15 May 2008);

(e) the Act on Prohibition of Discrimination based on ethnicity, religion, etc. (January 2006);

(f) the Act Concerning the Equality and Anti-Discrimination Ombud and the Equality and Anti-Discrimination Tribunal (January 2006); and

(g) the new Kindergarten Act (June 2005);

4. The Committee welcomes the ratification by the State Party of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime in September 2003.

C. Main areas of concern and recommendations

1. General measures of implementation (arts. 4, 42 and 44, paragraph 6 of the Convention)

The Committee's previous recommendations

5. The Committee welcomes the efforts of the State party to implement the Committee's concluding observations on the State party's third periodic report on the Convention (CRC/C/15/Add.263) and the initial reports under the two Optional Protocols (CRC/C/OPAC/NOR/CO/1 and CRC/C/OPSA/NOR/CO/1) and draws the attention of the State party to the fact that the positive aspects, concerns and recommendations found in the present concluding observations refer to the State party's obligations under these three treaties.

Reservations

6. The Committee is concerned about the State party's reservation to article 10, paragraph 2(b) and paragraph 3 of the International Covenant on Civil and Political Rights "with regard to the obligation to keep accused juvenile persons and juvenile offenders segregated from adults", as this also has an impact on the rights of the child under the Convention on the Rights of the Child.

7. The Committee urges the State party to consider withdrawing the abovementioned reservation and draws the attention of the State party to paragraphs 59 and 60 of the present concluding observations referring to juvenile justice.

Legislation

8. The Committee takes note of the ongoing activities of the Government to amend laws or to adopt new one's in order to bring legislation in full harmony with the Convention and welcomes the Government's initiative to order an expert review of the relation between the Convention and Norwegian law (the Søvig report).

9. The Committee recommends that the State party continue its efforts to harmonize Norwegian law with the Convention, including by child-rights based revisions or new laws with regard to the right of the child to be heard in health matters, the protection of the child's right to privacy and regulations for guardianship of children separated from their parents.

Coordination

10. While the Committee recognizes the value attributed to the autonomy of municipalities in Norway, it is concerned that efforts to achieve improved coordination between government and municipalities, among municipalities and within municipalities have not become effective and consequently, availability, easy access, coordination of different services and adaptability to new challenges are not guaranteed across the country in a comparable manner. The Committee notes with concern that the services of

municipalities implementing the rights of the child differ widely with regard to the extent such services are provided and agreed frameworks of delivery observed. The Committee is also concerned that the lack of coordination exposes groups of vulnerable children whose rights tend to be neglected to the risk of particular shortcomings in the implementation of their rights.

11. **The Committee recommends with particular urgency that the State party closely monitor the extent of implementation of child rights across the country, including by the “Better Monitoring” initiative of the Government, strengthen the use of its mechanisms to monitor compliance by all service providers with agreed regulations and frameworks and ensure that the system of coordinated services at all levels pays particular attention to children who need particular assistance in order to fully enjoy their rights.**

International Cooperation

12. **The Committee welcomes the strong efforts by the State party to contribute to international cooperation although it notes that OECD/DAC data show a decrease between 2007 and 2008 in the level of resources allocated by the State party to international cooperation and expects that this trend will be reversed. The Committee also welcomes the State party’s White Paper on “Corporate Social Responsibility in a Global Economy” (Report No.10 2008-2009 for the Parliament) which contains numerous references to child rights and notes with interest the State party’s support to United Nations efforts to develop international standards for business and human rights, which should refer to children and their rights. The Committee encourages the State party to also take into account in its cooperation with bilateral development partners the Committee respective concluding observations in order to enhance the enjoyment by children of their rights.**

Independent monitoring

13. The Committee notes the newly adopted regulation of the office term of the Ombudsman for Children but regrets that its proposal to give the Ombudsman for Children the mandate to receive complaints from children was not accepted even though such a mandate would have been a way to provide immediate assistance to children if needed, and could have served as an instrument to diagnose main problem areas of child rights violations.

14. **The Committee reiterates its recommendation that the State party consider providing the Ombudsman with the mandate to receive complaints from children and the resources to follow up complaints in a timely and effective manner.**

Allocation of Resources

15. The Committee welcomes information that the central budget for 2010 provides 400 additional posts for municipalities but notes that, in view of the extensive autonomy of municipalities, this provision may not necessarily be allocated for the improvement of services for children and also notes that according to State party, more posts will be needed in the coming years. The Committee is concerned about information received, including from children, about disparities in the services available to children depending on the geographical location, and that some of these services are seriously understaffed and have inadequate resources

16. **The Committee urges the State party to continue and strengthen its efforts to provide municipalities with increased personnel and material resources necessary to ensure that quality services are available to implement the fundamental rights of**

children in the entire country and to take measures to ensure that municipalities use allocated resources for this purpose. The Committee, recommends that the State party introduce budget tracking from a child right's perspective with a view to monitoring budget allocations for children and that it take into account the Committee's recommendations issued after the day of general discussion of 21 September 2007 devoted to "Resources for the rights of the child - responsibility of States".

Dissemination, training and awareness-raising

17. While the Committee appreciates the State party's efforts to raise awareness of the Convention and to train professionals and practitioners involved with children, it is nevertheless concerned that this training does not fully cover all professional groups, is not obligatory and is not systematically followed up. The Committee is particularly concerned that local authorities responsible for children are not well informed about the rights enshrined in the Convention.

18. The Committee reiterates its previous recommendation that the State party continue and strengthen systematic training of all professional groups working for and with children, including personnel of childcare institutions, health personnel, social workers and law enforcement officials, and that awareness of child rights is also raised in the policy making bodies and the administration of municipalities. The Committee also recommends that comprehensive information about children's rights be a part of the college and university curricula of all professions that deal with children and families, and of the school curricula at all levels.

3. General principles (arts. 2, 3, 6 and 12 of the Convention)

Non-discrimination

19. The Committee welcomes the entry into force in January 2006 of the Antidiscrimination Act and the establishment also in 2006 of an Equality and Anti-Discrimination Ombud, an Equality and Anti-Discrimination Tribunal and the adoption of an Action Plan to Promote Equality and Prevent Ethnic Discrimination. The Committee takes note of the ongoing debate as to whether age discrimination of children should be included in the law and whether children should be given the right to file complaints if they are discriminated against due to their age. However, it is concerned at information, including from children, that minority and indigenous children feel stigmatized and maltreated, including by other children, and that children with disabilities complain that their rights are not respected.

20. The Committee urges the State party to take all necessary steps to combat discrimination against children from minority groups, indigenous children and children with disabilities and to familiarize children from an early age with the right of every child to be protected against discrimination. The Committee also recommends that the State party carefully examine the possibility of expanding legislation to provide protection of children against discrimination on the grounds of their age.

21. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance as well as the outcome document

adopted at the 2009 Durban Review Conference, taking into account general comment No.1 (CRC/GC/2001/1) on the aims of education.

Best Interests of the Child

22. The Committee recognizes that the best interests of the child are stressed as a guiding principle in the case treatment regulations of 2004 and the amendments to the Children Act of 2006, both referring to protection of children in custody cases, as well as in the new immigration Act of 2008 which regulates the decision making process in children's asylum and residence on humanitarian grounds applications. The Committee is nevertheless concerned that the principle of primary consideration of the best interests of the child is not yet applied in all areas affecting children, such as child custody cases and immigration cases, and that those responsible for taking the child's best interest into account are not always sufficiently trained to conduct a thorough case-by-case assessment of the best interests of the affected child.

23. **The Committee recommends that the State party continue and strengthen its efforts to ensure that the general principle of the best interests of the child is appropriately integrated in all legal provisions as well as in judicial and administrative decision-making procedures, including those related to family and alternative care issues and immigration cases, and in all projects, programmes, and services that have an impact on children. The Committee also recommends that the State party elaborates practicable directions for how to operationalize the principle and train all those involved in the determination of best interests of a child or children.**

Respect for the views of the child

24. The Committee welcomes the fact that amendments to the Children Act and the Child Welfare Act have lowered the age at which children have the right to express themselves in cases of concern to them, from twelve to seven years and that also younger children may be heard. The Committee is concerned, however, that, in practice, the child's right to be heard is not fully implemented or effectively practiced in all phases of decisions about and arrangements for children's lives, in particular in child care and immigration cases. The Committee regrets that children have the right to be heard regarding health issues only after the age of 12. The Committee notes with interest that a pilot project in 21 municipalities will allow children from age 16 on to vote in their local elections.

25. **The Committee recommends that the State party continue and strengthen efforts to fully implement article 12 of the Convention and promote due respect for the views of the child at any age in administrative and judicial proceedings, including child custody hearings, immigration cases, and in society at large. The Committee also recommends that the State party promote the participation of children, assist them to effectively exercise this right and ensure that due weight is given to their views in all matters that concern them in the family, school, other children's institutions, the community, national policy formation and in the evaluation of plans, programmes and policies. In line with article 29 of the Convention, the Committee encourages the State party to ensure that the pilot project on voting from the age of 16 is appropriately supported through the provision of civic and human rights education and that impact of the project on the citizenship role of adolescents is evaluated. The Committee recommends that the State party take into account the Committee's General Comment No. 12 adopted in 2009 on the right of the child to be heard (CRC/C/CG/12).**

4. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37(a) of the Convention)

Freedom of thought, conscience and religion

26. The Committee welcomes the amendment to the Education Act related to the school subject now being named Religion, Philosophies of Life and Ethics in order to indicate that children should be given a fair-minded orientation about differing approaches to fundamental questions and challenges of human life, but is concerned about how this objective is implemented in practice. The Committee is further concerned about children in several isolated religious communities whose educational objectives are rarely examined for their compatibility with Norwegian law.

27. The Committee recommends that the State party conduct a study on how the aims of the revised school subject Religion, Philosophies of Life and Ethics are achieved and what kind of support teachers need in order to adequately implement the objectives of this subject. It further recommends that the State party examine the educational objectives and practices of isolated religious communities with respect to their compatibility with the child's right to a holistic, human rights oriented education.

Protection of privacy

28. The Committee is concerned at information that parents may violate their children's right to privacy when revealing the particulars of their children's lives on webpages, sometimes in order to support positions in custody conflicts.

29. The Committee recommends the State party to mandate the Norwegian Data Inspectorate to prevent parents and others to reveal information about children which violates children's right to privacy and is not in their best interests.

Follow-up to the UN Study on Violence against Children

30. The Committee notes with appreciation the measures taken by the State party to follow up on the recommendations of the UN Study on Violence against Children. The Committee particularly welcomes the Plan of action concerning violence in close relationships (2004-2007) which also resulted in the inclusion of a new provision in the Penal Code directed at violence in close relations. The Committee also notes with interest that a proposition for amendments to the Children Act on violence against children has been submitted and is now being considered by the Norwegian Parliament. The Committee strongly appreciates the support to the Special Representative of the Secretary-General on Violence against Children provided by the State party.

31. With reference to the United Nations Study on Violence against Children, the Committee recommends that the State party:

(a) Take all necessary measures to implement recommendations of the United Nations Study on violence against children (A/61/299), taking into account the outcome and recommendations of the Regional Consultations for Europe and Central Asia (held in Ljubljana, Slovenia, 5-7 July 2005). In particular, the Committee recommends that the State party pay particular attention to the following recommendations:

- (1) Prohibit all forms of violence against children**
- (2) Prioritize prevention**
- (3) Ensure participation of children**

(4) Strengthen international commitment

(b) Use the recommendations of the Study as a tool for action in partnership with civil society and, in particular, with the involvement of children to ensure that all children are protected from all forms of physical, sexual and psychological violence and to gain momentum for concrete and time-bound actions to prevent and respond to such violence and abuse; and

(c) Collaborate with and continue to support the United Nations Special Representative to the Secretary General on violence against children.

5. Family environment and alternative care(arts. 5, 18 (paras.1-2), 9-11, 19-21, 25, 27 (para.4) and 39 of the Convention)

Family environment

32. The Committee welcomes the extension of paternal parental leave to ten weeks. The Committee also notes that cohabiting parents routinely receive joint parental responsibility for their children under the Children Act, and that family counseling services have been expanded and strengthened to assist parents in their capacities and responsibilities. The Committee is concerned, however, at information that, in cases of separation and conflict, judges and experts may not be sufficiently qualified, that children do not receive assistance to ensure contact, if it is in their best interests, with both parents in the case of separation and conflict and that the right of a child to live with his or her parents is not adequately considered when the deportation of a parent is impending. The Committee is furthermore concerned that the continued relation of a child to her/his parent in prison is not sufficiently supported. The Committee is also concerned that, except in cases of severe neglect and abuse, parental consent is needed before the Child Welfare Services can provide assistance to a child and notes that because of this a child in need of assistance may not receive it.

33. **The Committee recommends that the State party strengthen its efforts to assist parents to competently exercise their parental responsibilities and to enhance the capacities of all professionals and practitioners who are involved in counseling, conflict resolution or family separation issues to support the continuation of family life or find the most acceptable custody solution and, in the case of divorce or separation, to assist children's contact with both parents, considering under all circumstances the best interests of the child. The Committee also recommends that the right of a child to live with his or her parents be adequately considered in cases of deportation of a parent and that prison authorities facilitate the visiting arrangements of a child with his or her imprisoned parent. The Committee further recommends that children are given the right to address the Child Welfare Services independently of their parent's consent if informing the parents would obstruct the possibility to provide assistance to the child.**

Children deprived of a family environment

34. The Committee notes that the State party has made efforts to decrease the placement in residential care institutions of children who cannot live with their parents, instead using foster homes whenever possible. However, the Committee is concerned that despite extensive assistance at home, the number of children taken into out of family care has increased. The Committee notes with regret that not all children in foster homes have someone appointed for their supervision and that supervisors may not be sufficiently prepared for their tasks. The Committee is also concerned that suitable alternatives are not available at all places and, therefore, the placement of a child is sometimes dependent on chance. The Committee is further concerned that the Child Welfare Services responsible for

assistance to families and children at home and for placement in alternative care, are severely underfunded and have limited capacity to do preventive and follow-up work when children are in foster families or homes.

35. **The Committee recommends that the State party provide the Child Welfare Services with resources to expand and intensify its preventive efforts in families at risk of failing to provide adequate care and support to their children and, if preventive efforts are unsuccessful, make available the variety of alternative facilities needed to offer children the kind of care that is in accord with their best interests. The Committee further recommends that the State party carefully follow up on children in alternative care, regularly examine the possibility of returning the child to its family and, if the child remains in alternative care until the age of majority, facilitate the transition to adulthood. The Committee also recommends that the State party take into account the Guidelines for the Alternative Care of Children contained in United Nations General Assembly Resolution A/RES/64/142 adopted on 20 November 2009.**

Abuse and neglect

36. The Committee notes with appreciation the numerous Actions Plans elaborated by the State party to address abuse and neglect of children. The Committee welcomes the fact that training was held for judges, experts and lawyers on violence and abuse and custody cases where violence and abuse are suspected. The Committee is concerned, however, that Child Welfare Services in some areas of the country do not have the resources or the competencies to identify and support children who are exposed to violence and that the existing helpline is not well enough known to children. The Committee is also concerned that competence is limited to dealing with violence in families of different cultures and to communicating advice for violence-free education.

37. **The Committee recommends that the State party ensure that adequate and appropriate assistance is provided to children and their families in all areas of the country, taking into account respect for other cultures and that children have information about the helpline and where to find effective assistance.**

6. Basic health and welfare (arts. 6, 18 (para.3), 23, 24, 26, 27 (paras.1-3) of the Convention)

Health and access to health services

38. The Committee notes with appreciation the Plans of action for improved diet (until 2007) and for physical activity (2005 - 2009). The Committee recognizes the commitment of the State party to strengthen the system of public health clinics and the school health service. It is concerned, however, that according to information received, including from children, municipalities still do not provide these services to a comparable extent and quality.

39. **The Committee recommends that the State party ensure that children have access to good health services, including in schools, everywhere in the country.**

Adolescent health

40. The Committee welcomes the introduction in 2009 of guidelines for early intervention to prevent drug and alcohol problems and the Escalation Plan for drugs and alcohol abuse starting in 2010. While noting that the level of substance abuse by children

and young people has remained stable or declined slightly in the past years, the Committee remains concerned that this level still remains high. Additionally, the number of deaths of young people from overdoses is of serious concern to the Committee.

41. The Committee recommends that the State party continue and strengthen its efforts to reduce the abuse of drugs and that it take into account the Committee's general comment No.4 (CRC/GC/2003/4) on adolescent health and development.

Mental Health

42. While noting that mental health services for children are being improved through the National Programme for Mental Health, the Committee is concerned at the increasingly long waiting period for mental health care for children and young people. The Committee is also seriously concerned about studies that indicate a rapid increase within a short period of time of the prescription to children of psycho-stimulants such as Ritalin and Concerta diagnosed with Attention Deficit Hyperactivity Disorder (ADHD).

43. The Committee recommends that the State party continue to develop all components of a mental health care system for children and young people, including prevention, treatment of common mental health problems in primary health care and specialised care for serious disorders through an increasing number of specially trained professionals working with children in the field of mental health care, and reduce the waiting period in mental health services. The Committee also recommends that the State party carefully examine the phenomenon of over-prescription of psycho-stimulants to children and take initiatives to provide children diagnosed with ADHD, as well as their parents and teachers, with access to a wide range of psychological, educational and social measures and treatments.

Harmful Traditional Practices

44. While noting with appreciation the 2008 plans of action against female genital mutilation (FGM) and against forced marriages, and measures taken to address both issues, the Committee is nevertheless concerned over reports that the number of forced marriages and intermarriages have increased. The Committee is also concerned over reports that cases involving FGM are not systematically collected and prosecuted and that even reported cases have been dismissed by the police due to limited resources and inadequate cooperation between relevant institutions.

45. The Committee encourages the State party to continue and strengthen preventive and protection measures, particularly with regard to children, to address the issues of FGM, forced marriages and intermarriages, including the prosecution of perpetrators of these acts. The Committee encourages the State party to cooperate with community leaders and NGOs to raise awareness of the negative impact of these practices, analyse information gathered on forced marriages in order to determine the actual reason for the reported increase in forced marriages in the country and include the fight against FGM and forced marriage in its international cooperation programme.

Right to an adequate standard of living

46. The Committee notes the increased attention paid to children living below the poverty line, particularly in families with unemployed parents, low education, single-parent families, families with several children and immigrant families. It welcomes measures targeted at families and children, but is concerned that they do not specifically protect children against the negative impact of poverty on development, health and education. The Committee is concerned that poverty rates clearly differ across the country, also as a

consequence of unequal and unsystematic variations of family income supplements, and that municipal housing, where many families with low income live, has not been transformed in a more child-friendly environment.

47. **The Committee recommends that the State party undertake efforts to protect children living in poverty against detrimental consequences of this situation, particularly by specific early care and education, targeted programmes in school to compensate deficits of development and learning, measures for better nutrition and health of children from disadvantaged groups and efforts to make municipal housing more child-friendly. The Committee furthermore urges the State party to ensure that poor families get adequate assistance independent of where they are living in Norway.**

7. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

Education, including vocational training and guidance

48. The Committee takes note of the State party's policy to achieve young children's full attendance of a kindergarten of high quality, but is concerned that children with immigrant backgrounds are underrepresented despite an earmarked grant for the inclusion of newly arrived young refugee children. The Committee is further concerned that a number of municipalities do not follow the new curricula in basic Norwegian and mother tongue, which has a negative impact on the whole school career of children. The dropout rate of children, including from the majority population and from both academic and vocational secondary schools, is a further concern to the Committee. The Committee welcomes the many efforts to combat bullying in kindergartens and schools, but is deeply concerned at the reported high level of bullying occurring in these settings.

49. **The Committee encourages the State party to intensify its efforts to educate all parents about the value of early education and provide places in good quality kindergartens for all children, particularly immigrant and other children in need of early educational support. The Committee also recommends that the State party urgently advise municipalities to introduce the new language curricula in their schools so that children can better follow class instruction and that it take measures to ensure that children complete their schooling, with a particular focus on groups that traditionally do not have a good completion rates. The Committee further recommends that the State party continue and strengthen its efforts to combat bullying in school and invite children to participate in efforts to reduce and eliminate these harmful behaviours.**

8. Special protection measures (arts. 22, 38, 39, 40, 37(b) and (d), 30, 32-36 of the Convention)

Refugee, asylum seeking and unaccompanied children

50. The committee welcomes the State party's indication that the consideration of cases involving unaccompanied asylum seekers shall be prioritized. The Committee notes with interest that the new Immigration Act, along with new Immigration Regulations, specifies that the best interests of the child are to be a primary consideration and lowers the threshold for granting residence permits for children. The Committee also welcomes the fact that the new Chapter 5A of the Child Welfare Act transfers responsibility for unaccompanied children to the child welfare services. However, the Committee expresses its concern:

- (a) at the cursory identification of children affected by armed conflict;

- (b) at the length of time until decisions are taken;
- (c) at the fact that guardians are often overburdened and thus cannot adequately exercise their role;
- (d) at the often indecent, culturally insensitive and generally unreliable methods used for age determination;
- (e) at the fact that an increasing number of unaccompanied children have disappeared from reception centres;
- (f) that unaccompanied asylum seeker children are not being adequately followed up by Child Welfare Services;

51. The Committee is also concerned that the State party has limited the responsibility of the Child Welfare Services to children under the age of 16 leaving older children with reduced assistance and that despite the State party's statement that emphasis will be placed on children's affiliation to Norway in decisions on residence permits on humanitarian grounds, there are reports that children who have spent many years in Norway may be deported despite sound documentation of affiliation to Norway. The Committee is further concerned about the State party's plan to establish care and education centres for unaccompanied asylum-seeking children in their countries of origin, since these children mostly come from war and conflict ridden countries where their protection cannot be guaranteed.

52. The Committee recommends that the State party:

- (a) Carefully identify children affected by armed conflicts among asylum-seeking children and ensure rehabilitation and social reintegration of these children;**
- (b) Expedite the assignment of a guardian to assist asylum-seeking children in understanding the procedures and clarify the role of guardian through the initiated guardianship legislation;**
- (c) Take measures to shorten the waiting period for determining the status of asylum seekers;**
- (d) Ensure that age determination procedures are conducted in a scientific, safe, child and gender-sensitive and fair manner, avoiding any risk of violation of the physical integrity of the child;**
- (e) Expand, as planned, the responsibility of the Child Welfare Services to children aged 16 and 17;**
- (f) Carefully follow up on these children during their stay in Norway;**
- (g) Make sure that children do not disappear and fall into the clutches of trafficker and exploiters;**
- (h) Investigate cases of disappearances and find ways to make access available to hidden children;**
- (i) Avoid sending children back to unsafe places from which they have fled and use their stay in Norway to equip them with the competencies and skills they will need when they return under more peaceful conditions;**
- (j) Ensure a primary consideration of the best interests of the child and his or her affiliation to Norway whenever decisions about the child's future are under consideration; and**

(k) Take into account the Committee's General Comment no. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin.

Sale, trafficking and abduction

53. The Committee notes with interest that the Penal Code provision on trafficking (section 224) was amended in June 2006 to emphasize the fact that exploitation and leading someone astray to begging is also covered. The Committee notes with appreciation the existence of the Coordinating Unit for Assistance and Protection of Victims of Trafficking (KOM), a project for nation-wide coordination of assistance and protection of victims of trafficking. The Committee also notes that the reflection period for victims of trafficking has been extended from 45 days to 6 months, but is concerned that the reflection period does not apply to all victims of trafficking. The Committee is further concerned that information about child victims of trafficking is fragmentary and that sellers and traffickers and persons who exploit trafficked children are not effectively brought to justice.

54. The Committee recommends that the State party:

(a) Evaluate the results of the Plan of Action which ended in 2009 and use the review to elaborate a new Plan of Action;

(b) Set a focus on child victims of sale and trafficking and allocate the necessary human and financial resources to the units mandated to combat this crimes;

(c) Develop and implement measures to systematically identify victims of trafficking in the country, enforce the laws that criminalise the sale, trafficking and abduction of persons and make sure that victims are competently treated; and

(d) Extend the reflection period to all child victims and adapt it to children and their best interests under these circumstances.

Sexual exploitation and abuse

55. The Committee welcomes new provisions and amendments to the Penal Code in the area of sexual exploitation and abuse, including a provision concerning child pornography and meeting a child with the intent to commit a sexual offence. The Committee also welcomes the strategy plan against sexual and physical abuse against children (2005-2009). The Committee notes with interest that a mapping project to map the extent of, inter alia, sexual exploitation and abuse was carried out. The Committee also notes with appreciation the existence of "children's houses" which provide support for children who experience abuse, including sexual abuse. The Committee regrets, however, that competence in dealing with sexual exploitation and abuse is limited. The Committee is also concerned at the very long period between reporting and examination of cases of sexual abuse, despite the 14-day statutory deadline for a judge's examination of the case.

56. The Committee recommends that the State party:

(a) Continue to implement appropriate policies and programmes for prevention, recovery and social reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996, 2001 and 2008 World Congresses against Sexual Exploitation of Children as well as the outcome of other international conferences on this issue;

(b) establish more Children's Houses in all counties and provide them with adequate human and financial resources;

(c) Ensure that exploited and abused children receive help as soon as possible;

(d) Ensure that knowledge of sexual exploitation and abuse is integrated into training programmes of professionals working with and protecting children; and

(e) Expedite the examination of cases of sexual abuse in line with the 14-day statutory deadline.

Juvenile justice

57. While noting that, as indicated during the dialogue, the number of children under 18 years of age who are in prison in Norway is low and that children and young people who are detained receive special follow-up by the prison staff to prevent harmful effects of imprisonment, the Committee is concerned that there has been an increase in the number of imprisoned children and that these children are not detained separately from adult inmates. The Committee also notes with concern that physical conditions in prisons may not be appropriate for children and that training of prison personnel for the treatment of juvenile offenders is not mandatory. The Committee is also concerned about the absence of central statistics on the numbers of children entering custody and the duration of their stays and about the lack of information on the judicial and procedural treatment of children below 15 committing crimes.

58. The Committee urges the State party to ensure that juvenile justice standards are fully implemented, in particular articles 37 (b), 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules). In particular the Committee recommends that the State party, while taking into account the Committee's general comment No. 10 on the administration of juvenile justice (CRC/C/GC/10, 2007):

(a) Ensure that children are held in detention only as a last resort and for as short a time as possible and reduce the number of children in prison by actively pursuing diversion measures for juvenile offenders, wherever appropriate;

(b) Ensure that when detention is carried out, it is done in compliance with the law and with respect to the rights of the child as set out under the Convention;

(c) Make sure that children are held separately from adults both in pre-trial detention and after being sentenced;

(d) Take the necessary steps to ensure that persons working with children in the justice system, juvenile judges, prison officers, probation officers etc. receive appropriate training;

(e) Actively use the time of imprisonment for rehabilitation and education, including vocational training;

(f) Ensure that all children under 15 committing crimes are treated by civil or administrative authorities with respect of the CRC and of the international standards and, in particular, make sure that they have access to alternatives measures.

Protection of witnesses and victims of crimes

59. The Committee also recommends that the State party ensure, through adequate legal provisions and regulations, that all children victims and or witnesses of crimes, e.g. children victims of abuse, domestic violence, sexual and economic exploitation, abduction, and trafficking and witnesses of such crimes, are provided with the

protection required by the Convention and that it take fully into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution 2005/20 of 22 July 2005).

Children belonging to a minority group and indigenous children

60. The Committee welcomes efforts by the State party to ensure the rights of minority and indigenous children and takes note of the New Plan of Action to Promote Equality and Prevent Ethnic Discrimination (2009-2012), the Plan of Action to Strengthen Sami Languages, and the Plan of Action to Improve the Living Conditions of the Roma in Oslo. The Committee notes with interest the State party's indication that it will encourage mass media to give special consideration to the linguistic needs among children who belong to an indigenous group. However, the Committee notes with concern that child welfare assistance for children from ethnic minority is of a much lower standard and that 10 percent of children from immigrant backgrounds have experienced threats or violence due to their cultural background and that boys from minority backgrounds experience more frequent bullying than children from the majority population.

61. The Committee recommends that the State party make every effort to ensure that children from ethnic minority backgrounds and indigenous children have equal access to all children's rights, including access to welfare, health services and schools and are protected against prejudice, violence and stigmatisation.

9. Ratification of International Instruments.

62. The Committee recommends the State party to consider ratifying international human rights instruments which are also relevant for the implementation of child rights, to which it is not yet party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of all Persons from Enforced Disappearance and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

10. Follow-up and dissemination

Follow-up

63. The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented, *inter alia* by transmitting them to the Parliament (*Storting*), relevant ministries and the Supreme Court, and to local authorities, when applicable, for appropriate consideration and further action.

Dissemination

64. The Committee further recommends that the fourth periodic report and written replies submitted by the State party and the related recommendations (concluding observations) it adopted be made widely available in the languages of the country, including (but not exclusively) through the Internet to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

11. Next report

65. In light of the recommendation on reporting periodicity adopted by the Committee and described in its reports CRC/C/114 and CRC/C/124, and noting that the State party's fifth periodic report is due within three years after the consideration of its fourth periodic report, the Committee invites the State party to submit a consolidated fifth and sixth periodic report on 6 October 2016 (i.e. 18 months before the date established in the Convention for the submission of the sixth periodic report). This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Committee.
