



**Convention on the
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COMMITTEE ON THE RIGHTS OF THE CHILD
CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Third periodic report of States parties due in 2003

NORWAY* **

[24 April 2003]

* For the second periodic report submitted by Norway, see CRC/C/70/Add.2; for its consideration by the Committee on 2 June 2000, see CRC/C/SR.625-626 and CRC/C/15/Add.126.

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Foreword

1. This third periodic report is structured according to the General Guidelines Regarding the Form and Content of Periodic Reports to be submitted by States Parties under article 44, paragraph 1 (b) of the Convention (CRC/C/58 of 20 November 1996). According to the Guidelines, the focus of periodic reports must be on changes or new developments that have taken place since Norway submitted its previous report.
2. To facilitate the examination of this report, references are made to Norway's initial report (CRC/C/8/Add.7 and Corr.1 and 2) and Norway's second report (CRC/C/70/Add.2). References are also made to the concluding observations and recommendations of the Committee on the Rights of the Child (CRC/C/15/Add.126) on Norway's second report. The observations and recommendations have been included in this report, although in abbreviated form. Reference is also made to the Norwegian CORE document (HRI/CORE/1/Add.6) concerning information on land and people, general political structure, the general legal framework within which human rights are protected, and information and publicity.
3. A brief description of some of the challenges Norway faces with respect to living conditions for children and young people is presented as an introduction to this report.

Introduction

4. Like most other societies, Norway is characterized by increasingly rapid change, stronger demands for adaptability in working life, changing family relationships, greater cultural diversity, globalization and internationalization. These social changes have led to progress in many areas, also for children and young people. Housing, income and educational opportunities have improved. New information technology has given us new opportunities. Improved access to information and an increased immigration are enhancing the cultural understanding of children and young people. However, these social changes involve risks that may affect the most vulnerable groups.
5. Separation and divorce occur frequently in our society. There are many risk factors related to separation and divorce that may have a negative impact on children. They include a decline in household income, having to move from home, the loss of a network of friends, poor cooperation between parents and loss of contact with one of the parents.
6. At the beginning of 2001 children and young people with ethnic minority backgrounds accounted for approximately 6 per cent of all children and young people in Norway. Most of them do well at school and in society at large. However, some of them experience problems related to language, education and employment. Some suffer from discrimination and exclusion. Children and young people who come to Norway as unaccompanied minors seeking asylum are a particularly vulnerable group. Many of them are suffering from the results of war and conflict and the loss of family members, their social network and their home country.
7. Norway's young population is generally in good health. Both infant mortality and child mortality resulting from accident and disease have declined sharply in the past 40-50 years. At the same time, new risk factors have emerged. There has been a rise in the incidence of respiratory diseases, such as asthma. Psychosocial problems are probably the most rapidly

growing health problem among children and young people. They include eating disorders, loneliness and unhappiness, neglect and abuse, behavioural problems and intoxicant abuse. Behavioural problems at school represent a complex field which may include disruptive behaviour, antisocial behaviour and social isolation.

8. Some children and young people are at risk for a variety of reasons. They are not as well-equipped as others to benefit from the welfare services and facilities society offers. It is therefore a challenge to develop expertise and measures that include these groups of children and young people, give them equal opportunities and utilize their resources in the same way as those of the majority of children and young people.

9. Norway faces many challenges and problems affecting children and young people, the solution to which requires international cooperation. This applies, for example, to the dissemination of pornography and violence through the Internet and the sexual exploitation of children and young people through the Internet and people trafficking. Organized crime brings with it international trade in narcotic substances. War and poverty in various parts of the world lead to the migration of population groups across national borders. Refugees who come to Norway are often in a difficult social situation and, due to their background, need additional help and support in their encounter with Norwegian society. Norway wishes to contribute to research, the exchange of information, dialogue and cooperation across national borders in order to meet these challenges and prevent the problems to which they give rise.

10. Ensuring the influence and participation of young people has become a recognized principle in Norwegian society, although we are still striving to implement it in practice in both the private and public spheres. Not least in the areas mentioned above, it is important to obtain the views and experiences of children in order to find solutions to the problems. Children are subjects, not objects. They are committed and have consideration for others, a sense of fair play, ideas, suggestions and a willingness to take action. However, in adults' eagerness to do their best for children, the children may be pushed into the background. That is why we have made efforts to include the views of children in this report.

11. The UN Committee on the Rights of the Child has previously recommended the Norwegian authorities to focus more strongly on providing education on the Convention on the Rights of the Child and children's rights for both children and various professional groups. Consequently, as part of the work on Norway's third report, efforts have been made to include children and young people in the reporting process. The Ombudsperson for Children initiated the Life Before 18 project in cooperation with the Forum for the Convention on the Rights of the Child, the National Youth Council and the Ministry of Children and Family Affairs. See the following website: <http://www.livetunder18.no>.

12. The main goals of the project are:

- To raise awareness of and encourage active interest in the Convention on the Rights of the Child;
- To involve various groups of children and young people in Norway's reporting to the UN Committee on the Rights of the Child;

- To develop an educational programme on the Convention on the Rights of the Child for primary and secondary schools and colleges;
- To contribute towards following up the UN Special Session on Children;
- To contribute towards the development and testing of methods aimed at including the views of children and young people in national reporting processes in other countries.

13. The project has enabled children and young people in Norway in 2002 to express their views about school and leisure time, what interests them, what is good and what is less good, what they miss and what they would like to have, how it can be even better for children and young people to grow up in Norway. They have important experience and suggestions for solutions that can be used in efforts to develop good measures and activities.

14. The project emphasized the importance of involving children and young people with different life experiences and the work processes have been important. Children and young people from schools and organizations, and in the consultation process, have carried out fifteen visual and creative assignments - posters, photos, pools coupons, collages and questionnaires. Twenty-five pupils' councils from schools in various parts of Norway were invited to complete these assignments through the Ombudsperson for Children's Internet Parliament. The Internet Parliament is the Ombudsman's tool for collecting the views of children and represents 6,400 pupils in Norway.

15. Children and young people from organizations and with experience of the child welfare services, asylum reception centres, mental problems and broken families have participated in ten rounds of consultations arranged by experienced participation workers. A total of one thousand children and young people aged 10-19 have worked on these processes over a period of one or more days. A further 2-3000 pupils in lower and upper secondary schools have contributed through the Pupil Inspectors – a web-based questionnaire where pupils can evaluate their school. The children and young people who have participated in the project are not a representative group in the scientific sense of the term, but they represent different groups, both groups with special life experience and the majority of children and young people. Their views are important and should be taken into account.

16. Through this project, many of the participants worked on the UN Convention on the Rights of the Child for the first time. The feedback indicates that the methodology interested the children and young people and made the Convention more visible and relevant. Teachers and employees of institutions have stated that the project was well prepared, fun and stimulating.

17. One of the results of the project is that the experiences and proposed solutions of children and young people have been included in this report and placed under the relevant articles of the Convention on the Rights of the Child.

CHAPTER I. GENERAL MEASURES OF IMPLEMENTATION

A. Measures within national legislation and practice (article 4)

The Human Rights Act

(Reference is made to Norway's second report, paragraphs 30 - 31.)

18. Through the Human Rights Act of 21 May 1999, three core human rights conventions were incorporated into Norwegian law, namely the European Convention on Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. *Reference is also made to Ch. IV, paragraphs 213-215 of this report.*

Incorporation of the Convention on the Rights of the Child into Norwegian legislation

(Reference is made to Observation 12/Recommendation 13 of the Committee on the Rights of the Child.)

19. *The Committee recommends that Norway consider incorporating the Convention on the Rights of the Child into domestic legislation in a manner comparable to the incorporation of other regional and international human rights instruments.*

20. In spring 2003 the Government submitted a Proposition to the Odelsting relating to the incorporation of the Convention on the Rights of the Child into Norwegian legislation (cf. Report No. 45 (2002-2003) to the Storting. The Proposition proposes that the Convention on the Rights of the Child be incorporated into Norwegian law. It also proposes amendments in several areas of legislation in order to focus more attention on the Convention and define the rights and obligations that are consequent upon the Convention on the Rights of the Child in various contexts.

21. The Proposition proposes incorporating the Convention on the Rights of the Child by adding it to the list of human rights conventions which, pursuant to the Act of 21 May 1999 No. 30 (the Human Rights Act), apply as Norwegian law. This means that the Convention will apply as Norwegian law and that the Convention will have precedence if any conflict should arise between the Convention and other Norwegian legislation, cf. section 3 of the Human Rights Act. With the incorporation of the Convention on the Rights of the Child, Recommendation No. 13 of the Committee on the Rights of the Child relating to Norway's second report will have been implemented.

22. The Government proposes incorporating the Convention as Norwegian law particularly because such incorporation is assumed to give the strongest signal that the Norwegian authorities take the Convention seriously. The Government points out that Norwegian legislation largely meets the requirements of the Convention on the Rights of the Child without such incorporation, and in some cases also gives children stronger rights than those laid down in the Convention. The Government nevertheless assumes that such incorporation will strengthen the legal position of children. It refers to the fact that such incorporation entails, among other things, establishing

by law the principle contained in article 3 of the Convention that the best interests of the child must be a core consideration in all matters relating to children. The principle of precedence laid down in section 3 of the Human Rights Act, also gives the provisions of the Convention additional force under Norwegian law.

23. In addition to proposing the incorporation of the Convention on the Rights of the Child, the Government undertook a review of legislation that concerns the rights of children. The Government's intention was partly to eliminate any discrepancies in relation to the Convention and partly to define the requirements of the Convention. The Convention on the Rights of the Child contains a number of obligations incumbent upon states which, in practice, are carried out by persons who do not have legal qualifications, for instance in the educational system, the health service and the child welfare service. Implementing the Convention on the Rights of the Child in relevant legislation, which is also expressed in the form of guidelines, circulars, etc., makes the rules concerning the rights of the child more easily accessible to users of the regulations and will thereby ensure improved implementation of the Convention in practice. The project to implement the Convention on the Rights of the Child initially led to proposals for amendments to the Civil Procedure Act, the Public Administration Act and the Adoption Act in order to implement and define the child's right to be heard, cf. article 12, and to the Child Welfare Act in order to implement and define articles 12 and 20. The government has also proposed amendments to the Children Act. *Reference is made to Ch. III D, paragraphs 80-89 of this report.* There is also focus on articles 28 and 29 of the Convention on the Rights of the Child in the preparation of a new Independent Schools Act, *see Ch. VII A, paragraphs 424-428 of this report.* In December 2001 a legislative committee was established to prepare proposals for a new Immigration Act. Its mandate includes considering how the Convention on the Rights of the Child may be incorporated into the Immigration Act.

Action taken to ensure implementation of the Convention at local and regional levels/equality of municipal services

(Reference is made to Observations 14/15 and 16/17 of the Committee on the Rights of the Child.)

24. *The Committee notes that the significant decentralization of services and administration from state to municipal authorities, partly as a result of variations in municipal finances, may lead to differences in priorities and different services for children according to the area of the country in which they reside.*

25. Municipalities receive approximately 70 per cent of their revenues through the Income System. The Income System is intended to enable municipalities to provide their inhabitants with equal services. The General Purposes Grant Scheme is intended to decentralize responsibility for services and enable municipalities to pay for the services that have been initiated. Through local self-government, municipalities must themselves prioritize services, thereby ensuring that the distribution of services is adapted to local needs. Table 1 below shows that total transfers from the state to municipalities increased from NOK 79,264 million to NOK 97,240 million in the period 1998-2002 (general purpose transfers and earmarked transfers).

26. In recent years, a larger proportion of transfers to municipalities have been in the form of earmarked grants. Earmarked grants usually require part financing by municipalities, with the result that the distribution of services depends to a greater extent on municipalities' financial situation than is the case with general purpose financing of municipal activities. The Proposition relating to local government financing for 2001 included a plan for incorporating earmarked grants, and the Government is still working on this. Table 1 shows total state transfers to municipalities - general purpose transfers and earmarked grants. Municipal tax revenues, which come in addition to these, are not shown in the table.

Table 1
Municipal revenues - general purpose transfers and earmarked transfers from the State, 1998-2002¹

	1998	1999	2000	2001	2002 ²
General purpose transfers	46 699	49 199	54 186	52 944	53 082
Earmarked transfers within the municipal system ³	26 197	30 947	33 322	35 995	14 722
Earmarked transfers outside the municipal system ⁴	6 368	6 216	6 369	9 163	29 436
Total transfers from the State	79 264	86 362	93 877	98 102	97 240

Source: Rapport fra teknisk beregningsutvalg 2002, Rundskriv nr. H-18-02 (Report of the Technical Calculation Committee 2002, Circular No. H-18-02).

¹ All figures are in NOK million at current prices.

² The figures for 2002 are estimates.

³ The reduction in earmarked transfers from 2001 to 2002 is largely due to the fact that responsibility for hospitals was transferred to the central government from 1 January 2002.

⁴ Earmarked transfers outside the municipal system are grants for refugees and asylum-seekers.

27. A research project has also been initiated to study variations in municipal expenditure relating to drug and alcohol abuse and psychiatry in relation to the criteria for the Income System. The results will be presented in the Proposition relating to local government financing for 2004. Until the possible introduction of new criteria for the Income System, from 2003 the Government will introduce a temporary grant for large towns into the Income System to compensate for the fact that the largest towns are assumed to have higher expenditure in the drug abuse and psychiatry sectors.

28. Pursuant to section 2-1 of the Municipal Health Services Act, everyone has the right to necessary medical care in the municipality where he or she lives or is temporarily residing. Section 2-2 of the same Act states that children have the right to necessary medical care, including periodic medical examinations, in the municipality where the child lives or is temporarily residing. Although the Act does not contain clear rules concerning what is to be

regarded as necessary medical care, and although the resource situation of the individual municipality must be taken into account, the *travaux préparatoires* to the Act assume that there is a minimum standard below which the municipality may not go. This minimum standard is left to practice, but must be viewed in conjunction with municipalities' obligation to provide health services of a satisfactory medical standard. Reference is otherwise made to the comments on the right to medical care pursuant to the Patients' Rights Act, *see Ch. III C, paragraphs 177-180 of this report*.

29. Pursuant to the Act relating to day care institutions (1995), children with disabilities must have priority when children are selected for acceptance at day care institutions. *Reference is made to Norway's second report, paragraph 202 and Chapter VI A, paragraph 318 of this report*.

30. With respect to social security benefits, the Ministry of Social Affairs introduced recommended rates for subsistence allowances pursuant to the Social Services Act in February 2001. It also provided recommended rates for children's allowances. The objective is to achieve more uniform practice in municipalities for these types of benefits. More information on this may be found in *Ch. VI D, paragraph 318 of this report*. In many cases, municipalities may not refuse to provide services or benefits for children or families with children for budgetary reasons. Depending on the types of services concerned, applicants may appeal municipal decisions to the County Governor, the County Medical Officer or the Director of the National Education Office in their county.

Report to the Storting relating to the conditions in which children and young people grow up and live in Norway

31. In June 2002, the Government submitted the first comprehensive Report to the Storting on the conditions in which children and young people grow up and live in Norway (Report No. 39 to the Storting (2001-2002)). The goal is to promote a policy for children and young people that provides a secure, meaningful and stimulating everyday life for more children. One of the main perspectives is to regard children and young people as a resource. The creativity, critical ability, choice of values, involvement and participation of children and young people are a resource for society. Another important perspective in the Report is the strengthening of parental responsibility.

32. In the Report, the Government proposes greater efforts to improve the environment in which children and young people grow up. In order to ensure the necessary follow-up, there is a need for improved coherency and coordination of efforts on behalf of children and young people at both central and local levels. Greater interaction and cooperation with children and young people, parents and non-governmental organizations are particularly important. This poses new challenges for both local and central authorities. The report stresses the importance of organizing activities at the local level in such a way that the necessary inter-disciplinary cooperation and interaction with the voluntary sector are ensured. Efforts will also be made to strengthen cooperation and interaction at central government level.

33. The Report stresses the importance of all children and young people receiving equal services and facilities. *Reference is made to Observation 14 of the Committee on the Rights of the Child relating to implementation of the Convention on the Rights of the Child at the local level.* The Report focuses on efforts to reduce marginalization and eliminate differences in living conditions for children and young people. Municipalities are requested to strengthen their efforts for children and young people, with particular emphasis on efforts for those who need them most. Furthermore, municipalities are requested to take greater account of the interests of children and young people in local planning and to ensure good coordination of local efforts for children and young people. Municipalities are also requested to facilitate the provision of good information for children and young people and ensure that children and young people participate more and have greater influence in local planning.

34. In order to encourage good municipal policies for children and young people, the Government will each year elect a Children's and Young People's Municipality of the Year. This will be a municipality in which children and young people have influence and which has excelled in its long-term efforts to improve the environment in which children grow up.

Report to the Storting on child and youth welfare

35. In July 2002, the Government submitted Report No. 40 to the Storting (2001-2002) relating to child and youth welfare. The Report was debated by the Storting on 11 February 2003. The Report provides an overall review of welfare services for children and young people in Norway and contains some seventy proposals for measures. The Storting endorsed these measures. It is important to provide good assistance for children and families at an early stage in order to prevent behavioural problems, abuse and neglect. In the Report, the Government argues in favour of redirecting efforts to protect children and young people towards more preventive work with families so that parents and the local community, which provide the most important environment in which children grow up, are given the opportunity to solve the problems first. At the same time, the best interests of the child are a core consideration. Assistance from the child welfare authorities must, to a greater extent, be provided in cooperation with the users of the service and other authorities and welfare agencies. The Government proposes that a single municipal agency assume a coordinating function for the various bodies that provide assistance for children, young people and families in order to coordinate and focus their preventive efforts.

36. The most important objectives in the Report are to:

- Strengthen preventive work with families and improve services for vulnerable children, adolescents and families;
- Increase the focus on the potential of parents and families;
- Improve the follow-up of parents in cases where the child welfare authorities place children outside the home;
- Strengthen methods based in the local community to prevent and treat serious behavioural problems;

- Strengthen cooperation between the child welfare authorities and other services that encounter vulnerable children, young people and families;
- Improve the supervision of foster-parents;
- Strengthen work with children and families from different ethnic backgrounds and unaccompanied refugee children;
- Increase the focus on children's right to information and to express their opinions;
- Increase the focus on transparency in child welfare authorities and county social welfare boards;
- Strengthen the expertise of the child welfare authorities relating to preventive work with families and work with children and young people who have serious behavioural problems.

Plan of Action for Human Rights

37. In December 1999, the Government presented Report No. 21 to the Storting (1999-2000): Focus on Human Dignity. A Plan of Action for Human Rights as a follow-up to a recommendation of the UN World Conference on Human Rights in 1993. The Plan of Action provides a coherent, systematic presentation of Norwegian human rights policy and proposes that more than 300 measures be implemented in Norway and internationally within a five-year period. Children's rights are one of the areas that have priority in the Plan of Action. *Reference is made to Ch. V, paragraphs 214-215 of this report.*

38. Norway will help promote respect for human rights internationally. Upholding people's civil, political, economic, social and cultural rights is important to ensure respect for human dignity and contributes to peace, stability and development. Norway plays an active role in this area, both in international forums, such as the UN, and in bilateral relations with individual countries with which Norway cooperates. Annual reports on human rights were prepared in 1999, 2000 and 2001. The intention is primarily to provide a status report on how far the work of implementing the measures in the Plan of Action has progressed. However, it is equally important to identify the areas where work still remains to be done and inspire further efforts to promote human rights, both in Norway and abroad.

Report to the Storting No. 17 (2000-2001) Asylum and Refugee Policies in Norway

39. In December 2000 the Government submitted Report No. 17 to the Storting (2000-2001) relating to Asylum and Refugee Policies in Norway. The measures outlined in the report play a central role in current policies. Child asylum seekers and child refugees have priority, and there is particular focus on unaccompanied minors seeking asylum, i.e. children under the age of 18 who come to Norway to seek asylum and are not accompanied by their parents or others with parental responsibility. Applications for asylum from unaccompanied minors have priority at all levels. Unaccompanied minors also have priority at reception centres and in connection with settlement procedures. The municipal offices of the public guardian have increased their efforts to recruit guardians. Staffing and the expertise of employees at sections dealing with and

reception centres for unaccompanied minors, and the supervision of unaccompanied minors at reception centres, have been strengthened. Supervision instructions have been issued. Educational programmes for unaccompanied minors at reception centres are also being monitored. In the Report, the Government also introduced follow-up interviews and a more thorough medical examination for unaccompanied minors at ordinary reception centres so that any need for assistance can be clarified at an early stage. Efforts are also being made to strengthen the competence of municipalities to deal with unaccompanied minors.

40. The Report led to a new scheme for settling refugees whereby municipalities cooperate with each other and assume a greater collective responsibility for ensuring that those who are to be settled in a municipality do not have to wait for an unnecessarily long time. In addition to this, the integration grant that is provided for municipalities that settle refugees has been increased. In 2003, the integration grant is NOK 376,000. For unaccompanied minors, the municipality receives a further NOK 96,400 a year until the minor reaches the age of 21. All newly-arrived refugees, persons who have been granted a residence permit on humanitarian grounds and family members who have been reunified with persons in these two groups have the right and obligation to participate in an introductory programme as soon as possible after they have been settled in a municipality. This applies to persons aged 18-55 and is conditional upon their needing a programme of this nature.

41. The Government has drawn up more precise goals for the operation of reception centres, the services they offer and the inspection of reception centres, particularly with a view to monitoring the living conditions for children and young people.

Efforts for children and young people with ethnic minority backgrounds

42. Most children and young people with ethnic minority backgrounds do well at school and in society as a whole. However, a smaller group find themselves in a situation that gives cause for concern. They face special challenges relating to language, education and employment. They participate less in organized leisure activities and drop out of the educational system to a greater degree than children and young people with Norwegian backgrounds. The measures in the Plan of Action for Children and Adolescents with Immigrant Backgrounds (1996) have been implemented (*Reference is made to Norway's second report, paragraphs 43 and 44*). Further challenges in this area are described in Report No. 39 to the Storting (2001-2002) relating to the conditions in which children and young people grow up and live in Norway, and in the Plan of Action relating to measures to increase participation in society for children and adolescents with immigrant backgrounds (June 2002). For a description of these measures, *reference is made to Ch. III D, paragraph 212 of this report*.

43. In autumn 1998, the Ministry of Children and Family Affairs initiated a three-year trial project to provide free part-time day care for all five-year-olds in the Gamle Oslo (Oslo Old Town) neighbourhood. For more details, *reference is made to Ch. VIII D, paragraph 586 of this report*.

44. The Government arranged a major conference on 24 August 2002 which focused on ways of encouraging more dialogue between the majority community and ethnic minorities. One of the topics at the conference concerned young people from minority backgrounds, and several representatives of minority youth organizations took part in the debate. In autumn 2004 the

Government intends to submit a Report to the Storting on Norway as a multicultural society. One of the issues addressed in the Report will be how to ensure that all children and young people have equal opportunities for participation.

Plan of Action to combat child and youth crime

45. As part of its child and youth crime prevention efforts, in December 1999 the Government presented a Plan of Action to combat child and youth crime (Report No. 17 to the Storting (1999-2000)). The Plan of Action covers more than 40 current or new areas of focus in the following main areas: improved coherence and coordination of preventive efforts, improved follow-up of children and young people with serious behavioural problems, young offenders and criminal gangs, development of knowledge and research. Six ministries are cooperating on the plan, which is to be implemented over a period of five years (2002-2004). *See also Ch. VIII B, paragraphs 536-547 of this report.*

Plan of Action to combat female genital mutilation

46. In autumn 2000 the Norwegian media strongly focused the genital mutilation of young girls and attitudes to this tradition. Genital mutilation contravenes fundamental human rights, such as non-discrimination, the right to privacy and the right to health. Norway introduced an Act relating to the prohibition of female genital mutilation as early as 1995, but it was not until 2000 that the Government seriously put efforts to combat genital mutilation high on the political agenda. A three-year Plan of Action to combat female genital mutilation was presented in December 2000. Reaching the adult population in order to put a stop to this tradition poses the greatest challenge in this area. In April 2001 a major national conference was arranged to initiate the implementation of the Plan of Action.

47. The Government has also presented a programme entitled The Government's Efforts to Combat Female Genital Mutilation 2002. These efforts comprise 33 measures to put the Plan of Action into practice as well as new proposals, which will be implemented by various ministries and the national project "OK – Care and knowledge against female circumcision". An inter-ministerial group is monitoring this effort, which is being coordinated by the Ministry of Children and Family Affairs. In parallel with the Government's efforts, Norway will support similar processes at the international level. *Reference is also made to Ch. VI B, paragraphs 381-385 of this report.*

Plan of Action to combat forced marriage

48. In the course of the 1990s, Norwegians acquired greater knowledge from the media, research and literature about young girls and boys from minority backgrounds who are taken to their parents' countries of origin and forced to marry against their will. At the request of the Storting, a Plan of Action to combat forced marriage (1998-2001) was presented. The purpose of these measures was to prevent young people from being threatened with or subjected to forced marriage, and to provide assistance and support for young people who have been forced to marry against their will. Funding has been provided for the preparation of information materials, direct work with target groups and emergency assistance for young people. A helpline to combat forced marriage was established in spring 2000. Several measures have been implemented under the auspices of non-governmental organizations. Issues relating to forced marriage have also

been discussed at the Nordic level in the Migration Committee of the Nordic Council of Ministers and have been presented in TemaNord's report series. The research report *Rettslig regulering av tvangsekteskap og bigami* (Legal Regulation of Forced Marriage and Bigamy) was presented in 2000.

49. The Government presented the programme *Fornytt innsats mot tvangsekteskap våren 2002 – tiltaksprogram* (Renewed Efforts to combat Forced Marriage Spring 2002 – Programme of Measures) in April 2002. It comprises thirty measures which several ministries are responsible for implementing. In the negotiations on the revised state budget (2002), almost NOK 10 million was allocated for efforts to combat female genital mutilation and forced marriage.

50. In a consultation paper dated June 2002, the Ministry of Children and Family Affairs presented proposals for amendments to the Marriage Act in order to follow up measures 7, 10 and 14 of the Government's programme. It proposed that verification of compliance with the conditions for contracting all marriages be ascribed to an official body so that religious communities will no longer be responsible for such verification prior to marriages being contracted. It also proposed re-introducing a rule whereby the County Governor may bring a case before the courts to test the validity of a marriage and, in certain circumstances, the County Governor may be permitted to determine that a marriage is invalid in cases where a forced marriage has been entered into. The consultation paper also proposed including a provision in the Children Act which makes it clear that parents may not enter into a binding marriage contract on behalf of a child.

51. In December 2002 the Ministry of Justice presented a consultation paper concerning amendments to the General Penal Code, to follow up measures 8 and 9 of the Government's programme. It was proposed to introduce unconditional public prosecution in cases involving force and threats. Furthermore, a proposal was made to include a formulation in the legal text which states that it may be an exacerbating circumstance if coercion is used to persuade a person to enter into marriage (which will lead to a more severe sentence. In addition, it was proposed that being an accessory to the marriage of a person under the age of 16 will always be a punishable offence. The Ministry of Justice will soon send a bill to the Parliament with these proposals.

52. Efforts in Norway are also dependent on greater focus on international cooperation. Many young people are taken to their parents' country of origin and forced into marriage there. In order to ensure that these young people receive assistance and protection, the Government is making efforts to establish contacts with the authorities of relevant countries in order to deal with specific cases.

Measures for children and young people with serious behavioural problems

53. Professionals agree that institutional measures are inappropriate for children and young people with serious behavioural problems. Comprehensive efforts have therefore been initiated to introduce measures for this group of children and young people that are based in the local community, such as Parent Management Training (PMT) and Multi-Systemic Therapy (MST)). *Reference is made to Ch. V B, paragraphs 257-261 of this report.*

B. Measures to increase awareness among adults and children of the principles and provisions of the Convention on the Rights of the Child (article 42)

54. In the Ombudsperson for Children's national representative survey carried out in 2002 (N=647), 49.3 per cent of the population stated that they had heard of the UN Convention on the Rights of the Child. 26.9 per cent had not heard of it and 23.8 per cent were uncertain. In the 15-24 age-group, 37.6 per cent had heard of it, compared with 58.6 per cent for the 40-59 age-group.

55. From the Life Before 18 project: The children and young people who took part in the project had little knowledge of the content of the various articles in the UN Convention on the Rights of the Child, but many of them took an active interest in the Convention and would like to do more work on it. Many of them previously believed that the Convention applied only to children in other countries, but they now take the view that nearly all the articles apply to children and young people in Norway as well. They called for children and young people to be allowed to do more work on the Convention on the Rights of the Child at school, and for educational materials to be developed that make the Convention relevant for children and young people in Norway, in terms of both content and presentation.

Measures in the educational system

(Reference is made to Norway's initial report, paragraphs 56, and Norway's second report, paragraph 87.)

56. In June 2002, a new national optional subject, Human Rights, was adopted in upper secondary education. This subject includes the rights of the child. *Reference is made to Ch. VII B, paragraph 474 of this report.* A review of human rights education in Norwegian schools was initiated in 2002 and will be completed in 2003.

Measures to raise awareness of the Convention

57. In connection with the celebration of the tenth anniversary of the Convention on the Rights of the Child in autumn 1999, a new project was initiated, entitled *Barn i fokus* (Focus on Children) (1999-2000). The purpose of the project was to initiate a process at the local level that strengthens the participation of children and young people and increases their awareness of their rights. A large number of measures have been implemented, including the distribution of material relating to the Convention on the Rights of the Child and children's rights (idea books, posters, information materials) to all day care centres, schools, leisure clubs, asylum centres and voluntary children's and youth organizations. The final report on the project points out that only a minority of children and young people are aware of the UN Convention on the Rights of the Child. Children associate children's rights with children in situations of war, distress, famine, etc. and do not associate them with situations that children in Norway are more likely to experience, such as a poor learning environment, bullying, various types of pressure, etc. The report concludes, among other things, that schools should be the main arena for long-term education on the Convention on the Rights of the Child.

58. In connection with the preparation of Norway's third report to the UN on the Convention on the Rights of the Child, a project was initiated in autumn 2002, entitled *Livet under 18* (Life before 18), whereby children and young people were involved in the reporting process. The project is intended to raise awareness of and encourage involvement in Norway in the rights of children and young people and to involve various groups of children and young people in reporting to the UN Committee on the Rights of the Child. The project is also a contribution towards following up the UN Special Session on Children and the national plan of action which Norway will be preparing in 2003. *Reference is made to Ch. 1 B, paragraph 69 of this report.* Another goal is to develop educational programmes on the Convention on the Rights of the Child for primary and lower secondary schools and colleges, and to develop and test methods aimed at ensuring that the views of children and young people are heard in national reporting processes in various countries. The project began in August 2002 and is being implemented in cooperation with the Ombudsperson for Children, the Forum for the Convention on the Rights of the Child and the National Youth Council.

59. The Ministry of Children and Family Affairs publishes an annual report *Satsing på barn og ungdom* (Focus on Children and Youth), which is a collation of the Government's goals and areas of focus. Eight thousand copies of this report are distributed to all municipalities in the country and to voluntary clubs, organizations and youth groups. From 2002, attention is focused on the Convention on the Rights of the Child in this publication by including articles from the Convention in relevant parts of the text.

Training on the Convention for professionals

60. From the Life Before 18 project: The children and young people who took part in the project called for teachers to have the necessary knowledge and experience to deal with topics such as broken homes and bullying. They believe it is essential for such important topics to be addressed if they are to have happy and successful lives. The children and young people who worked on the project stated that their teachers admit they know little about the Convention on the Rights of the Child. However, both the young people and the adults appreciated being able to work on children's rights in connection with the project and called for a permanent educational programme for use in schools and organizations.

(Reference is made to Observation 18/Recommendation 19 of the Committee on the Right of the Child.)

61. *The Committee notes that the training of professionals whose work may involve children is not systematic and recommends, inter alia, training for teachers, lawyers and municipal authorities.*

62. The curricula (1999) for the education of child welfare workers, social workers and teachers refer to the UN Convention on the Rights of the Child as a central theme under the subject Legal Topics. At universities, the Convention on the Rights of the Child is an element of the special subject Children's Law at law faculties. However, the government does not have the authority to dictate the content of subjects taught at educational institutions apart from what is laid down in the curricula. These are of an overarching nature and do not determine what is to be taught in detail.

63. In 1998, a survey was carried out on the status of the Convention on the Rights of the Child as a topic in college and university education. The survey concluded, among other things, that 11 of 19 colleges and 2 of 3 universities have staff with the necessary knowledge of the Convention on the Rights of the Child. At these institutions, the Convention on the Rights of the Child is among the topics that are taught. For example, the Convention is an element of courses on children's rights in university law studies. Nevertheless, on the basis of this report and as pointed out by the Committee, it appears that not all educational institutions include full, systematic tuition on the UN Convention on the Rights of the Child in relevant professional training courses. The survey also concludes that university and college teachers must have broader knowledge and more educational materials. The Ministry of Children and Family Affairs has distributed the report to all colleges and universities and requested them to further strengthen their courses on the Convention on the Rights of the Child.

64. The Plan of Action for Human Rights (Report No. 21 to the Storting (1999-2000)) proposes greater focus on continuing education for teachers in the field of human rights. This has been followed up by means of the following measures: in both 2000 and 2001, the Network Norway Council has facilitated continuing education courses on human rights for teachers and professionals in teacher training programmes. Two colleges (Nord-Trøndelag University College and Oslo University College) have been allocated scholarship posts for work on human rights issues in the educational system.

65. In 2000 and 2001, the Ministry of Education and Research gave priority to human rights courses for schoolteachers and teacher training staff by allocating NOK 600,000 (2001) for General Teacher Education. The Plan of Action also aims to promote human rights research in Norway. Another aim is to improve knowledge of human rights within the central government administration.

The Ombudsperson for Children

(Reference is made to Norway's initial report, paragraphs 34-41 and Norway's second report, paragraph 55.)

The UN Special Session on Children (The Children's Summit)

66. The Government and many non-governmental organizations took an active part in the preparations for and implementation of the UN Children's Summit on 8-10 May 2002. National consultation meetings were arranged regularly for the ministries concerned and non-governmental organizations. The Government prepared a national report, Policy relating to Children and Young People In Norway – Status and Challenges at the Beginning of a New Decade, which was distributed at the special session. The parties involved also produced publications. The Special Session led to considerable involvement by all parties in Norway.

67. The Norwegian delegation was headed by the Minister of International Development and included the Minister of Children and Family Affairs. Apart from the Government's representatives, three parliamentarians, three representatives of NGOs and two child delegates also attended the summit. One of the child delegates and the Minister of International Development presented Norway's main intervention, while the other child delegate and the Minister of Children and Family Affairs presented the Norwegian intervention at one of the three round tables.

68. In order to ensure the active participation of Norwegian non-governmental organizations prior to and during the Children's Summit, the Ministry of Foreign Affairs and the Ministry of Children and Family Affairs allocated a total of NOK 900,000 to the Forum for the Convention on the Rights of the Child, the coordinating body for the activities of Norwegian NGOs in connection with the Summit. The Forum's three main activities during this period were the implementation of a number of participatory processes involving children and young people with special life experience, arranging a seminar on children's rights and development, and following up the negotiating process in the UN in connection with the final document from the Children's Summit. For more information about the participatory processes, see Ch. III D, paragraph 167 of this report.

69. The recommendation of the General Assembly that member states produce a national report to follow up the final document, *A World Fit for Children*, will be implemented in Norway and a report will be prepared in the course of 2003. Children and young people will take part in the process.

Multilateral forums/international cooperation relating to children

70. Norway ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 2 October 2001. The Optional Protocol on the prohibition against participation in armed conflict of children under 18 years of age was signed on 13 June 2000, and work is now in progress on implementing the necessary legislative amendments so that the Protocol can be ratified. Norway has also ratified ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. *Reference is made to Ch. VIII C1, paragraph 552 of this report.*

71. In connection with the Second World Congress Against Commercial Sexual Exploitation of Children in Yokohama, Japan, in December 2001, Norway participated in the regional preparations and sent a delegation to the Congress, headed by the Minister of Children and Family Affairs. *Reference is made to Ch. VIII C, paragraph 573 of this report.*

72. Norway's participation in the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in South Africa in September 2001 is described in *Ch. III A, paragraph 110 of this report.*

Table 2
**Proportion of multilateral and bilateral assistance allocated for
programmes for children and to promote children's rights**

	NOK million	%
<u>Total Norwegian assistance</u> ¹	12 103.7	100.0
<u>Bilateral assistance</u> ²	7 861.2	65.0
Proportion of bilateral assistance for children and to promote children's rights	1 122.1	14.3
<u>Multilateral assistance</u> ³	3 647.4	30.1
Proportion of multilateral assistance for organizations that focus on the needs and rights of children	310.0	8.5
<u>Administrative costs</u>	595.2	4.9
<u>Bilateral assistance</u>	7 861.2	100.0
Proportion of bilateral assistance for health	730.1	9.3
Proportion of bilateral assistance for education	700.3	8.9
Proportion of bilateral assistance for the social sector	640.9	8.1
Proportion of bilateral assistance for other sectors	5 789.8	73.7
Total assistance for children (bilateral and multilateral)	1 432.1	11.8

¹ Bilateral assistance included multilateral assistance and loan repayments (net development assistance).

² Bilateral assistance included muliti-bi assistance and loan repayments.

³ Multilateral assistance is the general contributions to multilateral organizations.

Work on a Strategy for Education in Development Cooperation

73. Norway intends to increase its assistance for education for all from approximately 9 per cent of total development assistance in 2002 to 15 per cent in 2005. As part of this process, the Ministry of Foreign Affairs is currently preparing a strategy for education. The purpose of this strategy is to promote education for all as a human right through Norway's development cooperation and draw attention to education as a priority area in development cooperation. The strategy presents the main elements of Norway's assistance for education as a follow-up to the international conferences on education in Jomtien (1990) and Dakar (2000) and the goals that were adopted in Dakar and at the UN Millennium Assembly. The main goals are to ensure basic education for all and to achieve equality between girls and boys in education. The strategy discusses how the challenges can be met and describes Norway's approach, priority areas and channels of assistance. *Reference is made to Ch. VII A, paragraph 467-473 of this report.*

Work on Norway's third report

74. The work on this report was carried out in accordance with the guidelines for periodic reports, CRC/C/58, 20 November 1996: General Guidelines regarding the Form and Contents of Periodic Reports. The Ministry of Children and Family Affairs has acted as coordinator and the following ministries have participated in the process: the Ministry of Labour and Government Administration, the Ministry of Defence, the Ministry of Health, the Ministry of Justice and the Police, the Ministry of Local Government and Regional Development, the Ministry of Culture and Church Affairs, the Ministry of the Environment, the Ministry of Social Affairs, the Ministry of Education and Research and the Ministry of Foreign Affairs. The Ministry of Children and Family Affairs has cooperated with children and young people, the Ombudsperson for Children and non-governmental organizations in the process. *Reference is made to Ch. I B, paragraph 58 of this report.*

C. Measures to make Norway's report widely available

(Reference is made to Norway's initial report, paragraph 56 and Norway's second report, paragraph 64, and to Observation 57/ Recommendation 58 of the Committee on the Rights of the Child.)

75. The Committee is concerned that Norway's second report did not receive wide enough distribution and recommends that the Committee's questions and concluding observations be made widely available to the public at large.

76. Norway's second report to the UN, submitted in 1998, was widely distributed in the same way as Norway's initial report from 1993. A printed English edition was available in February 1999 and a printed Norwegian edition was available in September 1999. The reports were sent to all municipalities, government agencies, educational institutions and non-governmental organizations. In both the English and the Norwegian editions, the UN's concluding observations on Norway's initial report, dated 25 April 1994, were printed as an appendix. Information from Norwegian authorities concerning the UN's suggestions and recommendations, dated 2 August 1996, was also appended. This was to ensure that the public at large would be able to follow the dialogue that has taken place between the Norwegian authorities and the UN since Norway ratified the Convention on the Rights of the Child. The UN Convention on the Rights of the Child was also included as an appendix. The relevant article from the Convention was included as an introduction to each chapter in order to make the report more reader-friendly and accessible to a broad public. A large number of copies of the report were printed and it is available to anyone who asks for it. The English and Norwegian versions of the report, with appendices, were published on the Government's Internet website (<http://www.odin.dep.no>) as soon as they had been printed.

77. On the basis of Norway's second report, the Norwegian authorities were examined by the UN Committee on the Rights of the Child in May 2000. The concluding observations of the Committee on the Rights of the Child (June 2001) and the Committee's questions prior to the examination and the Norwegian authorities' responses to them were translated into Norwegian, collated in a report, and printed in large numbers. In October of the same year, the report was

sent to all municipalities, government authorities, non-governmental organizations, colleges and universities with a request that they initiate a debate to strengthen the implementation of the Convention on the Rights of the Child in Norway. This report was also published on the Internet (<http://www.odin.dep.no>).

CHAPTER II. DEFINITION OF THE CHILD

The age of majority

(Reference is made to Norway's initial report, paragraph 57.)

Schooling and education

(Reference is made to Norway's initial report, paragraphs 58-59, and Norway's second report, paragraphs 286-295.)

Paid work

(Reference is made to Norway's initial report, paragraphs 60-62, and Norway's second report, paragraph 68.)

78. The Working Environment Act was amended in 1998. The definition of a child in the Working Environment Act, section 34, first paragraph, cf. section 35 b and c, has now been extended to cover children of compulsory school age pursuant to the Act relating to primary and secondary education (the Education Act), *see Ch. VIII, paragraphs 550-551 of this report.*

The child's right to be heard and right to progressive self-determination

(Reference is made to Norway's initial report, paragraphs 63-71, and Observation 24/ Recommendation 25 of the Committee on the Rights of the Child to Norway's second report.)

79. *The Committee recommends that the State party continue its efforts to inform children and others – including parents and legal professionals – of children's right to express their views.*

80. As part of the effort to incorporate the Convention on the Rights of the Child into Norwegian legislation, a number of legislative proposals have been made to implement and define article 12 of the Convention. The purpose is to strengthen children's right to be heard.

Amendments to the Children Act, the Adoption Act and the Child Welfare Act

81. From the Life Before 18 project: The children and young people who took part in the project stated that, for the most part, they are not consulted about whom they wish to live with when their parents break up, but tend to be ignored while the adults try to solve their problems. The young people called for the following: from the age of 15, parents should listen and conform to what their children have to say about where they wish to live; children should be consulted from the age of 12, and preferably also from a younger age.

82. The Government has proposed amendments to the Children Act, the Adoption Act and the Child Welfare Act, whereby children over the age of seven and younger children who are capable of forming their own views must be informed and given an opportunity to express their views before decisions are made in cases that affect them. An amendment to the rules in the Children Act will be relevant in cases concerning where a child shall live in order to ensure that the views of more children are heard. In connection with a possible change in the regulations, it will be important to consider measures to improve expertise, including information brochures. With respect to adoption cases, it is specified that this applies to decisions concerning whether adoption will be permitted. Furthermore, as a consequence of these proposals, the importance attached to the views of the child must be in accordance with its age and maturity. *Reference is also made to Norway's second report, paragraph 113.*

Amendments to the Public Administration Act

83. The Government is proposing a number of amendments to the Public Administration Act in order to improve children's opportunities to express their views in administrative matters in which a child is a party, in accordance with article 12 of the Convention on the Rights of the Child. The child's procedural rights in administrative cases have been strengthened, although the main rule is still that the guardian represents the child.

84. There is a proposal to amend section 17 concerning the administration's duty to provide information about a case so that it specifies that the administration has an obligation to ensure that a child who is party to a case has been given the opportunity to express its views, to the extent that the child is capable of forming its own opinions. The child's views must be taken into account according to its age and maturity. The administration must consider specifically, depending on the type of case concerned, the extent to which the child is able to form its own opinions. The obligation to provide new information to the party has been extended to cover children over the age of 15, even though they are represented by a guardian who otherwise safeguards their interests as a party to the case.

85. Section 11 d gives parties the right, on specific conditions, to an oral interview with a public servant in the administrative body that is dealing with the case. A proposal has been made to amend this section so that a child who is party to a case will also have this right on the same terms as parties who have reached the age of majority, even though the child is represented by a guardian. A right of this nature is particularly important for children, who usually find it more difficult to express themselves in writing. This right has no age-limit.

86. It is proposed that the right of access to case documents be extended so that children, as well as their guardian, will have the right to acquaint themselves with the case documents (section 18). However, children under the age of 15 must not be given access to information that is subject to the statutory duty of confidentiality.

87. It is also proposed that a minor party over the age of 15 who has not already stated his or her views on a case must be informed before a decision is made and given the opportunity to state his or her views within a specified time-limit (section 16). Moreover, it is proposed that a minor party over the age of 15 must also be notified of the decision in the same way as an adult party (section 27). Such information and notification must be given to both the minor and the guardian.

Amendments to the Civil Procedure Act

88. Amendments have also been proposed to the rules governing civil law suits. Previously, section 37 of the Civil Procedure Act stated that minors over the age of 16 must be informed of court hearings and sent the case documents at the same time as the guardian. It is proposed that this age-limit be reduced to 15, thereby harmonising it with the age-limit for similar procedural rights pursuant to the Public Administration Act.

89. It is also proposed that a minor party over the age of 15 be given the right of access to and a copy of the case documents on the same terms as adults. Moreover, it is proposed that the court may rule that parties under the age of 15 may be given access to and copies of case documents if their age and maturity so warrant. However, a party under the age of 15 must not be given access to information that is subject to the statutory duty of confidentiality.

The Guardianship Act

90. The Government established a Guardianship Committee on 6 April 2001. The committee will undertake a general evaluation and consider the principles of legislation relating to the adjudication of incompetence and guardianship and propose a new Act. The Committee's recommendation will be submitted on 1 July 2003. The goal of these amendments is to ensure that the provisions preserve the integrity of legally incompetent persons and other affected parties, due process of law, and proper management of the finances of persons who are incapable of dealing with their financial affairs themselves. It is, nevertheless, emphasized that today it is often just as important to safeguard the person's need for representation vis-à-vis public authorities as to manage his or her financial affairs. The new rules will, therefore, also include representation vis-à-vis the authorities in order to safeguard a person's financial interests and his or her interests in relation to the need for care services and other types of public benefits and services. The Committee will particularly consider whether there should be special rules for different groups of legally incompetent persons, including whether there should be special rules for persons in institutions, whether there should be special rules for children, and possibly whether rules relating to parents' guardianship of children belong under children's legislation rather than guardianship legislation. Consideration should also be given to whether there is a need for special rules for unaccompanied minors who are asylum-seekers or refugees, including whether the care function of their guardian should be more clearly defined. *Reference is made to Ch. III B, paragraph 157 and Ch. VIII A 1, paragraph 514 of this report.*

Medical matters

(Reference is made to Norway's initial report, paragraphs 72-74.)

91. The Act of 2 July 1999 No. 63 relating to patients' rights (the Patients' Rights Act) entered into force on 1 January 2001. This Act contains several provisions that touch on the question of minimum age.

92. Chapter 3 of the Act concerns the right to participation and information when medical care is provided. The main rule, according to the Act, is that the patient has the right to participate when medical care is provided (section 3-1) and to be given sufficient information to have insight into his or her medical condition and the content of the medical care (section 3-2).

If the patient agrees or the situation so warrants, information must also be given to the patient's next of kin. If the patient is over the age of 16 and is obviously incapable of safeguarding his or her own interests, for example due to physical or mental incompetence, both the patient and the next of kin have the right to information.

93. Section 3-4 provides rules relating to information in cases where the patient is a minor. If the patient is under the age of 16, both the patient and the parents or others with parental responsibility must be informed. If the patient is between the ages of 12 and 16, information must not be given to parents or others with parental responsibility if the patient, for reasons that should be respected, does not so wish. Information that is necessary in order to fulfil parental responsibility must nevertheless be given to parents or others with parental responsibility when the patient is under the age of 18.

94. Chapter 4 of the Patients' Rights Act contains rules concerning consent to medical care. Section 4-3 determines who is competent to give consent. Adults and minors above the age of 16 have the right to consent to medical care unless otherwise determined by special legal provisions or by the type of treatment concerned.

95. Pursuant to section 4-4, parents or others with parental responsibility have the right to consent to medical care for patients under the age of 16. As the child develops and matures, the child's parents or others with parental responsibility must listen to the child's views before consent is granted. When the child reaches the age of 12, the child must be permitted to express its opinion on all matters concerning its own health. There must be increasing emphasis on the child's views according to its age and maturity.

96. Section 4-5 concerns consent on behalf of young people who are not competent to give their consent. Parents or others with parental responsibility have the right to consent to medical care for patients between the ages of 16 and 18 who are not competent to consent themselves. Medical care may not be provided if the patient objects to it unless otherwise determined by special legal provisions. However, this rule must be viewed in conjunction with section 7 concerning emergency medical care in the Act of 2 July 1999 No. 64 relating to medical personnel. This provision states that, as a general rule, necessary medical care must be provided even if the patient is incapable of consenting to such care, and even if the patient objects to such care.

97. Pursuant to section 2-1 of the Act of 2 July 1999 No. 62 relating to the provision and implementation of mental health care (the Mental Health Care Act), a person over the age of 16 may be accepted for voluntary mental health care on the basis of his or her own consent. For children below the age of 16, consent from the person or persons who have parental responsibility for the child is required. If the child is over the age of 12 and does not agree to the measure, the question of providing mental health care must be brought before the control commission at the institution concerned. The Mental Health Care Act entered into force on 1 January 2001.

98. As regards the rules laid down in the Act of 13 June 1975 No. 50 relating to abortion, *reference is made to Norway's initial report to the UN, paragraph 74.*

The obligation to give evidence

(Reference is made to Norway's initial report, paragraphs 75 – 76.)

Driving licences

(Reference is made to Norway's initial report, paragraph 77.)

Passports

(Reference is made to Norway's second report, paragraph 73.)

Age of criminal liability

(Reference is made to Norway's initial report, paragraph 79.)

Legal age of sexual consent

99. The chapter in the Criminal Procedures Act relating to sexual crimes was amended in 2000. *Reference is made to Ch. VIII, C item 3, paragraph 560 of this report.* In this connection, the question of reducing the legal age of sexual consent from 16 to 15 was also discussed. However, neither the Government nor the Storting wished to reduce the legal age of sexual consent.

Legal age of marriage

(Reference is made to Norway's initial report, paragraph 81.)

The right to vote

(Reference is made to Norway's initial report, paragraph 82.)

Compulsory and voluntary military service

(Reference is made to Norway's initial report, paragraphs 83-85.)

100. At an early stage, Norwegian legislation (the Compulsory Military Service Act and the Home Guard Act) provided for compulsory military service to begin before a child had reached the age of 18 in certain cases. In order to ensure that no-one under the age of 18 takes part in armed conflict, certain amendments have now been made to this legislation. *Reference is made to Ch. VIII A, item 2, paragraphs 531-533 of this report.*

Films

(Reference is made to Norway's initial report, paragraph 86.)

Sale of restricted goods

(Reference is made to Norway's initial report, paragraphs 87 – 90 and Norway's second report, paragraph 80.)

CHAPTER III. GENERAL PRINCIPLES

A. Non-discrimination (article 2)

(Reference is made to Norway's initial report, paragraphs 91-93, and Norway's second report, paragraphs 90-91.)

101. One of the Government's overarching goals is to ensure that everyone, regardless of skin colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status, has equal opportunities, rights and obligations to participate in society and utilize their resources. Nevertheless, immigrants, national minorities and Sami people may still experience discrimination, even if it may differ from one group to the next. Children and young people with minority backgrounds may experience bullying and harassment, being ignored or excluded, both at school and elsewhere in their daily lives. In efforts to provide equal opportunities for all children and young people, it is, therefore, extremely important to combat racism and discrimination.

102. From the Life Before 18 project: The children and young people who took part in the project selected two of the general principles as being the most important articles in the Convention on the Rights of the Child: article 2 Non-discrimination and article 12 Respect for the views of the child. They believe that the article about non-discrimination is one of the most important because a person who is subjected to discrimination looks upon himself/herself as being inferior and lacking the same rights as others. In the young people's view, therefore, racism is the form of discrimination it is most important to focus on in Norway in future. The young people call for even more work to be done on attitudes among both young people and adults. Measures must be taken to ensure that people from different cultures have close contact with other, both at school and in the local community, so that xenophobia is gradually reduced in Norway.

New Act against ethnic discrimination

103. The Government intends to propose an Act against ethnic discrimination. In 2000 the Government appointed a legislative committee to prepare proposals for a strengthened legal protection against ethnic discrimination. The legislative committee was also to consider various possibilities for sanctions, the organization of effective enforcement of rules and proposals for how the International Convention on the Elimination of All forms of Racial Discrimination (ICERD) can be incorporated into Norwegian legislation. The committee presented its report to the Minister of Local Government and Regional Development in June 2002. The report was distributed for consultation in autumn 2002. The Government intends to submit a proposal for a new Act against ethnic discrimination at the beginning of 2004.

Amendments to the criminal provision concerning racist expression

104. In July 2002 the Government submitted a proposal to amend the criminal provision relating to racist expressions. It was proposed that the current provision be rendered more specific so as to ensure that racist expressions that are expressed by the use of symbols are covered. This clarification may make children and young people more reluctant to use such symbols. The amendment entered into force on 10 January 2003.

Centre for Combating Ethnic Discrimination

(Reference is made to Norway's second report, paragraph 91.)

105. The Centre for Combating Ethnic Discrimination was established in 1998 for a trial period until the end of 2002. The centre's legal aid activities help to strengthen protection against ethnic discrimination. The centre has also acquired a good basis of experience and knowledge and does an important job in documenting discrimination. The centre is an active initiator of and participant in public debate. The Government has, therefore, decided to continue the activities of the centre. They will continue in their current form until the Government presents a proposal for an Act to combat ethnic discrimination, in which it will take a final position concerning the future responsibilities and functions of the Centre.

Plan of Action to combat racism and discrimination 2002-2006

106. In July 2002 the Government presented a new plan of action to combat racism and discrimination. The Plan of Action applies for the period 2002-2006 and is based on the Government's previous Plan of Action to combat racism and discrimination (1998-2001). The Plan of Action is also part of the Government's follow-up of the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in South Africa in September 2001. *Reference is made to paragraph 110 below.*

107. The measures contained in the Plan of Action focus particularly on certain selected priority areas, including schools and education. In this area, several measures are being initiated to ensure that schools promote equal opportunities for all and actively combat racism and discrimination. Among other things, new teaching aids are being prepared for use in connection with schools' general awareness-raising activities, which focus on racism and discrimination. Furthermore, a research-based evaluation will be carried out of how the multi-cultural perspective is taken into account in teaching aids. In order to further strengthen awareness-raising activities, Holocaust Memorial Day will be observed in schools each year. The Plan of Action also contains measures to promote good relations in the local community and strengthen local activities aimed at combating racism and discrimination. Among other things, funds are allocated for multi-cultural children's and youth organizations.

108. Other priority areas in the Plan of Action include working life, adaptation of public services, the police, the judicial system, documentation/monitoring of the nature and scope of racism and discrimination, the Internet, and strengthening legal protection against ethnic discrimination. The Plan applies to discrimination against persons with immigrant backgrounds, persons with national minority backgrounds and Sami people.

109. The EXIT project (1997-1999) was initiated by the organization Adults for Children, with the support of the Ministry of Children and Family Affairs, the Ministry of Justice and the Directorate of Immigration. Its purpose was to develop strategies and measures that would help ensure that young people wishing to leave racist and nationalist groups were able to do so as quickly as possible. A programme based on the experiences from the project was initiated in 2001. The purpose of the programme is to prevent the recruitment of children and young

people to violent groups and to help those who are already involved in such groups to leave them. The programme will put particular focus on following up young people and providing guidance for parents.

The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

110. Norway took part in the UN World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which took place in South Africa in September 2001. Norway strongly emphasized the importance of involving non-governmental organizations, both during the preparations for the conference and during the conference itself. At the conference, Norwegian children's and youth organizations were represented in the Norwegian delegation through the National Youth Council (LNU). Since the conference, the Government has presented a Plan of Action to combat racism and discrimination which focuses on following up the final document from the World Conference.

The right to non-discrimination for children without legal status within Norwegian jurisdiction

(Reference is made to Norway's second report, paragraphs 84-89, and Observation 20/ Recommendation 21 of the Committee on the Rights of the Child.)

111. *The Committee is concerned that the principle of non-discrimination is not established in all relevant Norwegian legislation and that some children residing in the country without Norwegian nationality and without legal status within Norwegian jurisdiction are deprived of rights such as access to health and education service.*

112. The Human Rights Act of 21 May 1999 incorporated the following human rights conventions into Norwegian legislation: the European Convention on human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. All three conventions contain provisions relating to non-discrimination which apply as Norwegian law.

113. The Immigration Act stipulates that foreign nationals in Norway have the same rights and obligations as Norwegian nationals during their lawful residence in the country unless otherwise laid down in current legislation and legal provisions. The Immigration Act regulates the access of foreign nationals to Norway and their residence in the country. Since the responsibility for the various sectors is laid down in different areas of Norwegian legislation, the rights and obligations of foreign nationals must be deduced from other Acts. Pursuant to section 4, however, the Immigration Act must be applied in accordance with the international rules by which Norway is bound when their purpose is to strengthen the position of the foreign national. This provision means that obligations pursuant to the Convention on the Rights of the Child that are intended to strengthen the position of the foreign national will have precedence over the Immigration Act in disputed cases. *Reference is also made to Ch. I A, paragraph 23, of this report.*

114. The Municipal Health Act, the Education Act and the Child Welfare Act apply to all children residing in Norway. These Acts do not distinguish between those who have a legal right to reside in the country and those who do not. *Reference is made to paragraphs 116*

and 100-101 below. Reference is also made to Norway's second report, paragraphs 85-89. If the Government's proposal to incorporate the Convention on the Rights of the Child into Norwegian legislation is adopted, article 2 of the Convention will apply as Norwegian law. Reference is made to the comments on the effect of incorporation in Ch. I A, paragraphs 21-23 of this report.

115. The Norwegian authorities do not keep statistics concerning how many people who fail to leave Norway after receiving a final refusal of their application for a residence permit. Some of the refused applicants take refuge in churches, and this is known as "church asylum".

Refugees, asylum-seekers and municipal health services

116. Pursuant to section 2-1 of the Municipal Health Services Act of 19 November 1982 No. 66, everyone is entitled to necessary medical care in the municipality in which he or she lives or is temporarily residing. This right applies regardless of whether the person is a Norwegian national, or is legally entitled to reside in the country. Pursuant to an amendment to section 2-1a of the Municipal Health Services Act, everyone who is residing in a Norwegian municipality has the right to be registered on the list of a doctor who has a Regular GP (general practitioner) agreement. The same applies to asylum-seekers and their accompanying families.

117. The Regular GP Scheme was introduced on a national basis on 1 June 2001. The purpose of the scheme is to improve the quality of general health services by ensuring that persons living in Norway are able to have a regular GP. This applies to *everyone* who lives in Norway. As regards children in general, this is expressed in section 4 of the regulations relating to the Regular GP Scheme. This provision states that when a child reaches the age of 16 it may decide for itself which regular GP it wishes to register with. If the child is between the ages of 12 and 16, it may demand a particular regular GP with the consent of the person or persons who have parental responsibility for the child. The notes to this provision also state that as the child develops and matures, and after the age of 12, the child has the right to take part in decisions on personal matters that concern the child itself.

118. Asylum-seekers and accompanying members of their families are members of the National Insurance Scheme, and have the same right to be registered on the list of a Regular GP, even if they are not registered as being resident in a Norwegian municipality. This is stated in section 3 of the Regulations relating to the Regular GP Scheme. In order to ensure that the interests of minors seeking asylum are safeguarded, a circular has been sent to all municipalities and reception centres for asylum-seekers in the country, emphasizing that minors who have not yet had a guardian appointed for them must receive satisfactory assistance from the employees of the reception centre in choosing a Regular GP.

119. In the case of foreign nationals who are residing in Norway illegally, the introduction of the Regular GP Scheme has not led to any changes. It is emphasized that persons residing illegally in the country have the right to necessary medical care. This means that they still have the right to emergency medical care. Pursuant to the requirement for health personnel to perform their duties in an adequate manner, in special situations they will probably also receive treatment over and above emergency medical care.

120. The municipal health services are also responsible for limiting epidemics and preventing infection, and for inspecting hygienic conditions in community halls and churches. These responsibilities apply regardless of the individual's right to reside in the country.

Equality in schools

121. The Norwegian comprehensive school system covers all groups, regardless of where they live, their social background, gender, religion, ethnic origin or functional ability. Schools must take the differing abilities of their pupils into account and adapt their teaching to the needs of the individual. Nevertheless, it is evident that schools do not always manage to counteract the effects on learning of different social backgrounds. Boys and girls are not always treated equally. Discrimination on the basis of religion or ethnic background occurs. Not all schools or all teaching are adapted to different disabilities. There has been an increase in the number of pupils and apprentices from language minorities (those with a mother tongue other than Norwegian or Sami) in Norway. In the 1999-2000 academic year, there were approximately 40,000 pupils from language minorities in primary and lower secondary schools (7 per cent of the total number of pupils) and approximately 7,000 in upper secondary schools (4 per cent of the total number of pupils). In the budget for 2003, the Ministry of Education and Research will propose allocating funds to ensure primary and lower secondary education for asylum-seekers aged 16-18.

122. The Act relating to Primary and Secondary Education (the Education Act) lays down that the right to primary and secondary education enters into force when it is likely that the child will be in Norway for more than three months. The obligation to receive primary and secondary education enters into force when the child has been resident for three months. This is a new provision in the Education Act and it also covers the children of asylum-seekers when it is likely that they will be granted a residence permit or when it is likely that the time taken to process an application for asylum is likely to exceed three months. Whether or not the child is legally resident in the country has no effect on the child's right and obligation to receive primary and secondary education. *Reference is made to Norway's second report, paragraph 85.*

Unaccompanied minors seeking asylum and the child welfare authorities

123. A debate has been in progress for some time concerning whether the Government should require municipalities to assign the responsibility for working with unaccompanied minors to the child welfare authorities. The Government will continue to give municipalities a free hand with respect to the organizational allocation of responsibility for and work with unaccompanied minors as a group. Unaccompanied minors who are asylum-seekers or refugees nevertheless have the right to receive services pursuant to the Child Welfare Act if they have a special need for help. Unaccompanied minors are also entitled to services and facilities, among other things pursuant to education and health legislation. *Reference is made to paragraphs 116 and 121 of this report.*

124. The role of the child welfare services in work with unaccompanied minors should be strengthened and professional evaluations should be carried out by the child welfare authorities before measures are established, cf. the reference to the SINTEF Report in *Ch. III B, paragraph 163 of this report*. The Ministry of Children and Family Affairs will, among other things, prepare a manual on routines, procedures and methods for evaluating, approving and

supervising unaccompanied minors who are settled with relatives. Measures will also be implemented that may help to guide and qualify relatives to receive unaccompanied minors. The PRIDE Programme, a recruitment and training programme for foster parents, will be adapted to train ethnic and Norwegian foster parents who receive unaccompanied minors.

125. The Child Welfare Act contains provisions relating to the financial terms for municipalities that settle unaccompanied minors. This applies to both reimbursement from the central government and special financial grants for municipalities. The Government is of the opinion that these financial arrangements, in addition to the integration grant, cover municipalities' costs in connection with the settlement of unaccompanied minors. *Reference is made to Ch. III B, paragraphs 153-165 of this report.*

Measures to combat bullying in schools

126. From the Life Before 18 project: The children and young people who took part in the project put bullying and exclusion at the top of the list when they were asked what they were concerned about at school. These problems affect many people and can only be remedied by improving the entire class environment – they do not only concern those who bully and are bullied. The children and young people find that efforts to prevent bullying do not take sufficient account of their suggestions. In cases where young people have felt they were included, they believe the results have been good.

127. Combating bullying and other antisocial behaviour in schools is one of the Government's priority areas. Although many schools have already done a great deal to prevent bullying and other antisocial behaviour, in many places greater efforts are required. Good routines to prevent and reduce antisocial behaviour in schools, strengthening the work of pupils' councils and greater involvement on the part of parents are important in order to achieve good results.

128. The Government supports local efforts in schools through a variety of programmes, measures and projects, and through proposals to strengthen legislation. Among other things, the objects clause of the Education Act (section 1.2, final paragraph, second sentence) states that "All persons associated with schools or with training enterprises shall make efforts to ensure that pupils, apprentices and trainees are not injured or exposed to offensive words or actions." In November 2002, the Storting adopted a proposal to strengthen the provisions in the Education Act, including those relating to the psycho-social environment, cf. Proposition No. 72 to the Odelsting (2001-2002). The new provisions apply to pupils' learning environment: "All primary and secondary schools shall have a physical and psycho-social environment that has satisfactory effects on pupils' health, well-being and learning." The act will come into force on 1 April 2003.

129. The Ministry of Education and Research is cooperating with several ministries, the Norwegian Board of Education, the Ombudsperson for Children and other bodies on various projects, measures, plans of action, etc. related to antisocial behaviour and the learning environment. Among other things, in 2003 all municipalities in the country will be given the opportunity of participating in the Dan Olweus programme to combat bullying and antisocial behaviour. The programme targets primary and lower secondary schools and involves teachers, pupils and parents. There is also close cooperation with the Norwegian Pupils' Organization and the Parents' Committee for Primary and Lower Secondary Schools on measures in this area. All

the municipalities in the country have been offered the opportunity to introduce school mediation as a tool in efforts to create a good learning environment in primary and lower secondary schools. A similar project in upper secondary schools was initiated in autumn 2000 and was completed in autumn 2002. Furthermore, the Ministry of Education and Research is cooperating at the international level, among other things through the EU project Connect: Tackling Violence in Schools.

130. The Norwegian Board of Education has been commissioned to prepare guidelines for the development of social competence in schools and education (2002). The Board has also been asked to prepare a further two sets of guidelines on serious antisocial behaviour, one for the municipal level with emphasis on the organization of relevant services and alternative learning arenas, and the other for teachers, with the main emphasis on the content of educational services. The guidelines were made available in January 2003.

131. On 23 September 2002, Prime Minister Kjell Magne Bondevik signed a “Manifesto against Bullying” with representatives of the Teachers’ Union, the Parents’ Committee for Primary and Lower Secondary Schools, the Norwegian Association of Local Authorities and the Ombudsperson for Children. In the Manifesto, all parties commit themselves to play a proactive role in efforts to prevent bullying in schools.

Gender equality

132. In spring 2002, the Storting adopted amendments to the Gender Equality Act, which entered into force on 1 January 2003. One important change is that all sexual harassment is now prohibited. Various information measures are planned to make the leaders of all activities for children and young people aware of their responsibility for preventing and intervening in all types of sexual harassment.

133. In Report No. 27 to the Storting (1999-2000): Day Care Centres in the Best Interests of Children and Parents, the Ministry points out that a day care system for all children must focus on ensuring that boys and girls are treated equally, are cared for and are given opportunities to learning and develop. In the Report, the Ministry pointed out that it is necessary to look more closely at play and learning from a gender perspective as part of the effort to improve the quality of day care centres. Not least, this is necessary in order to ensure that the day care centre will function efficiently as a learning arena for gender equality. In 2002 the Ministry started work on a Plan of Action for gender equality in day care centres and initiated a process to study the status of efforts to promote gender equality in day care centres.

134. With such a large majority of female personnel, both boys and girls lack male identification and role models. One way of changing this situation is to employ more men in day care centres. The Ministry has been working on this since 1997. In spring 2002, in cooperation with the Ministry of Education and Research, a campaign was initiated which, among other things, aimed to persuade more men to apply for teacher training. Today, approximately 7 per cent of staff in Norwegian day care centres are men.

135. In order to shed light on the gender perspective as boys and girls grow up, a Nordic conference on gender socialization in the public arena, financed by the Nordic Council of Ministers, was arranged in December 2002. As a follow-up to the conference, a book will be

published on gender socialization and gender equality in day care centres and schools in the Nordic region. The conference and the book will provide a status report on current knowledge, discuss the need for change, and present proposals for a variety of measures.

Measures to prevent discrimination against homosexuals and lesbians

136. At the request of the Ministry of Children and Family Affairs, in 1997 the NOVA research institute initiated the project Living Conditions and Quality of Life for Lesbian Women and Homosexual Men. The report was published in spring 1998. Among other things, it was discovered that many young homosexuals and lesbians have mental problems, and that attempted suicides are more common among young homosexuals and lesbians than among the rest of the population. In order to combat discrimination and promote equal treatment of lesbians and homosexuals, Report No. 25 to the Storting (2000-2001) relating to living conditions and quality of life for lesbians and homosexuals in Norway was submitted to parliament. A number of measures proposed in the Report have been implemented since 2002, including research, information activities and increased funding for lesbian and gay organizations. Among other things, a project has been initiated under the auspices of the National Organization for Lesbian and Gay Liberation Norway, the aim of which is to promote anti-discrimination activities.

B. The best interests of the child (article 3)

(Reference is made to Norway's second report, paragraph 98.)

137. In all actions affecting children that are carried out by public or private welfare organizations, courts of law, administrative powers or legislative bodies, the primary consideration is the best interests of the child. If the Government's proposal to incorporate the Convention on the Rights of the Child into Norwegian legislation is adopted, article 3 will apply as Norwegian law. Reference is made to the comments on the effect of incorporation in *Chapter I A, paragraphs 21-23 of this report*.

138. The principle of the best interests of the child is laid down in the Children Act, the Adoption Act and the Child Welfare Act. However, this term has not been clearly defined and is in many cases to be regarded as an overarching, fundamental value that requires professional judgement and is defined differently according to which profession uses the term and the context in which it is used.

139. In connection with its period as Chairman of the Nordic Council of Ministers, Norway will focus on the meaning of the term "the best interests of the child" and has, in this connection, taken the initiative in establishing research cooperation at the Nordic level. The initial aim is to gain an overview of relevant Nordic research and national activities in connection with discussions about and the content of this term.

140. From the Life Before 18 project: The children and young people who took part in the project believe that adults generally want the best for the child, but they also find that adults seldom ask young people what they think is best for them. Young people have experiences and suggestions for changes that they believe could have improved the conditions in which they grow up and ensured that the best interests of children are safeguarded. The young people called for schools, institutions and organizations to ensure that they cooperate with young people. They

called for cooperative situations in which they are met with respect, are listened to and can express their thoughts, experiences and suggestions to the adults they depend on in the system.

(Reference is made to Observation 22/Recommendation 23 and Observation 30/Recommendation 31 of the Committee on the Rights of the Child.)

141. The Committee is concerned that the best interests of the child are not always taken into full consideration in the context of the role of municipal authorities, and that the best interests of the child are not always a primary consideration in cases where one of the parents is in prison or where unaccompanied children come to Norway as asylum seekers or refugees. The Committee also recommends that the State party review the process through which deportation decisions are made to ensure that the best interests of the child will be taken into consideration when deportation will mean the separation of a child from his or her parent.

142. With respect to the role of municipal authorities, *reference is made to Ch. I A, paragraphs 25-30 of this report.*

Children whose parents are serving prison sentences

143. In connection with the entry into force of the new Execution of Sentences Act, the situation of the children of persons serving prison sentences has been defined in more detail in associated regulations and guidelines than it was before. For the most part, the importance of children having contact with their parents is underlined, while the fact that it is not always in the best interests of the child to visit parents in such cases is also taken into account. In decisions concerning a prisoner who has a child, special consideration must be given to the best interests of the child. The child has a right to state its views on matters that directly affect it. The guidelines refer to the Convention on the Rights of the Child. As regards prison visits, the best interests of the child must be taken into account when considering whether visits will be permitted, in relation to possible control measures in connection with the visit, the length and frequency of visits, the physical arrangements for the visit and the consideration of which employees will be on duty for such visits. There are also special rules for telephone calls and leave which stress the importance of contacts between prisoners and their children. Among other things, an additional leave quota may be granted for time spent with children when this is considered to be in the child's best interest. Compassionate leave may also be granted on special grounds, such as events in the prisoner's immediate family.

144. The Ministry of Children and Family Affairs has provided assistance for the Organization for Relatives and Friends of Prisoners for a project entitled Prisoners' Children. The Association will prepare brochures relating to prisoners' children which will target the children themselves, their carers, the welfare apparatus, schools, day care centres, the police, the probation service, etc. They will be completed in 2003.

Children who come to Norway as refugees or asylum-seekers

(Reference is made to Norway's second report, paragraphs 99-100.)

145. There is always emphasis on the best interests of the child in immigration cases that involve children. Many residence and work permits that are granted on "strong humanitarian

grounds” are justified on the basis of consideration for the children. Nevertheless, consideration for the child/children is not always decisive, nor is it always clear what the best interests of the child are.

146. The responsibility for interviewing asylum seekers was transferred from the police to the Directorate of Immigration on 1 July 2002. The aim was, among other things, to ensure that the interview takes place in a more civilian environment, which is particularly important for children. Section 54, fifth paragraph, of the Immigration Regulations has been amended, and as a general rule all accompanying children must be interviewed. *Reference is made to Ch. III D, paragraphs 209-211 of this report.*

147. In principle, foreign nationals must not be permanently deported if they have children in Norway. Exceptions are made from this rule for the most serious crimes. In principle, this applies in cases where the sentence is unconditional imprisonment for three years or more. Consideration for children that are affected if one of their parents is deported from Norway is a central element of the assessment in deportation cases. However, there are no plans to introduce a compulsory scheme involving assessments by child welfare professionals in this connection. There is always strong emphasis on consideration for the child, but this is not the only factor that is taken into account. For example, there will be considerable emphasis on the seriousness of the offence.

Services in reception centres

148. At the end of January 2003, just over 16,400 persons were living in state reception centres for asylum seekers and refugees. One quarter of them were under the age of 16. There has recently been a rise in the number of unaccompanied minors, and consequently there is also a need for places in reception centres for this group.

149. People living in reception centres must be offered activities. Leisure activities, such as sports, hobbies, excursions and social events, must be arranged. Participation in such activities is voluntary. The rules for the operation of state reception centres include special requirements concerning activities for children and young people. A suitable service must be provided for children of pre-school age, in the form of a children’s base at the reception centre. Reception centres must ensure that children and young people are registered for municipal educational courses that are suited to their interests and abilities. Moreover, they must arrange for children and young people to participate in local activities that are suited to their interests and abilities. Reception centres must have safe outdoor play areas and sufficient space indoors for children and young people to be able to play and engage in various activities. They must also have rooms where schoolchildren can do their homework and receive help with their homework if this need is not met by the housing units. Reception centres are required to have one member of staff who is professionally qualified to deal with children. Several youth organizations have become involved in activities targeting children in reception centres. In several places, a visiting service has been established for such children. Some non-governmental organizations also arrange help with homework at reception centres.

150. From 1 January 2002, a scheme has been introduced whereby children aged 4-5 in reception centres are offered half-day places in day care centres. This scheme covers all 4 and 5-year-olds who live in ordinary state reception centres, and these children receive an offer of a

place in a day care centre for 17-24 hours a week. The purpose of the scheme is to ensure that 4 and 5-year-olds in reception centres have contact with Norwegian children. The scheme is also intended to help children to learn Norwegian before they start school. An offer of a place in a day care centre will also make it easier for the parents, particularly women, to participate in information programmes and Norwegian language courses.

151. In 1999 the Ministry of Children and Family Affairs provided funding for the Center for Crisis Psychology to start discussion groups for parents and children in reception centres and to train parent counsellors in each county. Professionals employed by municipalities were given training in crisis management so that they would be able to help children and families in state reception centres in accordance with the principles for parental guidance. *Reference is made to Ch. V B, paragraphs 254-255 of this report.* The Ministry of Children and Family Affairs continued to support the work of the Center for Crisis Psychology in 2000-2002 and the total allocation amounted to NOK 2,449,600. In recent years, there has been focus on establishing children's groups/therapy groups in reception centres and guidance for parents. Family meetings for refugees have also been arranged on a county basis. Training courses on practical crisis therapy for children who have experienced wars and crises have been arranged for the staff of child and youth psychiatric institutions and for the educational psychology services. The Ministry of Children and Family Affairs will continue to provide assistance for this work, and services for unaccompanied minors seeking asylum will be strengthened. *Cf also Ch. VIII A 1, paragraphs 525-529 of this report.*

152. The Ministry of Children and Family Affairs has provided funding for the production of a workbook for refugee children, which is an effective method of communicating with them about upsetting experiences relating to war, flight, etc. The book is to be used by professionals in their interviews with children and thereafter used by parents in the follow-up process.

153. In Norway, there has been a strong rise in the number of asylum-seekers whose applications for asylum are assumed to be groundless. As a measure to limit the number of applicants in this group, less comprehensive services are provided for asylum seekers whose applications are assumed to be groundless. However, the needs of children must be met.

Unaccompanied minors who are refugees or asylum-seekers

154. From the Life Before 18 project: The young unaccompanied asylum-seekers who took part in the project find it tiring to live with many other young people speaking different languages in a situation where they all have a painful past. They feel isolated from the local community and find it difficult to make Norwegian friends. Their unanimous suggestion is that unaccompanied minors seeking asylum must be settled in a Norwegian family immediately. Most of them have had many good experiences in their first encounter with Norway. However, it is extremely depressing and degrading when many of them have to wait for up to two years for their application to be processed. Few were aware of what a guardian is or had a relationship with their guardian. However, they had a strong desire for a good adult in Norway to relate to, seek advice from and trust.

155. New, individualized plans for unaccompanied minors seeking asylum have been in use from the beginning of 2003. The personal needs of the individual, including his or her educational needs and any special need for assistance, have been taken into account in the plan.

156. The Directorate of Immigration is helping to arrange network meetings for municipalities that settle unaccompanied minors. Guidance is also provided for municipalities that receive unaccompanied minors seeking asylum.

157. In order to ensure better supervision of unaccompanied minors seeking asylum, an inter-ministerial working group was established in 2002 to evaluate alternative reception and settlement models, improve the supervision of minors living with relatives, and consider the introduction of an arrangement for unaccompanied minors that may replace or supplement the current guardianship scheme. The working group presented a report and proposals for measures in December 2002. See also the comments on the Guardianship Committee in *Ch. II, paragraph 67 and Ch. VIII A 1, paragraph 514 of this report*.

158. New instructions and guidelines for the supervision of unaccompanied minors seeking asylum have been in force since spring 2002. In order to facilitate satisfactory services in reception centres for unaccompanied children seeking asylum, the Directorate of Immigration is now in the process of introducing supervisors for individual unaccompanied children seeking asylum in reception centres. The supervisor scheme will be initiated in 2003 and will supplement the ordinary supervision that already takes place at reception centres. An improved supervision system for unaccompanied minors seeking asylum was one of the measures contained in Report No. 17 to the Storting (2000-2001) relating to Asylum and Refugee Policies in Norway. New guidelines have also been prepared relating to unaccompanied minors seeking asylum who disappear from reception centres. The new guidelines entered into force in December 2001.

159. Several new units have been established at reception centres for unaccompanied minors seeking asylum. Two reception centres, providing extended services have been established for unaccompanied asylum-seekers, one for those under the age of 15, and one for those above the age of 15.

160. From the Life Before 18 project: The young unaccompanied asylum-seekers who took part in project stated that it is difficult to obtain help from a psychologist. They said that they have few opportunities for good conversations with adults. The majority do not feel they need comprehensive help from a psychologist, but they need help to sort out their impressions, experiences and plans for the future. Those who find a good adult to communicate with make progress more easily.

161. The Government wishes to ensure that all unaccompanied minors seeking asylum who have been affected by war and need trauma therapy are offered a discussion group, other appropriate activities and/or therapy with a psychologist that are relevant to their individual needs. The Center for Crisis Psychology has already started discussion groups at reception centres and this service may also apply to unaccompanied minors seeking asylum and refugees (*reference is made to paragraph 151 of this report*). The Norwegian Directorate for Health and Social Welfare is currently studying the development of expertise and the organization of services for groups with a variety of traumas. The Ministry of Children and Family Affairs and the Directorate of Immigration have provided funding for the Center for Crisis Psychology and for the Registration of Refugee Children project, which aims to develop instruments for identifying traumas among refugee children and particularly unaccompanied minors.

162. In 2001 the Ministry of Children and Family Affairs published a handbook for municipalities concerning work with unaccompanied minors who are asylum-seekers or refugees. The handbook provides advice and guidance and helps municipalities to consider what they can do to give individuals the best possible care.

163. In January 2002, SINTEF published the research report *Enslige flyktningebarn – kollektive utfordringer. Kommunenes arbeid med enslige mindreårige flyktninger* (Unaccompanied Refugee Children – Collective Challenges. Municipalities' work with unaccompanied minors who are refugees). The purpose of the two-year research and development project upon which the report is based was to find municipal working methods that help to create good conditions in which unaccompanied minors can grow up and develop the ability to cope with their situation. The report concludes that many unaccompanied minors seeking asylum need to be supervised by professionals and that the municipal child welfare authorities must play a greater role in municipal efforts to help unaccompanied refugee children. *Reference is made to Ch. 3A, paragraphs 123-125 of this report.*

164. In 1999 Telemark College was asked by the Directorate of Immigration to find out how unaccompanied minors who came to Norway seeking asylum approximately ten years ago have fared. The project *Barn i bevegelse – om oppvekst og levekår for enslige mindreårige flyktninger* (Children on the move – concerning the conditions in which unaccompanied child refugees grow up and live) resulted in a report that was published in December 2000. The project followed the unaccompanied minors who came to Norway in the period 1989-1992. This project is important, since it is the first of its kind to study how unaccompanied minors living in Norway have fared. It shows that their experiences have varied widely and that this group of children has a variety of needs for care, supervision and guidance. It also shows that preventive measures relating to promotion of the ability to cope and of a sense of belonging, evaluation and supervision of the care situation and the guardian function are vitally important.

165. The findings and recommendations in both these reports, and feedback from people working in the field, provide the basis for measures the Government has already implemented and will implement. The situation of unaccompanied minors who are asylum-seekers or refugees is otherwise discussed in Report No. 40 to the Storting (2001-2002) relating to child and youth welfare and in Report No. 17 to the Storting (2000-2001) relating to the asylum and refugee policy in Norway.

Child offenders

166. For a more detailed description of the Government's measures for children in conflict with the law, *reference is made to Ch. VIII B No. 1, paragraphs 536-547 of this report.*

Consideration for the best interests of the child in institutions

167. Pursuant to section 6-2 of the Act of 2 July 1999 No. 63 relating to patients' rights (The Patients' Rights Act), children are entitled to be accompanied by at least one parent or another person with parental responsibility during their entire stay in a medical institution, unless, for the sake of the child, this is inadvisable, or the right of contact has ceased to apply pursuant to the provisions of the Children Act or the Child Welfare Act. According to section 6.3, children are entitled to be stimulated and engaged in activities during their stay in

a medical institution to the extent that this is advisable from a medical point of view. Children of compulsory school age and young persons are entitled to tuition while staying in a medical institution to the extent that this is in accordance with the Education Act, cf. section 6-4. Pre-school children are entitled to special educational assistance while staying in a medical institution to the extent that this is in accordance with the Education Act.

168. Section 4-8 of the Act of 2 July 1999 No. 62 relating to the establishment and implementation of mental health care (the Mental Health Care Act) contains rules concerning the use of coercion in institutions that provide 24-hour care. The third paragraph states that coercive measures as named in a and b, second paragraph, may not be used for patients under the age of 16. Consequently, the following coercive measures may not be used:

- Mechanical coercive measures that hinder the patient's freedom of movement, including belts, straps and special clothing designed to prevent injury;
- Short-term confinement behind a locked door without a member of staff present.

169. For patients under the age of 16, on strict conditions, coercion may be used, in the form of one-time use of medication that has a short-term effect for the purpose of sedating or anaesthetizing the patient. This coercive measure may only be used on the patient when absolutely necessary in order to prevent him from harming himself or others, or to prevent serious damage to objects. Moreover, this coercive measure may only be used when less severe methods have obviously been useless or inadequate. This coercive measure may only be used pursuant to the decision of a doctor unless, due to an acute emergency, immediate contact with a doctor is impossible. The decision may be appealed to the Control Commission at the institution by the patient or his or her next-of-kin. The Control Commission is an independent appeals and control body headed by a lawyer who is qualified to serve as a judge.

170. The comments on the regulations relating to the use of coercion to prevent injury in institutions providing 24-hour care in the mental health care service state that the only means of coercion that may be used for children and young people under the age of 16 are sedatives. However, great caution should be exercised. It specifies that, even more than in the case of adults, it is important to avoid the use of medication before a professional examination and evaluation has been carried out. Depending on the circumstances, holding the patient may be an alternative.

171. With respect to children in child welfare institutions, reference is made to *Norway's initial report, paragraphs 98-104*. Reference is also made to *Chapter I A, paragraph 34, and Chapter V J, paragraphs 302-304 of this report*.

Custody cases

172. The Ministry will consider whether article 3 and the principle of the best interests of the child should be expressed more clearly in the Children Act in connection with the follow-up to Official Norwegian Report 1998:17 relating to custody cases, decision-making bodies and shared custody. The report proposes that this fundamental principle be laid down in the introductory provision to the new chapter in the Children Act relating to procedural rules in custody cases. Pursuant to this proposal, both substantive decisions in custody cases and administrative

procedures must take into account the best interests of the child. In December 2002 the Government submitted this proposal and other proposals for amendments to the Children Act in Report No. 29 (2002-2003) to the Odelsting.

Family violence, domestic violence – the situation of children

173. In 2001 the Government established a Committee on Violence Against Women to study the position of women who are exposed to physical and mental violence, threats and abuse by their current or former partner. The situation of women exposed to violence and threats will be the main focus of the Committee's work. In addition to this, however, the Committee will consider the situation of children who grow up in violent families. The Committee will undertake a review of children's need for assistance and an evaluation of how services can be improved through crisis centres and the rest of the welfare apparatus respectively. The Committee on Violence Against Women will present its report and proposals for measures in autumn 2003.

174. The Ministry of Children and Family Affairs will implement human resource development programmes to improve the ability of crisis centres to help children, and measures will also be implemented to follow up children. This applies to children who move back to a violent father, children who experience a split in the family and children who have to live at a secret address. It should be possible for the child welfare service, including *Barnevernvakten*, an emergency service for children and young people, to be useful and necessary partners for the crisis centres, the police and others in connection with following up children. Information materials will be prepared relating to children who are exposed to domestic violence and relating to the responsibilities of the various agencies.

175. In 2002, the Ministry of Children and Family Affairs published the plan *Kompetansetiltak for familievern* (Human Resource Development Measures for Family Welfare). One of the defined priorities is to improve expertise relating to families in which there is a high level of conflict. This particularly applies to mediation. Human resource development measures are also needed to enhance expertise relating to families at risk of abuse, violence and drug problems.

C. The right to life, survival and development (article 6)

(Reference is made to Norway's initial report, paragraphs 105-113.)

176. The state of health of children and young people in Norway is generally good. Infant mortality has been halved in the last ten years, from 7 per cent per thousand live births in 1990 to 3.8 per cent in 2000. Mortality rates for children and young people in general have also declined in recent years. The number of accidental deaths has fallen sharply. At the same time, new risk factors have emerged that affect children's health and development. They include the increase in respiratory diseases, such as asthma, the increase in psycho-social problems, such as eating disorders, and the increased risk of suicide and attempted suicide. For more information concerning various health challenges and measures, *reference is made to Chapter VI B of this report*. Measures to prevent suicide are discussed in *paragraphs 364-366*. The Government

has recently presented a Report to the Storting that presents goals and strategies for a national public health policy in the coming decade. It will focus on the situation of children and young people. Cf. Report No. 16 (2002-2003) to the Storting, *Resept for et sunnere Norge. Folkehelsepolitikken* (Prescription for a Healthier Norway. Renewed policy for Public Health).

Legislative amendments that concern the health and development of children

177. Chapter 2 of the Patients' Rights Act has introduced a right to medical care that also applies to children. It includes the right to emergency medical care, the right to necessary medical care from the municipal health service (also laid down in the Municipal Health Services Act) and the right to necessary medical care from the specialist health service. The right to medical care applies only if the patient may be expected to benefit from the medical care and the costs are reasonable compared to the expected effect that can be gained from the relevant treatment. As regards the right to necessary medical care from the municipal health service, *reference is also made to Ch. 1 A, paragraphs 27-28 of this report.*

178. The Patients' Rights Act also entitles all patients who are referred to a public hospital or a specialist outpatient clinic to have their medical condition evaluated within 30 working days. An evaluation must be given of the need for medical care, as well as information concerning when the treatment is expected to be carried out.

179. Upon referral from a general practitioner, the patient is entitled to a re-evaluation of his medical condition by the specialist health service. This right only applies once for the same condition.

180. The patient is entitled to choose which hospital or district psychiatric centre will be responsible for his treatment. This does not apply to treatment in the field of child and adolescent psychiatry. In the *travaux préparatoires* to the Patients' Rights Act, the latter exception is intended to meet the need to base the psychiatric treatment of children and adolescents on local networks.

D. Respect for the views of the child (article 12)

181. For several years, the authorities have been giving priority to efforts to strengthen children's and adolescents' right to state their views and be heard in the family, at school and in the local community. Several Acts contain provisions giving children and young people the right to state their views in cases that affect them. Experience has shown that the participation of children and young people has a positive effect in local communities and that they make an important contribution to local planning and decision-making processes. Although a great deal of progress has been made in recent years, there is still a long way to go before all municipalities meet the requirements for active participation by children and young people. Children and young people must take part in determining the basis on which decisions are made. They must be taken seriously, but they must not be given greater responsibility than they are able to cope with.

182. In the Ombudsperson for Children's national representative survey carried out in 2002 (N=647), 61.7 per cent of respondents stated that children and young people are not listened to enough in our society. In the 15-24 age-group, 73.1 per cent took the same view. As many

as 97 per cent of all respondents believed that it is very important or fairly important to listen to the views of children and young people. 72 per cent of young people aged 15-24 believe that pupils should have greater influence at school. The following question was also asked in the survey: "When mother and father separate, should children over the age of 7 be allowed to decide where they will live?" 47.6 per cent of all respondents answered yes to this question. In the 15-24 age-group, 60.2 per cent answered yes, while in the "parent generation", i.e. the 25-39 and 40-59 age-groups, 41.3 per cent and 43.8 per cent respectively answered yes to this question.

183. From the Life Before 18 project: The children and young people who took part in the project value adults who take the inputs of children and young people seriously. They understand the positive intention of legislation aimed at ensuring that the views of children and young people are respected, and call for legislation and regulations to be put into practice. Their interests span a broader range of topics than those on which adults solicit their participation. They are interested in visions for their municipality, efforts to combat drug and alcohol abuse, neo-nazism and bullying, and in working to establish meeting places for everyone in the municipality. Many feel that their experience and inputs have no impact when decisions are made and new measures are formulated. To solve this, the participants call for the establishment of new meeting places for young people and adults, and other forums for interaction.

The participation of children and young people in local planning - legislative basis and lessons learned

184. In order to strengthen focus on the interests of children and young people in local planning, two important reforms have been carried out, based on the Planning and Building Act (1989): National Policy Guidelines and the Children's Representative Scheme. *Reference is made to Norway's initial report, paragraphs 117-122, and Norway's second report, paragraphs 120-123.* The guidelines require municipalities to organize the planning process in such a way that views concerning children as an interested party are made known and that various groups of children and young people are given the opportunity to participate themselves. In the ongoing review of the Planning and Building Act, there are even clearer requirements for the participation of various players in the planning process, including children and young people. The planning authorities' obligation to actively facilitate public participation in the planning process will be strengthened and the planning officer in charge is obliged to present an arrangement for this as part of the planning programme. In Report No. 23 to the Storting (2001-2002) relating to a better environment in towns and urban areas, the Government proposes an evaluation of how the National Policy Guidelines for children and young people has functioned. The Planning Legislation Committee (1998-2003) is undertaking a review of legislation that regulates municipal and county municipal planning. In this connection, several practical measures are being considered to strengthen the role of the Children's Representative and the participation of children in all types of planning.

185. The national policy guidelines for children and young people have been in force for more than ten years and have led to greater awareness of the interests of children and young people in the planning process. Some municipalities have made great progress and introduced routines whereby pupils' and youth councils are consulted in planning cases.

The participation of children and young people in local decision-making, the legislative basis and lessons learned.

186. The number of municipalities that have children's and youth councils, children's and youth municipal councils or similar bodies for exerting influence increased significantly towards the end of the 1990s. In 2002, approximately 340 of the 434 municipalities in the country had an arrangement of this nature. Youth county councils have been established in 9 of 19 counties. In two counties student county councils have been established.

187. Based on an interpretation of the Local Government Act, the Ministry of Local Government and Regional Development has decided that young people may be given the right to attend and speak at municipal and county council meetings. The right to attend and speak at meetings may be given to representatives of young people, even if they are not elected, provided that the municipal or county council wishes to give them such rights. However, the Ministry points out that no-one other than elected representatives may be given the formal right to present proposals in popularly elected bodies. The Government will urge municipalities and county municipalities to permit young people to present their views by participating in councils and committees, and at municipal and county council meetings.

188. There are considerable differences between municipalities with respect to how much influence children and young people have and which matters they are permitted to speak on. In some municipalities, children and young people may express their views in all cases that interest them. Others think in more traditional terms and only invite children and young people to express their views in limited areas, such as municipal leisure services.

189. A number of national and regional conferences have been arranged to exchange ideas and experience in order to strengthen the participation of children and young people. In 2000, 200 young people from 100 municipalities met to exchange their experiences. The results of this conference, *Ungdoms egne erfaringer og tips* (Young People's Own Experience and Tips) have been distributed to every municipality in the country. In 2001 a national conference was arranged for young people, municipal administrators and politicians. Almost 500 delegates took part, more than half of whom were young people. The report from this conference was published on a special website: <http://www.medvirkning.no>. In August 2002, the Ministry of Children and Family Affairs arranged a European youth conference in cooperation with Porsgrunn Municipality and the Norwegian Youth Council. The report from this conference has been presented to Nordic and European youth ministers. The report will be sent to member states of the Council of Europe and published on the Ministry of Children and Family Affairs' website.

190. The Ministry of Children and Family Affairs will continue to encourage municipalities to ensure that the systematic participation of children and young people becomes an important and ordinary part of their work. The Ministry will continue to provide information for municipalities in order to encourage them to strengthen the position of children and young people in the local community and further develop the instruments they use for dialogue with children and young people. It is important to give children and young people clear guidelines or mandates for their work, contact and back-up from the administration and local politicians, and their own resources. Children and young people must have genuine influence in certain cases, clear routines for feedback, and information about what is going on in the municipality. Young people must also

have a broad contact base among the rest of the young population. One of the aims of the Ministry's support for children's and youth organizations (*reference is made to Ch. VII C, paragraphs 499-501 of this report*) is to facilitate the participation of children and young people in organizations and encourage democratic organizations that promote the views of children and young people in society at large.

Participation and influence at central government level

191. Children and young people take little part in political processes at central government level but they have an opportunity to present their views through spokespersons and through dialogue with politicians and authorities. Dialogue with representatives of children and young people (at conferences, discussion meetings, brainstorming sessions, consultations, etc.) and their representation on official boards and committees are the most common ways for central politicians and authorities to obtain the views of children and young people. Through the political parties' youth organizations, young people present their views directly to the political community. The views of children and young people are also obtained from youth surveys and research. Moreover, children and young people have the opportunity to provide inputs for policy formulation at central government level through the media, the Internet, letters, campaigns, meetings and other forms of direct contact.

192. In order to ensure satisfactory dialogue with the representatives of children and young people, the Ministry of Children and Family Affairs arranges annual conferences for voluntary children's and youth organizations and youth groups. One important aim is to exchange information and obtain views on topical issues relating to children and young people. Apart from these regular annual meetings, dialogue and contacts take place regularly at central government level with voluntary children's and youth organizations and groups, who are, for instance, invited to present their views in consultations on matters that affect children and young people. In some cases, ministries have also arranged special consultations or meetings with children and young people in order to obtain their views and receive inputs for the formulation of policy in areas that are important for children and young people.

The Youth Forum for Democracy

193. In order to obtain inputs regarding what the Government can do to strengthen the influence of children and young people in society, the Youth Forum for Democracy was established by the Ministry of Children and Family Affairs in December 1998. The Forum completed its work in June 2001.

194. The Youth Forum for Democracy comprised sixteen young people aged 15-26 from all over the country, with equal distribution between the sexes. The members came from various children's and youth organizations and youth groups and thus represented a broad range of interests. The Norwegian Youth Council helped in the selection by asking its member organizations to nominate representatives, while the Ministry asked for proposals from other youth groups, such as the Norwegian School Student Organization, the Youth Sports Council and a couple of municipalities.

195. The forum presented more than seventy proposals on a wide range of topics: the Research program on Power and Democracy, youth representation, participation in elections, young people's rights in working life, educational issues, information for young people, local democracy and a large number of proposals relating to local and central child and youth policy. According to its mandate, the Forum was permitted to present proposals and inputs on a continuous basis. The proposals were submitted to the Minister of Children and Family Affairs and passed on to local, regional and central authorities, depending on the matter concerned. Many of the proposals have been included in Report No. 39 to the Storting (2001-2002) relating to the conditions in which children and young people grow up in Norway.

196. The Forum focused on unexpected areas and presented proposals that would probably not have come from other channels. Moreover, the Forum had an important signal effect. Although the media showed little interest in the proposals, more attention is being paid to the views of children and young people at both central and local levels. The establishment of a forum of this nature at central government level has also affected municipalities' involvement in efforts to increase the influence of children and young people, among other things by establishing local forums.

197. In July 2000, Group 2050 of the Norwegian Government Commission on Human Values and the Norwegian Youth Council arranged a summer camp in the Norwegian parliament for 100 young people from all over the country at which young people presented their views to leading politicians in the Storting and the Government. The report from the summer camp has been presented in the form of a Long-term Programme for Youth.

The participation of children and young people in international forums

198. In connection with the preparations for the UN Special Session on Children, funding was allocated for a participatory project under the auspices of the Forum for the Convention on the Rights of the Child, the Norwegian Youth Council (LNU) and Save the Children Norway. The goal was to collate experience and shed light on the situation of children and young people in special life situations; young people in reception centres for asylum seekers and refugees, children with disabilities, children who have been the victims of sexual abuse, and children in contact with the child welfare authorities and outreach services. Approximately 100 children and young people were involved in the participatory processes, which took place in May-June 2001. One-day or two-day meetings were arranged with children and young people from a large number of organizations. As a result of the project, the book *Hello - is anyone there?* has been published in Norwegian and English. The project was presented and the book distributed at a fringe event on the participation of children at the UN Special Session on Children in May 2002 (*reference is made to Ch. I B, paragraphs 66-69 of this report*).

Legislative amendments that strengthen children's right to be heard

199. As part of the process of incorporating the Convention on the Rights of the Child into Norwegian legislation, the Government presented a number of proposals to implement and define article 12 of the Convention on the Rights of the Child in legislation. The aim was to strengthen children's right to be heard. Amendments have been proposed to the Children Act, the Adoption Act, the Child Welfare Act, the Public Administration Act and the Civil Procedure Act. *Reference is made to Ch. II, paragraph 81-89 of this report.*

200. In order to strengthen the practice and expertise of the child welfare service with respect to interviews with children, the Ministry of Children and Family Affairs has provided funding for the research project *Barn som blir plassert utenfor hjemmet - risiko og utvikling* (Children who are placed outside the home - risks and development) carried out by Norwegian Social Research (NOVA). The results of the project will be passed on to professionals working in this field.

201. The Ministry of Children and Family Affairs has also provided funding for publication of the brochure *Å se barn, lytte til barn og samtale med barn* (Seeing, listening to and talking with children) under the auspices of the Child Welfare Development Centre in North Norway. The brochure was published in 2002.

Measures to strengthen the participation of children in decision-making in schools

202. From the Life Before 18 project: The young people who took part in the project were asked where they believe they are most and least heard and taken seriously; at home, at school, in the classroom or in connection with leisure activities. The majority of them feel that they have most influence at home and least influence at school. Nevertheless, they feel they have a greater say in the classroom than in matters that concern the school as a whole. The majority of participants have pupils' council meetings twice a month. Most of them say that the pupils decide for themselves which issues are to be discussed in the pupils' council. The most work is done on "problems at school". In connection with the assignment "A Wonderful Pupils' Council", they expressed a desire to work on important matters and called for improved cooperation with adults at school. However, they wish to run the meetings themselves and to be taken seriously. The pupils' council representatives stated that the other pupils at school appreciate the work done by the pupils' council, and they themselves find their work interesting. They stated that the local newspapers take a positive interest in the work of the pupils' council and they have several times covered issues which the pupils' councils have put on the agenda. However, they call for head teachers to be more active in following up pupils' councils.

203. The Education Act contains provisions requiring pupils to be represented on the School Board of every primary, lower secondary and upper secondary school. The School Board has the right to state its views on all matters concerning the school. Every primary school, grades 5-7, and lower secondary school, grades 8-10, must have a Pupils' Council comprising one representative for each class. Every upper secondary school must have a Pupils' Council with at least one member for every twenty pupils. Every class in primary and lower secondary school must have a class council of which all the pupils are members.

204. Pupils' own evaluations of their learning environment in upper secondary schools are systematically collected through Internet-based "Pupil Inspectors". Approximately 85 per cent of pupils believe it is important that they have an opportunity to influence how work on different subjects is organized at school. Half the pupils say that they are given little or no opportunity to take part in formulating work plans in the various subjects. 76 per cent of pupils nevertheless say that their school makes good arrangements for pupils to take part in the work of the pupils' council.

205. The amendments to the Education Act in Proposition No. 72 to the Odelsting (2001-2002) will strengthen pupils' influence and involvement in matters affecting both the psycho-social environment and the physical environment in schools. For information about measures to combat bullying in schools, *reference is made to Chapter III A, paragraphs 127-131 of this report*. The Government will request individual schools and teachers to make practical arrangements for active pupil participation. The proposals aim to strengthen co-determination by and the influence of pupils by expressing more clearly their right to be heard and state their views in bodies where pupils and parents are represented. Schools have an obligation to allow pupils to take an active part in systematic efforts to improve health, safety and the environment in schools. The Pupils' Council elects its own school environment representatives. The proposals also aim to introduce a clearer appeals procedure.

The participation of children in day care centres

206. In order to develop competent children, children must have a genuine right of co-determination in their everyday lives. The activities of a day care centre should, therefore, not be the sole responsibility of adults. Children's right to co-determination must naturally be adapted to the activities of the day care centre and the age and maturity of the child. The curriculum for day care institutions is based on this policy, and children's co-determination is expressed through the educational programme that is used in day care centres. The Daycare Institutions Act is currently being reviewed, and in this connection the question of including co-determination in the objects clause is also being discussed.

Medical care

207. With respect to children's right to participation and information in connection with medical care, reference is made to the comments on the Patients' Rights Act and the Mental Health Care Act in *Ch. II, paragraphs 91-97 of this report*.

Children's right to state their views in asylum cases

208. From the Life Before 18 project: The young unaccompanied asylum-seekers who took part in the project generally found the interview very tiring, but they nevertheless said that the atmosphere was relaxed. Their feelings as to whether they were treated with respect varied. Many of them reacted to and felt insecure about the fact that they met their guardian for the first time just before the interview. According to the young people, a guardian who does a good job of following them up makes a great difference to how they experience everyday life. They also said that it is difficult to be interviewed when you are still frightened and tired after a long journey.

209. According to the Immigration Regulations § 54 fifth paragraph, the overall life situation of accompanying children should be clarified during the interview. In this connection, the child should be interviewed unless this is regarded as being obviously unnecessary or the parents object. At least one of the parents should be present during the interview. This new system for interviewing children in asylum cases was introduced from 1 July 2000, and is now under consideration. The guardian who is appointed for the child is expected to ensure that the child's views are heard and that any particular problems are addressed. The Directorate of Immigration

ensures that an interpreter, a guardian and, if appropriate, a lawyer are present. The guardian who is appointed is not the child's permanent guardian, but a provisional guardian who is appointed to assist in the asylum case. *Reference is made to Ch. III B, paragraph 146 and Ch. VIII A, paragraph 511 of this report.*

210. The Directorate of Immigration gives priority to unaccompanied minors. Supplementing the expertise possessed by the interviewer, the interpreter, guardian and lawyer must together ensure that the views of the child are expressed. An unaccompanied minors seeking asylum shall always have a provisional guardian or attorney present during the interview.

211. A professional who is qualified to deal with children to assist in interviewing children has been appointed by the Directorate of Immigration. This will ensure that the views of the child are respected during the interview phase and improve the follow-up of any problems the child may have that come to light. This person is to assist in the interviewing of children and coach the other interviewers. Interviewers are trained and given continuous guidance at the Directorate of Immigration. The Directorate of Immigration has a special room for interviewing unaccompanied minors and other children.

Plan of action to increase the participation in society of children and young people with immigrant backgrounds

212. In June 2002, the Government published a plan of action for children and young people with immigrant backgrounds. The plan of action sets the parameters for how the Government wishes to increase the participation in society of children and young people with immigrant backgrounds and includes the following measures:

- *Improved language and social skills for children and parents, and more cooperation with parents.* Trial projects will be implemented in selected municipalities, offering part-time places in day care centres. This will be combined with testing children's language skills at health clinics and providing Norwegian courses for parents. A working group has prepared proposals relating to the individual right and obligation of adult immigrants to attend courses in Norwegian and social studies. The participation of parents in arenas where children spend their time will be strengthened by means of a project to test methods for improving cooperation between schools and homes, and research into parental guidance groups at health clinics and schools;
- *Improved supervision of unaccompanied minors seeking asylum.* Alternative reception and settlement models for unaccompanied minors will be considered. The supervision of unaccompanied minors who are settled with relatives will be improved. Alternatives to the current guardianship scheme for unaccompanied minors will be considered. The Guardianship Committee's mandate also includes assessing the need for special arrangements for unaccompanied minors. This work was completed in December 2002, and the recommendations will be followed up in 2003. *Reference is made to Ch. III B, paragraph 157 of this report;*

- *More participation by immigrant youth in culture and sports.* The authorities will ensure that the theatre school at the Nordic Black Theatre can continue to operate. Assistance will be provided for the four-year project *Fargerik Fotball* (Colourful Football) under the auspices of the Norwegian Football Association. The aim of this project is to achieve full integration of immigrants at all levels in Norwegian football;
- *Improved efforts to prevent crime among immigrant groups.* The use of victim-offender mediation will be increased and more mediators with immigrant backgrounds must be recruited in order to ensure that victim-offender mediation boards have the necessary expertise to mediate in cases concerning immigrant youth. A proposal will be made to require the police to investigate crimes committed by children under the age of criminal liability and to give the police the necessary authority to oblige children and parents to attend a “concern interview”;
- *Independence for better health.* In 2002 the PMV Centre for Health, Dialogue and Development received funding to guide and support parents and children from Somali and other backgrounds in their efforts to raise awareness and achieve greater independence, and as a contribution towards following up the Plan of Action to Combat Female Genital Mutilation.

CHAPTER IV. HUMAN RIGHTS AND FREEDOMS

213. With the Human Rights Act of 21 May 1999, the following human rights conventions were incorporated into Norwegian legislation: the European Convention on Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. In Proposition No 3 to the Odelsting (1998-1999), the Government pointed out that adopting the Act did not mean that more specialized conventions could not be incorporated at a later date and stated that it gave priority to incorporating the UN Convention on the Rights of the Child. In spring 2003, the Government submitted a Proposition to the Odelsting to incorporate the Convention on the Rights of the Child into Norwegian legislation. Cf. Report no. 45 (2002-2003) to the Storting. *Reference is made to Ch. I A, paragraph 20-23 of this report.*

214. In December 1999 the Government submitted Report No. 21 to the Storting (1999-2000): Focus on Human Dignity - A Plan of Action for Human Rights. It was based, among other things, on the final declaration and programme of action from the UN Conference on Human Rights in Vienna in 1993, which invited the governments of all states to prepare national action plans for human rights. The Norwegian population has largely been spared serious human rights violations in recent times. Nevertheless, protection of human rights is not a matter of course in this country. In Norway, too, violations of what we now regard as being fundamental human rights have taken place throughout history, not least against people from minorities. The Norwegian authorities have also been criticized in recent years. The main purpose of the Plan of Action is to clarify how the Norwegian authorities can promote the best possible protection of human rights, today and in the future.

215. The Plan of Action for Human Rights has a five-year perspective (2000-2005) and focuses on efforts both in Norway and internationally. There is particular focus on children. The plan presents measures in areas such as children's right to participate, children's right to know their biological parents, combating violence and crime in schools, protection against sexual exploitation, measures for unaccompanied minors seeking asylum and children who have experienced war, and measures for Sami children and young people. At the international level, it also focuses on measures in the areas of child labour, children and the media, and children affected by armed conflict. All these measures are also designed to follow up the UN Convention on the Rights of the Child and are therefore described in this report.

A. Name and nationality (article 7)

(Reference is made to Norway's initial report, paragraphs 123-136, and Norway's second report, paragraphs 131-134.)

New Personal Names Act

216. On 7 June 2002, the Storting adopted a new Act relating to Personal Names (Personal Names Act). The act entered into force on 1 January 2003. In comparison with the 1964 Personal Names Act, the new Act gives people far greater freedom to choose names for themselves and their children. The Act permits people to create double surnames, in the form of two individual surnames joined by a hyphen. The Act also gives far more consideration to international name traditions than did the 1964 Personal Names Act.

Nationality

217. The Norwegian Nationality Act was amended on 1 October 1999 so that a child of unmarried parents whose father is Norwegian will be granted Norwegian nationality after the father if the parents notify the authorities, cf. section 2a of the Norwegian Nationality Act. Similarly, a child under the age of 12 will automatically be granted Norwegian nationality in the event of adoption if the child is adopted on the basis of an adoption order from the Ministry, or is adopted abroad provided that the Ministry has authorized the adoption in advance, cf. section 1a of the Norwegian Nationality Act. If the child is over the age of 12, it must give its consent on the notification form that is submitted to the authorities. Apart from an editorial change in section 2a, effective from 1 October 2001, no further amendments that concern children have been made to the Norwegian Nationality Act.

Determination and change of paternity

(Reference is made to Norway's initial report, paragraphs 127-136, and Norway's second report, paragraphs 133-134.)

218. A proposal from the Ministry of Children and Family Affairs concerning amendments to the Children Act concerning determination and change of paternity was adopted on 3 December 2002 (Proposition no. 93 to the Odelsting (2001-2001)). It proposed that the conditions and time-limit for instituting proceedings pursuant to section 6 of the Children Act

concerning change of paternity be revoked so that the mother and the legal father, and a third party who believes he is the father of the child, in the same way as the child itself, may always institute proceedings to change paternity. These amendments give both women and men an unconditional right to institute proceedings if there is doubt about paternity. The proposals are based on consideration for the child's need to know its biological origin as early as possible. The mother's and father's/possible father's need to clarify who is the biological father of the child are additional factors. On the same grounds, a new provision is proposed that makes an exception to the conditions for reopening a case in Chapter 27 of the Civil Procedure Act. This provision requires the court to demand a DNA test in reopened cases if a judgment was handed down without such a test having been carried out. The Ministry also proposes an amendment that extends the possibility to recognize paternity prior to birth when the mother has a medical examination during pregnancy.

Anonymity for the sperm donor in the case of artificial insemination - the Biotechnology Act

219. In Report No. 14 to the Storting (2001-2002): Evaluation of the Act relating to the Application of Biotechnology in Medicine, the Government proposes revoking the anonymity of the sperm donor. The arguments for and against anonymity are complex. On this type of issue, however, the Ministry's view was that the greatest possible weight should be given to the best interests of the child. The possibility to know one's biological origin is fundamental. On the basis of these arguments and the doubt that has been raised in relation to the Convention on the Rights of the Child, the Ministry proposed revoking the anonymity of sperm donors.

220. A majority of the Storting supported the Government's proposal to revoke the anonymity of sperm donors. The majority of the Standing Committee on Social Affairs pointed out that there are arguments in favour of maintaining anonymity, including the fact that it may be upsetting for a child to know that a father other than the one it lives with on a daily basis is its biological father. However, the majority focused mainly on the considerations in favour of revoking anonymity, including the fact that a child has a right to know its biological origin. The majority also referred to article 7 of the Convention on the Rights of the Child. The Ministry is working on a proposal for amendments to the Biotechnology Act as stipulated by the Storting. A bill will be presented to the Storting in spring 2003.

B. Preservation of identity (article 8)

(Reference is made to Norway's initial report, paragraphs 131-136 and Ch. II, paragraph 216 of this report.)

C. Freedom of expression (article 13)

(Reference is made to Norway's initial report, paragraphs 137-140.)

221. From the Life Before 18 project: The young people who took part in the project emphasize that they are happy to be able to live in a country where they can freely express their opinions without being put in prison or punished in some other way. The young people largely find that they are allowed to say what they believe and think. Nevertheless, one limitation in freedom of expression brought up by many of them was that adults prefer young people to

express themselves in adult language. The young people who took part in the project would like, to a greater extent, to be able to use their own forms of expression to give and receive information.

222. The Norwegian Governmental Commission on Freedom of Expression presented its report in 1999 (Official Norwegian Report 1999:27). In Report No. 42 to the Storting (1999-2000) the Ministry of Justice presents various drafts of a new constitutional provision relating to freedom of expression. The Ministry of Justice is currently working on a Report to the Storting which will provide a more detailed analysis of alternative proposals for the constitutional provision and other issues raised in the Commission's report.

223. With respect to prohibition against advertising, reference is made to sections 19-21 of the Act relating to medicines, etc., section 2 of the Act relating to the harmful effects of tobacco, sections 9-1 and 9-2 of the Act relating to alcohol and sections 1 and 2 of the Act relating to control of marketing and contractual conditions (prohibition against discriminatory and misleading marketing). With respect to the prohibition against pornography (formerly section 211 of the Penal Code, now section 204 of the Penal Code), the language of the Act has been updated but no substantive changes have been made. Reference is made to the description of these amendments in *Ch. VIII, paragraphs 569-571 of this report*.

D. Freedom of thought, conscience and religion (article 14)

224. From the Life Before 18 project: The young people who took part in the project expressed a desire for equal education in all religions, on the grounds that Norway has become a multi-cultural, diverse society. They are afraid that focusing on one religion may create an undesirable gap between individual pupils and groups.

The curriculum for the subject Christian Knowledge and Religious and Ethical Education

(Reference is made to Observation 26/Recommendation 27 of the Committee on the Rights of the Child.)

225. *The Committee is concerned that the curriculum for the subject Christian Knowledge and Religious and Ethical Education may be discriminatory and recommends the authorities to consider an alternative exemption process.*

226. Norway has increasingly become a multi-religious society. However, Christianity is in a special position since a large majority of the population have had and still have ties to Christianity. Knowledge of and insight into one's own religion and other people's religions and philosophies of life are important in an increasingly pluralistic and international society. This makes great demands on the content and practice of education in this area.

227. The subject Christian Knowledge and Religious and Ethical Education (CKREE) was introduced as a compulsory subject in primary and lower secondary schools in autumn 1997. On the basis of two evaluation reports and statements relating to them from interested organizations and belief communities, the Ministry prepared Report No.32 to the Storting (2000-2001): Evaluation of the Subject Christian Knowledge and Religious and Ethical Education. The evaluation reports showed, among other things, that:

- There is broad agreement among parents of the importance of having some common education in this subject;
- Most parents believe that the subject functions well for their children, regardless of their philosophy of life;
- More pupils take a positive than a negative view of the subject;
- The majority of teachers emphasize the importance of teaching in such a way that all philosophies of life are regarded as being of equal value and equally true;
- In many places, information about the subject and the right to partial exemption has been deficient in practice, particularly for some parents from minority language groups.

228. The Storting debated the Report in spring 2001 and passed the following resolution: “The CKREE subject in primary and lower secondary schools shall be called Christianity and Religious and Ethical Education” (CREE). The Education Act has been amended in accordance with the Storting’s resolution so that equality between belief communities has been taken into account. The curriculum has been revised and the larger belief communities were invited to participate in the revision process. Special guidelines have been distributed to all schools which emphasize the function of the subject as an ordinary school subject for all pupils in which confession and education in a specific faith are not permitted. The CREE subject has been made compulsory in teacher training and priority has been given to in-service training and further education for teachers in order to improve their competence.

229. The provisions of the Education Act relating to partial exemption from the CREE subject will be maintained. These rules permit partial exemption from those parts of the curriculum which a person, on the basis of his or her own religion or philosophy of life, regards as being the practice of a different religion or subscription to a different philosophy of life. Exemption may, among other things, apply to participation in activities of a religious nature that take place inside or outside the classroom to give pupils insight into the rituals or special characteristics of individual religions.

230. On the basis of the debate in the Storting on Report No. 32 to the Storting (2000-2001), in autumn 2001 the Ministry clarified the content of the right to partial exemption and implemented various measures to ensure that the right to partial exemption is safeguarded in practice. Among other things, special written information on the CREE subject has been distributed to parents and a standard form has been prepared for parents and pupils over the age of 15 who wish partial exemption. This information has been translated into a number of different languages as well as Norwegian. The County Governors’ Offices are required to ensure that information about the right to exemption reaches parents.

231. The establishment of this subject has been criticized by several organizations, including the Norwegian Humanist Association and the Islamic Council Norway. These organizations brought a case against the Norwegian state demanding full exemption from the CREE subject for their children. Like the Court of Appeal, the Supreme Court handed down a unanimous

judgment on 22 August 2001 stating that the CREE subject with a limited right of exemption is not in contravention of Norway's obligations under international law to protect, *inter alia*, freedom of religion and philosophy of life. On 20 February 2002, the Norwegian Humanist Association appealed the case to the European Court of Human Rights. The hearing of this case has not yet been completed.

Children from isolated religious communities

232. In 1999 the Ministry of Education, Research and Church Affairs became aware that children and young people who grow up in isolated religious communities sometimes face special problems. These may include deficient education, strict rules concerning what young people are permitted to participate in outside the religious community, and a lack of assistance if they want to leave the religious community. These children are isolated and have little confidence in society at large. The Ministry of Education, Research and Church Affairs financed a pilot project, GO ON, under the auspices of Save the Children Norway (1999-2001). Through this project, young people were helped to break out and establish an independent life outside the religious community. The project ended with a conference in November 2001 which focused especially on the balance between parents' freedom of religion and children's rights.

233. The goal is to ensure that children and young people who grow up in isolated religious communities receive the practical and psychological assistance they need in their local community. The Ministry of Education and Research and the Ministry of Children and Family Affairs have financed the production and distribution of information material on children's rights and on issues that are particularly relevant for children who have grown up in isolated religious communities. The information material was developed by Save the Children Norway in cooperation with the Norwegian Board of Education and completed in autumn 2002. The material has been distributed to the ordinary welfare services. Reference is also made to the proposal for a new Act relating to independent schools, *Ch. VII A, paragraphs 424-428 of this report*.

E. Freedom of association (article 15)

(Reference is made to Norway's initial report, paragraphs 154-158.)

F. Protection of privacy (article 16)

(Reference is made to Norway's initial report, paragraphs 159-160.)

Mental health services

234. Pursuant to section 4-5 of the Act of 2 July 1999 No. 2 relating to the establishment and provision of mental health services (the Mental Health Care Act), a person residing in a psychiatric institution on an inpatient basis has the right to receive visitors and use a telephone, and to send and receive letters and parcels. This also applies to children. In the case of children over the age of 16 who are receiving compulsory mental health care on an inpatient basis, in accordance with the regulations that normally apply to such care, a decision may be made, in exceptional cases, to restrict their right to communicate with the outside world. This may

only apply for up to 14 days, to the extent that it is necessary on the grounds of strong treatment-related or welfare considerations or strong considerations for the next-of-kin. No restrictions may be imposed on their contacts with a legal adviser or specified public bodies.

235. Section 4-5 of the Mental Health Care Act also contains a rule that may affect older children and young people, in that the professional person responsible for them may open their mail if there are reasons for suspecting that an attempt may be made to smuggle medicines, intoxicants, aids to escape or dangerous objects to a patient. This provision does not permit the censorship of letters. If there are reasons for suspecting that there is a danger the above-mentioned items being smuggled in, pursuant to section 4-6 it is also permitted to inspect rooms and property and to carry out a body search. A cavity search is not permitted.

236. When exercising the judgement upon which these provisions must be based, it will be natural to take into account the fact that this concerns children and young people and they must not be subjected to unnecessary strain. Section 4-2 of the Mental Health Care Act states that restrictions and coercion must be limited to what is strictly necessary and that, as far as possible, consideration of the patient's view of such measures must be taken into account. Only measures that have such a favourable effect that it clearly outweighs the disadvantages of the measure may be used.

G. Access to appropriate information (article 17)

237. From the Life Before 18 project: Many of the young people who took part in the project find that young people are wrongly represented in the media – often as “louts”. The stupid things young people do receive far more media attention than the good things. They also call for the media to allow children and young people to state their views more often on matters that concern them.

Plan of Action relating to children, young people and the Internet

238. Both children and parents use the Internet. Most of them are enthusiastic and regard knowledge of the Internet and how to use a PC as a significant benefit. However, many people have had extremely unpleasant experiences with the Internet. It has been proved that children and young people find a great deal of unsuitable and illegal material on the Internet. Children are also in danger of coming into contact with abusers. Parents need advice and guidance in order to ensure that their children use the Internet well and safely. Through the EEA Agreement, Norway participates in the EU Safer Internet Action Plan. However, the EU action plan does not obviate the need for measures in individual countries. A resource centre is required in order to combine efforts, develop materials and coordinate measures.

239. In August 2001, the Ministry of Children and Family Affairs presented a Plan of Action for Children, Young People and the Internet. The Ministry of Children and Family Affairs' main focus was on relations between children and their parents. In other words, safe use in the home is a focal point. Parents must, therefore, receive relevant information and practical suggestions as to what they can do to help their children use the Internet well and safely. A number of ministries are cooperating on implementing the plan, which includes the following measures:

- A central coordinating body – a special secretariat at the Norwegian Board of Film Classification – will be the resource centre for various target groups and will coordinate measures and the flow of information;
- A resource centre on the Internet (website), where various target groups can find relevant information and obtain help to ensure that children and young people can use the net safely;
- A Parents' Guide to the Internet will be developed and published to ensure safe use of the Internet;
- The following will be prepared: 1) standard rules that can be included in the provider's customer conditions, 2) information for use by web providers that target the private market. The aim is for web and service providers who target private customers to provide information about safe use of the Internet for children and young people;
- In cooperation between the Government, users and the sector, a project will be initiated to develop standard regulations for commercial Internet services that target children;
- The National Bureau of Crime Investigation is responsible for a hotline that receives tips from the public about child pornography, illegal use of the Internet by paedophiles and "hate pages". The hotline is a central element of efforts to protect children and young people on the Internet;
- Strengthen the knowledge base. Institutions and researchers will be encouraged to acquire more knowledge of children's and young people's use of the Internet in order to develop measures in this area.

240. We will never be able to protect ourselves completely from the unwelcome aspects of the Internet – the Internet must continue to function as an open channel for free expression, acquisition of knowledge and information, entertainment and communication. The plan will strengthen efforts to combat unlawful and harmful content on the Internet, while at the same time preserving freedom of information and freedom of expression. The plan will give parents and other adults knowledge of the dangers the Internet represents and strengthen their opportunities to be competent guides and set limits for children and young people. *Reference is also made to Ch. VIII C.5, paragraphs 578-581 of this report.*

Information for children and young people

241. The Ministry of Children and Family Affairs will cooperate with other ministries, the National Office for Children, Youth and Family Affairs and the Forum for Norwegian Youth Information Centres on further developing official information activities targeting children and young people. The most important measure in connection with this effort is the establishment of

an Internet portal, *Ungdomstorget*, which provides inter-disciplinary, trans-sectoral information for young people. *Ungdomstorget* will be expanded and strengthened, and the new portal, <http://www.ung.no>, was launched on 4 February 2003. A dialogue with young people concerning the further development of government information for children and young people is taking place on a continuous basis.

H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (article 37 (a))

Combating violence and other antisocial behaviour among children and young people

(Reference is made to Observation 28/Recommendation 29 of the Committee on the Rights of the Child.)

242. *The Committee points to the tendency to a rise in acts of violence in society, particularly among children and young people, and recommends that the State party pursue its ongoing efforts to address the causes of such violence and to reduce its incidence.*

243. Combating violence and other antisocial behaviour among children and young people has high priority in the authorities' efforts to ensure that children grow up in a good environment. Work is also in progress on measures to combat domestic violence. Research seems to indicate that some of the children who witness violence become the victims or perpetrators of violence in adult life. Following up the Plan of Action to Combat Child and Youth Crime (2000-2004) is a central feature of efforts to combat violence and antisocial behaviour among children and young people. *Reference is made to Ch. I A, paragraph 45 and Ch. VIII B, paragraphs 536-547 of this report.*

Violence in the family, domestic violence – the situation of children

(Reference is made to Ch. III B, paragraphs 173-175 of this report.)

The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

244. Throughout all the years of negotiations, Norway has supported efforts to establish an optional protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which will give the UN Committee against Torture greater possibilities to undertake inspection visits to individual countries. In this connection, Norway was the co-mover of the resolution which put the draft protocol to the vote at the 57th UN General Assembly. Norway now intends to promote the protocol in all appropriate international forums and will request all states to ratify the protocol as soon as possible.

CHAPTER V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

245. Families are changing. An increasing number of people, particularly young people, are choosing to live with a partner without being formally married. Gender equality has increased, particularly with respect to the care of children. After being stable and falling slightly in the 1990s, divorce figures increased in 2000. New statistics confirm that partnerships are less stable than marriages. In the light of the changes and challenges in the family policy area, the Government intends to present a Family Report which focuses on lasting, committed cohabitation and parenthood. The Family Report is expected to be submitted to the Storting in April/May 2003.

246. From the Life Before 18 project: The children and young people who took part in the project said that they do not talk about separation or divorce at school, despite the fact that broken homes are common. They feel a great need to talk to an adult after experiencing the separation of their parents. They suggest that an adult at each school should be responsible for talking to young people who have experienced divorce or separation in the family and to make arrangements for young people in the same situation to be able to share their experiences and give each other advice.

A. Family structure - including single parents

247. In 2000 half of all children in Norway were born outside marriage. Almost 50 per cent were born to married parents, 42 per cent to cohabiting parents and 8 per cent to single mothers. The majority of children, approximately 78 per cent, live with both parents. 64 per cent of children live with married parents, while 14 per cent live with cohabiting parents. Just over 16 per cent live with a single mother and 2 per cent live with a single father. Approximately 4 per cent live with step-parents. The reason why only 14 per cent of children in the 0-18 age-group live with cohabiting parents, despite the fact that 42 per cent were born to cohabiting parents, is twofold. Firstly, the cohabiting family is a fairly young type of family that is most common among the youngest children. Secondly, the cohabiting family is a group that undergoes a good deal of change. Some cohabitants ultimately decide to marry while others separate.

248. In 1999, 21,400 children experienced the separation of their parents. Two thirds of these separations were due to divorce, while the remaining third were due to the separation of cohabitants. Although more children of married parents experience the separation of their parents than children of cohabitants, the risk of parents separating is higher for the children of cohabitants. The probability that the children of cohabiting parents will experience a separation is two to three times higher than the probability for the children of married parents. Moreover, the separation of cohabitants occurs earlier in the child's life than divorce. If we compare children born to cohabiting and married parents at the age of ten, 10 per cent of the children of cohabiting parents had experienced the separation of their parents at the age of 2 ½, while the corresponding proportion of children of married parents was not reached until the age of 8.

249. After a separation, the family undergoes reconstruction and new family constellations emerge. Most children nevertheless continue to live with their mother. Among the group of children who do not live with both parents, 89 per cent live with the mother and 11 per cent with the father. Approximately 20 per cent live in step-families.

B. Parental guidance

(Reference is made to Norway's initial report, paragraphs 167-174.)

Relationship enrichment measures

250. The scheme whereby grants are provided for relationship enrichment measures was established in 1994. The purpose of relationship enrichment measures is to strengthen and preserve marriages and relationships and prevent broken families. The measures are intended to improve dialogue and promote the positive aspects of partnerships in order to establish good, durable relationships. They are therefore extremely important for the life situation of children as well. The scheme includes both support for local relationship enrichment courses and meetings for groups of couples (administered by the National Office for Children, Youth and Family Affairs) and support for development measures to improve competence and expertise in this area (under the auspices of the Ministry of Children and Family Affairs). Interest in implementing relationship enrichment measures has increased steadily, while the allocation for this purpose has been extremely small in relation to the demand and the need. For 2003, the allocation is NOK 1 million higher than last year and now amounts to NOK 4.6 million.

251. Due to the growing number of separations and divorces, the Government regards it as being extremely important to strengthen relationship enrichment measures. Relationship enrichment courses are a low-threshold service that should be provided on a broad basis, but they are currently unevenly distributed in geographical terms. The goal is to make such courses available all over the country so that they reach as many people as possible and become a more general service. It is also necessary to improve professional quality and expertise in this field. In autumn 2002, the Ministry of Children and Family Affairs initiated an evaluation of the grant scheme and of relationship enrichment measures. The evaluation is being carried out by Møre Research and their report will be submitted in autumn 2003. When the evaluation has been completed, the Government will consider how relationship enrichment measures can be strengthened and further developed.

Family counselling/mediation

252. The Family Welfare Service is a special service that focuses on family-related problems. There are Family Welfare Offices in all the counties in Norway, 64 offices in all. The service is free of charge. The Family Welfare Offices have two legally imposed tasks: they must provide therapy and advice in the case of difficulty, conflict or crisis in the family, and they must provide mediation pursuant to the Marriage Act and the Children Act. The provision also states that offices should engage in external guidance, information and educational activities concerning family-related services for both the welfare services and the general public. *Reference is made to Norway's initial report, paragraphs 171-174, and Norway's second report, paragraph 151.*

253. As part of the Government's Plan of Action for the Disabled, in spring 2002 a project was initiated on family guidance for parents with disabled children. The goal is to provide nationwide services based in selected Family Welfare Offices. The project is planned to cover a period of three years.

The Parental Guidance Programme

(Reference is made to Norway's initial report, paragraphs 168–169, and Norway's second report, paragraphs 46 and 151.)

254. As part of the follow-up to the national programme for parental guidance that was launched in 1995, a variety of information and guidance materials (brochures, booklets and videos) have been produced, targeting parents and professionals, on topics such as interaction between parents and schoolchildren, interaction between teachers and pupils, bullying, the media world of children and adolescents, fathers and children, etc. A trial project targeting teachers has also been implemented on the topic of raising awareness of the interaction between teacher and pupil. With the support of the Ministry of Children and Family Affairs, a project targeting families from minority backgrounds was initiated in autumn 2002, based on the Parental Guidance Programme. The purpose of the project is to develop methods, measures and materials adapted to the needs of parents from minority backgrounds. The pilot project will be completed in summer 2003 and the aim is to make this a permanent service.

255. An evaluation has been carried out of the first phase of the Parental Guidance Programme, which covered the period 1995–1998. The evaluation report was published in 2001 and shows the following: Parent groups were most frequently used as a methodical instrument in local implementation of the programme. The greatest activity took place at public health clinics and day care centres. Schools and the educational psychology service participated in the first phase of the programme to only a limited extent. This programme has contributed towards the dissemination and organization of information, among other things through the preparation of manuals, videos and brochures on specific topics. There was a clear connection between the scope of activities at the local level and the benefit experienced by municipal employees. A major effort brought a significant benefit as well as secondary gains, such as improved cooperation between different professionals and agencies.

Measures in the family and the local community

256. In recent years, the Ministry has initiated the implementation of new methods based on the family and the local environment in work with children and young people with behavioural problems. *Reference is also made to Ch. I A, paragraph 53 of this report.*

257. Parent Management Training (PMT) targets families with children with behavioural problems aged 5 to 12. This method has been developed over a period of thirty years by the Oregon Social Learning Center in the USA. The aim of PMT is to change the interaction between parents and children so as to foster and support pro-social behaviour. At the same time, engrained negative patterns are broken down and reduced. This method has both a preventive and a therapeutic goal. It is intended to prevent and halt the development of antisocial behaviour among children in the age group concerned.

258. Through PMT, parents learn specific approaches in their interaction with their child. A treatment period of up to 50 hours is recommended, although there is no absolute time-limit. Research results show that intervention leads to a significant reduction in antisocial behaviour, both at home and at school. All the counties in Norway now have qualified PMT therapists and capacity is being expanded. In addition to treating families, a process (based on PMT) is under way to develop models for working with children with behavioural problems in day care centres and schools, and with children placed outside the home, such as emergency placement homes, foster homes and institutions.

259. Multisystem Therapy (MST) is a family-based method that aims to preserve the family and empower parents. This method, which was developed in the USA, targets children and young people who are in danger of developing serious behavioural problems, or who have already developed such problems. The method therefore targets children and adolescents who will soon meet or already meet the criteria under the Children Act for placement in an institution. The method is based on the premise that the most effective way of helping children and young people is to help the family and involve it actively in the therapy, from the formulation of goals until the therapy has been completed. This therapy, which is an alternative to placement in an institution, is provided in the young person's home and the local community. Although MST is primarily a service for children and young people who still live at home, in special circumstances it may also be used for children and young people who live in foster homes.

260. MST is now provided under the auspices of the county authorities. The method entails an expansion of the second-line service's programmes for children and young people with serious behavioural problems. In the past two years, the Ministry of Children and Family Affairs and the Ministry of Health and Social Affairs have offered MST training to all county municipalities in Norway. Today, most counties have at least one MST team. Each team comprises three therapists and an adviser. A team can treat up to 25-30 families a year. MST is primarily an alternative to placement in an institution.

261. Pursuant to the Child Welfare Act, the overarching principle is that efforts must be made to ensure that a child's need for assistance is primarily met by measures in the home. Similarly, measures outside the home must only be used when it is impossible to provide a satisfactory situation for the child in the home. The Ministry's goal is for MST to be so well developed that all children with behavioural problems in the relevant age group who may benefit from it must be offered this type of therapy. Municipalities are encouraged to use these services by ensuring that the share of the cost they have to pay for the new measures are half what they have to pay for county authority measures outside the home (institutions and reinforced foster homes). At the same time, county authorities are requested to devote a larger proportion of their resources to cooperation with municipal authorities on measures based in the family and the local community. Several counties are already carrying out a restructuring of this nature. When the central government takes over responsibility for the tasks the county currently performs in the area of child welfare as from 1 January 2004, this restructuring will be intensified. *Reference is made to Ch. V H, paragraph 286 of this report.*

C. Parental responsibility

(Reference is made to the proposed amendments to the Children Act relating to hearing the views of children. Reference is made to Ch. II, paragraph 82 of this report.)

New rules for travel expenses in connection with contact visits

262. New rules relating to travel expenses entered into force on 1 January 2002. The main rule is that travel expenses must now be divided between the parents according to their income. Previously, the main rule was that the visiting/visited parent had to pay these expenses himself/herself. The purpose of the change in the rules is to ensure that the child has a greater opportunity to have contact with both parents in cases where they live some distance apart. The change will ensure equality between parents and encourage both parents to care for their children.

263. The new rules further state that travel expenses must be divided proportionately between the parents according to the size of their income unless the parties agree otherwise. This is the main rule, cf. section 44 b of the Children Act. If one of the parties believes that there are special grounds for dividing the expenses differently, he or she may bring the case before the County Governor or a court of law. The “special grounds” requirement means that a different division of expenses will only be permitted in exceptional circumstances, such as large differences in income between the parties combined with substantial travel expenses.

264. However, it is important to be aware that the financial relationship between the parents is, in principle, a matter of private law. Parents are, therefore, free to make their own arrangements and may agree on a division of travel expenses for contact visits that they believe to be most appropriate for their specific situation.

D. Separation from parents

(Reference is made to Norway’s initial report, paragraphs 201-216 and Norway’s second report, paragraph 153-157.)

265. With respect to children’s contact with parents serving prison sentences and cases concerning the expulsion of foreign nationals on the grounds of criminal offences when the expelled person has children, reference is made to *Ch. III B, paragraphs 143-144 of this report*.

E. Family reunification

(Reference is made to Observation 32/Recommendation 33 of the Committee on the Rights of the Child.)

266. *The Committee is concerned that children are not always able to take advantage of the provisions relating to family reunification and recommends a standard procedure for providing information to children and other concerned persons.*

267. Unaccompanied minors seeking asylum are entitled to reunification with their next of kin if asylum is granted. There is no subsistence requirement. Those who are granted a residence permit on humanitarian grounds, and this applies in most cases, are not entitled to family reunification. However, family reunification may be granted on the grounds of strong humanitarian considerations. The age of the unaccompanied minor has so far been an important factor in determining whether permission for family reunification will be granted. In accordance with this practice, permission for family reunification has, in principle, been granted for the youngest children. In these cases, exemptions have routinely been made from the subsistence requirement for family members who are to come to Norway.

268. Information concerning the right to reunification is provided in the decision document that grants asylum for the child. Both the child's lawyer and its guardian will receive a copy of the decision document. The same applies if the child is granted a residence permit on humanitarian grounds. The rules concerning who is entitled to family reunification with a child residing in Norway are laid down in the Immigration Regulations. If an application is made in a way other than the one indicated, the Directorate's decision document will state which procedures must be followed.

269. Applications for family reunification are made according to specific procedures laid down in the Immigration Regulations. Normally, the person seeking family reunification must submit the application himself/herself through a Norwegian foreign mission. However, exceptions may be made from this requirement, either for certain groups or after individual assessment. If a minor applies for reunification from Norway on behalf of parents/siblings residing abroad, the Directorate of Immigration will decide whether an exception may be made from the general rule. If an exception is not made, the decision document will provide information about the correct application procedure.

270. When an application for family reunification has been submitted, the processing time for an individual case will depend on a number of factors, including whether it is necessary to obtain additional information/undertake further investigations pertaining to the case.

271. It is regarded as being in accordance with the principle of the best interests of the child for family reunification between unaccompanied minors who are not in need of protection and their parents/next-of-kin to take place in their country of origin. The family as a whole will have stronger ties to their country of origin than to Norway. The aim is, therefore, to devote more resources to tracing possible carers in the child's country of origin. In accordance with the Report to the Storting no 17 (2000-2001) Asylum and Refugee Policies in Norway the Government is now focusing more on efforts to find parents or other carers for unaccompanied minors, primarily with a view to enabling the child to establish contacts with parents/carers and be given the security this entails, but also with a view to this providing a basis for the child to be reunited with its family in its country of origin.

272. In general, all cases concerning family reunification that involve children will have priority. Consideration for the best interests of the child will be an extremely important factor when a decision is made.

F. Illicit transfer and non-return (article 11)

(Reference is made to Norway's initial report, paragraphs 232-235.)

273. In 2002 Norway received 40 applications for return pursuant to the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction and the European Convention of 20 May 1980 on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody of Children. The main purpose of these conventions is to prevent people from taking the law into their own hands and to return children who have been unlawfully abducted as quickly as possible.

G. Payment of maintenance for the child

(Reference is made to Norway's initial report, paragraphs 194-200 and Norway's second report, paragraphs 170-1173.)

New maintenance regulations

274. The Storting adopted new maintenance regulations on 31 May 2001 (Recommendation No. 127 to the Odelsting (2000-2001)). The legislative amendments are planned to enter into force in autumn 2003. Pursuant to the new costing model, maintenance will be determined by dividing the cost of maintaining the child proportionately between the parents according to their income. The amount of maintenance will be tested against the ability to pay of the person required to pay maintenance and thereafter be reduced for expenses incurred during agreed/determined contact visits. The purpose of the new regulations is to share the cost of caring for the child as fairly as possible between the parents according to their ability to pay, with emphasis on the child's need for maintenance. The maintenance regulations will ensure equality between parents and encourage both parents to care for their children.

275. In parallel with the amendments to the maintenance regulations pursuant to the Children Act, a resolution has been adopted to revoke the special tax rules for maintenance and the National Insurance Authority's right to reimbursement of child benefit for paid transitional allowance (known as the 30/70 rule). This will lead to improvements in the financial situation of many maintenance recipients. The regulations have also been simplified.

276. From 1 June 2002, the monthly advance maintenance payment per child has been increased to NOK 1,180. The regulations relating to advance payment will be adapted to the new model for determining maintenance payments and the right to advance maintenance payments will be income-tested. This right is not means-tested today.

277. An agreement with the USA relating to the recovery of maintenance payments was signed on 10 June 2002 and entered into force on the same date.

Fee for official determination of maintenance payments

278. In June 2002 a fee was introduced for official determination of maintenance payments. The aim is to encourage more private agreements, and for the authorities to recover some of their expenses in cases where the parties nevertheless wish the public authorities to determine the amount. Recipients and payers of maintenance who are in a difficult financial situation will not be required to pay the fee.

H. Children deprived of their family environment (article 20)

(Reference is made to Norway's initial report, paragraphs 219-221, Norway's second report, Ch. V, item H, and Observation 34/Recommendation 35 of the Committee on the Rights of the Child.)

279. From the Life Before 18 project: The children receiving child welfare services who took part in the project find, to a great extent, that communication with the various systems can be insecure and complicated. They are often the only child at a meeting with a large number of adults and have to tell them about their life again and again. They strongly emphasize the importance of introducing measures to make the communication situation feel more secure. There should be fewer adults at meetings, a more informal tone and greater interest in and room for their thoughts and opinions.

280. *The Committee recommends that the State party carefully analyse both the factors which are leading to the placement of children outside their parental homes and in particular the practice of informal and voluntary placements, and take effective measures to guarantee that the rights of children to family life and the best interests of the child are respected.*

Analysis of the factors which lead to the placement of children outside their parental homes

281. The child welfare service is responsible for helping children and families in difficult situations to cope with their lives. Primarily, families must be helped to live together. When this cannot be achieved, the child welfare service is required by law to provide care for children and young people outside the home that is adapted to their needs. At the end of 2001, 25,892 children were the recipients of child welfare services. Of these, approximately 5,250 children (approximately 20 per cent) were placed in various care measures outside the home. For further information, reference is made to the child welfare statistics below.

282. The guidelines in section 4-4, fifth paragraph, of the Child Welfare Act are related to short-term, full-time care in cases where the child is *temporarily* unable to live with its parents due to illness or other factors of a temporary nature. Such placements are based on written, voluntary decisions made by the municipal child welfare service after dialogue with the parents. There must also be a placement plan, etc. Report No. 40 to the Storting (2001-2002) relating to child and youth welfare recommends that such placements not be limited in time and the necessary flexibility be maintained.

283. Since 1993, the number of children placed in *foster homes* as a voluntary assistance measure has increased from 300 to approximately 1,608 at the end of 2001. Similarly, there has been an increase in the number of children placed in *children's and youth homes* as a voluntary assistance measure – from 165 children at the end of 1993 to almost 743 children in 2001. One of the reasons for this increase is that children may now receive child welfare services until they reach the age of 23. Placement in a foster home as a care measure will always change from a care measure to a voluntary assistance measure when the child reaches the age of 18. No-one may be in care after the age of 18. Many of those for whom measures are provided after the age of 20 are young persons for whom an extension has been granted, either for a place in an institution or for a place in a foster home.

284. Official Norwegian Report 2000:12 Child Welfare Services in Norway discusses the extent to which the rise in the number of voluntary placements outside the home is a positive trend. One important prerequisite for voluntary placement is that the parents are temporarily unable to be responsible for the daily care of the child. It will be contrary to the intention of the Act if, pursuant to this provision, a child is placed outside the home repeatedly or for long periods of time.

285. Research is currently being carried out into the factors that lead to a child being placed outside the parental home. As part of the follow-up to Official Norwegian Report 2000:12 and Report No. 40 to the Storting relating to child and youth welfare, possible legislative amendments relating to the placement of children outside the home, among other things as assistance measures, will be considered.

Future organization of the responsibilities of county municipalities in the field of child welfare

286. In autumn 2002 the Government presented Proposition No. 9 to the Odelsting (2002-2003) concerning amendments to the Act of 17 July 1992 No.100 relating to the child welfare service (the Child Welfare Act) and the Act of 19 June 1977 No. 62 relating to Family Welfare Offices (the Family Welfare Offices Act, etc.) In the Proposition to the Odelsting, it was proposed that the tasks for which the county is currently responsible in the field of child and family welfare be transferred to the state. In the field of child welfare, this primarily concerns the responsibility for establishing and operating child welfare institutions and for recruiting and allocating foster homes. One of the reasons for this proposal is that other comprehensive reforms have changed the operating parameters for these services. Another contributory factor is related to problems in connection with some of the tasks for which the county municipality is responsible pursuant to the current Child Welfare Act. These problems are particularly related to the county's responsibility for child welfare institutions. In many counties, the institutions are deficient. These deficiencies are related to the number of places at institutions and the quality of services that are provided. An organizational reform that changes the division of tasks and responsibilities between administrative levels will not lead to any changes for groups that have rights pursuant to the Child Welfare Act. The proposed amendments were adopted by the Storting in February 2003. The Ministry of Children and Family Affairs intends to implement the state takeover from 1 January 2004.

Child welfare statistics

287. The number of children receiving child welfare measures has continued to increase from the mid-1990s to the present day. This is largely due to a rise in the use of assistance measures for children and young people who are still living with their biological parents. Despite the increase in the number of cases, only just over 2 per cent of all children receive child welfare services at any one time. During the period, therefore, the provision of resources for child welfare services has been reoriented towards greater use of preventive measures, which are initiated at an earlier stage than before.

288. At the end of 1995, 21,142 children were recipients of child welfare services. At the end of 2001, 25,892 children were receiving child welfare services, 4,750 more than in 1995 (*reference is made to Norway's second report, Ch. V, item H*) and an increase of approximately 22.5 per cent. Most of these children were registered as receiving *assistance measures*, such as visit homes, personal support contacts or day care centres (approximately 20,600 children at the end of 2001). In 1995, children receiving assistance measures accounted for approximately 75 per cent of all child welfare measures, while this proportion had increased to 79.5 per cent by the end of 2001.

289. As of 31 December 2001, approximately 5,250 children were placed in various *care measures* outside the home by the child welfare service (5,095 in 1995). Most of them, approximately 4,550 children (4,200 in 1995) were placed in foster homes. 482 children (428 in 1995) were in children's or youth homes and approximately 200 children (450 in 1995) were in other care measures outside the home at the end of 2001.

290. Foster homes are the most common placement alternative when the child welfare service takes over care of a child. Approximately 80 per cent of all children and young people who are placed outside the home live in foster homes. At the end of 2001, 6,159 children were registered as living in foster homes. Of these, 4,551 were in care while the remaining 1,608 were placed in foster homes as an assistance measure. The trend shows a rise in the use of foster homes as an assistance measure in recent years. For information concerning changes in the regulations relating to approval and inspection of foster homes, see *Ch. V J, paragraphs 298-301 of this report*.

I. Adoption (article 21)

(*Reference is made to Norway's initial report, paragraphs 222-231 and Norway's second report, paragraphs 178-185.*)

291. Approximately 800-900 children are adopted each year. More than 700 of the almost 900 children who were adopted in 2001 were adopted from abroad. The vast majority of domestic adoptions were adoptions of step-children. Families who adopt children from abroad receive a one-time sum of NOK 22,500 per child (2002).

292. Effective from December 1999, Chapter 3A concerning placement for adoption and approval of adoptive homes has been included in the Adoption Act. With respect to international adoptions, the amendment defines and clarifies the existing system. With respect to domestic adoptions, certain changes have been made with a view to providing a more coherent system for

processing domestic and international adoptions. Among other things, the authority to grant an adoption order in the case of domestic adoptions has been transferred from the County Governor to the Governmental Office for Youth and Adoption (National Office for Child, Youth and Family Affairs from 1 June 2002).

293. Since 1 January 2002, it has been possible for a partner in a registered partnership to adopt the other partner's child (the Adoption Act, section 5 a, second paragraph) in cases where the child's parent and the registered partner are its carers and social parents. The purpose of the new provision is to give these children the same possibility for legal security and safeguards as children who live with a parent and his or her spouse. The child the partner wishes to adopt may be the parent's biological child or adopted child, unless the child is an adopted child who originates from a foreign state that does not permit such adoption. None of the countries in which the three Norwegian adoption agencies are permitted to operate permit adoptive parents of the same sex.

294. No amendments have been made to the general rules in the Act relating to the adoption of step-children. Consideration for the best interests of the child, cf. section 2 of the Adoption Act and article 3 of the Convention on the Rights of the Child, will continue to be the fundamental principle when assessing whether or not an adoption order may be issued.

295. New guidelines for processing applications for adoption are provided (December 2002), including rules for the adoption of step-children. The guidelines further define the judgement upon which the adoption authorities must base their consideration of the best interests of the child.

296. With respect to obtaining the child's view of adoption and obtaining the child's consent when the child is over the age of 12, an amendment will be proposed to the current section 6 of the Adoption Act, relating to the consent of the child. Pursuant to this proposal, children over the age of 7 and younger children who are capable of forming their own opinions must be informed and given the opportunity to state their views before a decision concerning an adoption order may be made (see under Chapter 3, article 12).

J. Periodic review of placement (article 25)

(Reference is made to Norway's initial report, paragraphs 99 – 104 and 251 – 262, and Norway's second report, Chapter V.)

297. From the Life Before 18 project: The children receiving child welfare services who took part in the project believe that, for most people, foster homes are a far better alternative than institutions. The foster children who took part in the project nevertheless find that they are stigmatized as being "difficult" and want their everyday lives to be normalized. Two practical proposals from the project are, firstly, to abolish the supervisor scheme – it is enough to relate to one person at the child welfare office. Secondly, they propose that foster parents should, to a greater extent, meet ordinary parents in order to share their experiences and not only attend courses with other people who have foster children.

Amendments to the rules for approval and supervision of foster homes

298. In a consultation document relating to the incorporation of the Convention on the Rights of the Child into Norwegian legislation, the Ministry of Children and Family Affairs has proposed that parts of article 20 No. 3 of the Convention on the Rights of the Child be incorporated into section 4-15 of the Child Welfare Act. The proposal entails a legal requirement that, in the choice of placement, the child welfare service must also take into account the desirability of continuity in care of the child and the ethnic, religious, cultural and language background of the child. This proposal, which has been widely supported by the bodies consulted, together with other proposals, has been submitted in the Proposition to the Odelsting relating to the incorporation of the Convention on the Rights of the Child into Norwegian legislation. *Reference is made to Ch. I A, paragraph 20 of this report.*

299. Follow-up and supervision by the child welfare service of individual children in foster homes is important in order to meet the child's needs. In an amendment to the Act of 1993, the child welfare service is required to appoint a supervisor for children in foster homes. The supervisor scheme is regulated in section 4-22, fourth paragraph, of the Child Welfare Act and the Regulations of 21 December 1992 relating to foster homes and the supervision of children in foster homes. It is intended to ensure that the child receives satisfactory care in the foster home and that everyone has a person to turn to if they have problems with the child welfare service or the foster parents. The supervisor must function independently of the foster parents and the child welfare service. This person must, therefore, not be employed by the child welfare service except under special circumstances, but must nevertheless cooperate with the child welfare service in the best interests of the child.

300. In some places it has proved difficult to recruit enough supervisors for foster homes. The Ministry of Children and Family Affairs has, therefore, allocated funds for courses for supervisors under the auspices of the County Governors. These courses are intended to define and clarify the role of supervisor and emphasize the responsibility of individual supervisors.

301. Foster home placements are regularly reviewed by the child welfare service. The supervisor will inform the child welfare service about the treatment the child receives in the foster home so that they know at all times how the child is getting on. The child welfare service is also required by law to follow up all measures that are implemented.

Supervision of child welfare institutions

302. The County Governors are responsible for ensuring that child welfare institutions are operated properly and in accordance with the Child Welfare Act, the Regulations pertaining to the Act and the approved plan. In autumn 2002, the Government submitted a Proposition to the Odelsting proposing that the state take over the responsibilities of the county in the field of child and family welfare. *Reference is made to Ch. V H, paragraph 286 of this report.* The Proposition contained a proposal to authorize the Ministry to issue regulations relating to quality standards for child welfare institutions. It also contained a proposal for a special arrangement for approving private institutions. Pursuant to this proposal, state, regional child welfare authorities will be the approving authority.

303. As a follow-up to Official Norwegian Report 2000:12 Child Welfare Services in Norway and in order to achieve more coherent, systematic, high quality supervision, work is currently in progress on the development of supervision methodology in the child welfare service based on the principle of system audits, which also includes direct contact with the clients through interviews, user surveys, etc. System audits is a method for systematically investigating entities subject to supervision (i.e. supervision of child welfare institutions and supervision of municipal and county administrations) in order to determine whether their activities and results are in accordance with the requirements laid down in legislation and regulations.

304. Supervision by the County Governor and other regional state authorities must be better coordinated in order to reduce the use of resources and make supervision more targeted. The Ministry of Children and Family Affairs has established a working group to improve and modernize supervision of both administrations and institutions. The working group's proposals were submitted in 2002.

K. Abuse and neglect (article 19), including physical and psychological recovery and social reintegration (article 39)

(Reference is made to Norway's initial report, paragraphs 236 – 250 and Norway's second report, Ch. V K.)

The occurrence of abuse and neglect

305. Since 1993, Norway's child welfare statistics have included information about the child welfare service's grounds for implementing measures for new children, i.e. children who had not been registered by the child welfare service in the previous year. The statistics show how frequently various types of abuse (physical, mental, sexual) or neglect were the child welfare service's grounds for implementing measures. For the approximately 8,500 new children for whom the child welfare service implemented measures in 2000, the criteria for intervention were various forms of neglect or abuse in 27 per cent and 4 per cent of cases respectively. The criteria for intervention that indicate neglect largely concern parents' characteristics (drug or alcohol abuse, mental health, "deficient ability to provide care") and not parents' behaviour and must, therefore, be interpreted with caution. With the exception of sexual abuse of children, no empirical surveys indicate the percentage of all children that are exposed to abuse or neglect (*reference is made to Norway's second report*). In order to offset the under-reporting of such cases to the child welfare authorities and strengthen services for children at risk, the central authorities will ensure that better information and educational materials on various forms of child abuse and neglect are provided. With respect to the occurrence of sexual abuse, preventive measures and services, *reference is made to Ch. VIII C, paragraphs 563-566 of this report*.

Children with serious behavioural problems – services

306. Efforts to prevent, reduce and treat antisocial behaviour among children and young people take place within several disciplines. A number of methods and programmes have been developed to deal with various types of antisocial behaviour. *Reference is made to Ch. V B, paragraphs 257-261 of this report*. In Norway, there has not previously been a single group responsible for research into antisocial behaviour among children and young people.

Consequently, the Ministry of Children and Family Affairs has initiated the establishment of a special centre at the University of Oslo, one of whose tasks is to assist counties and municipalities in their efforts to deal with antisocial children and young people. The aim is to establish a network of universities, colleges and centres of expertise in order to develop knowledge and methods. The centre will have three main responsibilities:

- Research into the occurrence and development of antisocial behaviour among children and young people;
- Research into measures relating to the evaluation and development of new methods;
- Implementation of, training in and further development of new methods in efforts to deal with serious behavioural problems.

307. The centre will engage in research, development, training, guidance and education and strengthen the links between research and practice. Training in PMT and MST will take place at the centre.

Child welfare emergency teams and telephone services

(Reference is made to Norway's initial report, paragraphs 42-45 and Norway's second report, Ch. V K.)

308. The Ministry of Children and Family Affairs will continue to support the helpline for children and adolescents run by the Norwegian Red Cross and the PAG Foundation (formerly the Wanda Centre). The Ministry is otherwise concerned to discover whether the emergency services function well and will, therefore, in 2003, initiate the implementation of a review of municipal child welfare emergency services.

CHAPTER VI. BASIC HEALTH AND WELFARE

A. Children with disabilities (article 23)

(Reference is made to Norway's initial report, paragraphs 288 – 297 and Norway's second report, paragraphs 197-202.)

309. Between 2000 and 2500 children are born each year in Norway with a diagnosis that implies some form of disability. Furthermore, a number of children develop a disability or chronic illness after birth. In a 1998 project on children with long-term illness and disabilities, a definition based on functional limitations was used, on which basis the percentage of children with disabilities was estimated to be 11 per cent of the child population. According to a Nordic study carried out in 2002 on children's health and well-being, children with disabilities and their families had the same material standard of living and social network as other families. However, the children participated somewhat less in recreational activities and had lower self-esteem. The children also had more frequent psychosomatic symptoms.

310. The municipal social services are an important supplier of services for disabled children and their families. The legislation provides considerable leeway to design flexible solutions adapted to individual needs. Under the Action Plan for the Disabled, a number of trial projects have been carried out to gain experience of services that are better adapted to the needs of families with disabled children. The lessons learned from these projects will be a spur to further development efforts in municipalities. This topic will be discussed in the Report to the Storting relating to policies for persons with reduced functional capacity that is due to be submitted in spring 2003 (*see paragraph 315 of this report*). A number of measures have been initiated with a view to strengthening municipal services, such as:

- In 1998 the Norwegian Board of Health published a Guide for Habilitation of Children and Youth, which addresses issues such as the organization and use of interdisciplinary groups responsible for designing, coordinating and implementing measures;
- Under the Municipal Health Services Act, individuals are entitled to individualized treatment planning. Regulations regarding individualized plans have been issued with associated guidelines with a view to ensuring that users are offered coherent, coordinated services tailored to their specific needs;
- The National Insurance Service in Vestfold County has tested a model for improved services for children with disabilities and their families. This model will also be used in the other counties.

(Reference is made to the Committee's Observation 38/Recommendation 39.)

311. *The Committee is concerned that children with disabilities do not have the best possible social integration with their peers, and recommends that the State party continue with its efforts to ensure that children with disabilities are able to spend time with other children, as emphasised in the State party's second plan of action.*

312. A main focus of the Plan of Action for Persons with Disabilities (1998-2002) is to render society more accessible to disabled persons. A number of measures have been implemented to improve accessibility to public buildings, transport systems, sports arenas, etc.

313. Special measures have also been implemented to make ordinary recreational activities more accessible to young people with disabilities. Disabled adolescents are a priority target group in the grant scheme for urban youth projects (*cf. Ch. VII C, paragraph 505, of this report*). The cultural project, The Stage is Ours, run by Drammen Municipality, is an example of a project that has received funding through this scheme. The purpose is to activate mentally disabled young people through creative, cultural forms of expression such as pictorial art, music and film. The project has been in progress since 1998. Another project, Vispen Maritime Centre, organizes outdoor maritime activities in order to provide children and young people in general and the disabled in particular with cultural and nature experiences within the framework of outdoor coastal and maritime activities. Services are designed for participation by various groups of children and adolescents. School classes, scout groups, recreation clubs, residents' associations, handicapped groups, etc. use the maritime centres for activities throughout the summer half of the year.

314. Official Norwegian Report 2001:22, *From User to Citizen - A strategy for the dismantling of disabling barriers*, was submitted to the Ministry of Health and Social Affairs on 29 June 2001. The report concludes that there is a significant gap between the political goals of full participation and equality for persons with disabilities and the actual situation experienced by many persons. According to the report, persons with disabilities encounter barriers that limit their possibilities of participating in a number of areas, such as the labour market, higher education and cultural and recreational activities. The report proposes measures to achieve the goals of full participation and equality in accordance with the UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities. In 2002 the Government appointed a committee to evaluate the need for an Act prohibiting discrimination. The committee will also consider and propose possible amendments to existing legislation aimed at protecting the rights of persons with disabilities and preventing discrimination.

315. The report and experience gained from measures in the Plan of Action for Persons with Disabilities will be followed up by the Ministry of Social Affairs in a separate Report to the Storting relating to policies for persons with reduced functional capacity. In the report, various measures and services for families with disabled children will be evaluated. The Ministry of Children and Family Affairs will follow up the efforts to establish nation-wide family counselling services for parents with children with disabilities based at selected family welfare offices. *Reference is made to Ch. V B, paragraph 253 of this report.*

316. The goal of the four-year research programme IT-funk is to make new information and communication technology more accessible to persons with disabilities. In connection with the reform replacing institutional care for mentally retarded persons with care provided by municipalities in the persons' own homes, funds have been allocated for several years to projects aimed at evaluating the reform and examining living standards and conditions for persons with disabilities ten years after the reform. The third edition of the brochure entitled "The Rights of Children and Young People with Disabilities" was published in 1999 by the Norwegian State Council on Disability. The brochure has been published in Sami, English, Arabic, Urdu, Somali and Norwegian.

School children with disabilities

317. The Education Act promotes the integration of persons with disabilities. The main rule is that disabled children are to attend school in an ordinary class with other children and young people. Children with disabilities also have a statutory right to attend their local primary and lower secondary school, and thus may object to being transferred to special schools. The Ministry intends to intensify its efforts to ensure compliance with the statutory provisions regarding integration. This is achieved through the supervision carried out by state education offices at county level, which also deal with complaints from individual pupils or parents who consider that the Act is not being complied with. A national support system for special education has been established, *cf. paragraphs 198 -200 of Norway's second report*. This support system currently comprises 17 resource centres. *For further details, reference is made to Ch. VII A, paragraph 441 of this report.*

Children with disabilities in day care institutions

318. Pursuant to section 9 of the Daycare Institutions Act, children with disabilities must be given priority in admissions to day care institutions. *Reference is made to Norway's second report, paragraph 202.* The Ministry of Children and Family Affairs has initiated a study of the use of earmarked grants for the adaptation of day care institutions for children with disabilities. The study shows that applications by disabled children for a day care place are very seldom rejected. Most of the earmarked grant is used to increase the number of assistants in the institution, and secondly to increase the number of pre-school teachers. According to the Ministry's three-year programme to improve the quality of day care institutions, "day care institutions must exist for all children, including children with disabilities, minority language speakers and other children with special needs. Children with disabilities must be guaranteed a relevant facility from which they can benefit, and the day care institution must be developed as an important preventive arena and an effective measure of assistance for children who require special support and care."

B. Health and health services (articles 6 and 24)

(Reference is made to Norway's initial report, paragraphs 298-330.)

Infant and child mortality

319. Infant mortality has been halved in the last ten years, from 8 to 3.8 per 1000 liveborn children during the decade from 1990 to 2000. The mortality rate in this period peaked in 1988 with a relatively large number of deaths, while 2000 was the year with the fewest deaths for children under the age of one. However, county infant mortality rates vary significantly, both from one county to another and from one year to the next. In 1999 the rate was lowest in Akershus County (2.8) and highest in Finnmark County (6.2).

320. 439 persons aged 0-17, 251 boys and 188 girls, died in 2000. There were fewer deaths in the 1-17 year age group than in the under-one year age group. There is no clear upward or downward trend from one year to the next in the various counties. Out of a total of 178 deaths among children aged 1-17 in 1998, more boys (103) than girls (75) died. Both among boys and girls, more children died as a result of an illness than from "violent causes". Once again, malignant tumours, or cancer, caused the deaths of the largest number of children. 38 per cent of the boys and 36 per cent of the girls who died of cancer were 1-5 years old. Congenital defects were the second most common cause of death in the category "Deaths caused by disease" in 1998, with the largest number of deaths in the youngest age group (1-5 years old). 35 of the 54 children who lost their lives in accidents in 1998 were killed in traffic. (Source: Current child and youth statistics, Statistics Norway.)

Vaccination system

321. A national child vaccination programme, which is authorised by section 3-8 of the Control of Communicable Diseases Act and offered to pre-school children aged 0-6 and primary school children, is carried out by public health clinics and school health services. Although vaccination is voluntary, in accordance with good professional practice health personnel should aim to vaccinate as many children as possible so as to achieve a high rate of immunity among the

population. All vaccinations administered are registered in SYSVAK, a national immunisation register established to ascertain vaccination rates throughout Norway and monitor the immunisation status of individual persons. The register also helps to make it possible to offer a complete vaccination programme to all pre-school children and children of compulsory school age living in Norway. For information as to the vaccinations offered to newborn infants and small children, *reference is made to Norway's second report, paragraphs 217-219.*

Accidental injuries and deaths - preventive measures

322. In total, some 1,900 children and young people were injured or killed on Norwegian roads in 2000. This is equivalent to 2 per thousand of all Norwegian children and young people. Of the 1,900 who were injured or killed, 40 died of their injuries. As regards the purpose of their journey, i.e. their destination or what the person was doing when the accident occurred, statistics show that the largest proportion of injuries or fatalities among children and young people (14 per cent) occurred in connection with recreational travel. Most of those injured or killed while travelling to visit a place or person or for recreational purposes were between 13 and 17 years old. 13-17-year-olds also accounted for the majority of those injured or killed on their way to or from school, the second largest category (7 per cent of those injured or killed) as regards purpose of travel. The incidence of accidents and injuries in connection with sports and training is highest among young people aged 15-24. In the recreational sector, there are trends that involve a high risk of accident. This applies, for instance, to injuries related to snowboards, skateboards and roller blades.

323. Road traffic accident statistics only cover accidents resulting in injury that are reported to the police. Consequently, less serious accidents and injuries are particularly under-represented in the injury statistics. The largest category of injured persons were 13-17-year-olds, while automobile passengers were the largest category of persons injured or killed, seen as a whole. Pedestrians accounted for the second largest group of injuries/fatalities, followed by cyclists.

324. A total of 280 cyclists aged 0-17 were injured or killed in 2000. Over half of them were between 6 and 12 years old. 13-17-year-olds accounted for 42 per cent, or 120 out of 280 cyclists injured or killed. Most of the cyclists aged 0-17 who were injured or killed in Norway were boys. Both for girls and boys, the statistics show that more persons without a helmet were injured or killed than those wearing a helmet. Bicycle accidents are strongly under-reported. Many injuries are not serious enough to entail police involvement. (Source: Current child and youth statistics, Norway Statistics.)

325. Numerous measures have been initiated in the past few years to ensure that roads used by schoolchildren are safe. This has included both improving barriers between vehicular and pedestrian traffic and building special walkways and bicycle paths. A great deal can still be done, particularly to prevent bicycle injuries among children and young people. The Government has also initiated cooperation with the relevant parties with a view to preventing traffic accidents involving vehicles transporting pupils celebrating graduation from upper secondary school (*russebiler*). Close to 50 municipalities in Norway are engaged in systematic, cross-sectoral, long-term efforts to prevent injuries and accidents within the framework of the WHO concept, Safe Local Communities, and this work is continuing.

326. In order to meet the challenges posed by the increase in accidental injuries in recreational activities and traffic, as well as injuries caused by violence, greater knowledge of risk behaviour and mechanisms for such behaviour is required.

Asthma, allergies and diseases related to indoor climate

327. Children and young people are particularly subject to asthma, allergies and respiratory diseases, which are the cause of significant chronic illness and use of resources. 7-8 per cent of schoolchildren in Norway have asthma, while 15 to 18 per cent suffer from hay fever. On the basis of the data currently available, it is impossible to say whether there has been an increase in the prevalence of asthma and allergies among the population, even though more persons today are diagnosed as suffering from such diseases. Little is known about the reasons for the development of these diseases. However, in a number of areas factors have been identified that increase the risk of developing a tendency towards such ailments and of triggering the illnesses. Food allergies and food intolerance are among the most frequent chronic ailments suffered by very young children.

328. The regulations on environmentally-oriented health protection in day care institutions and schools, etc. are intended to safeguard the interests of children and young people as regards health, well-being and safety. The municipal council has supervisory responsibility for ensuring compliance with these regulations. In 1999 and the first three months of 2000, the chief county medical officers carried out inspections of municipal efforts to implement the regulations. The supervisory report concords with the conclusions reached in an evaluation of regulatory compliance carried out by Asplan Viak. The main conclusion is that the regulations have resulted in concrete improvements in the form of investments, repairs and extensive planning activities which most likely would not have been initiated without the regulations.

329. Nevertheless, a considerable amount remains to be done in order to achieve all the intentions of the regulations and ensure that all obligations are met at both the municipal and school/day care institution levels. The evaluation shows that the great majority of municipalities and schools/day care institutions are making good progress in a process aimed at meeting the requirements of the regulations. Just under half of them stated that they have ambitions of completing repairs and improvements within a period of two years. However, one third require more time, most of them between three and five years, some more than five years. Amendments to the Education Act have been proposed and a financing package has been adopted to improve school facilities during the period 2002-2009. These measures are likely to have a significant impact on indoor climatic conditions.

Tobacco

330. Every year some 7,500 Norwegians die from smoking-related diseases as a result of their own smoking, while around 500 people die from passive smoking. The annual surveys of smoking habits in Norway carried out by Statistics Norway for the Department of Tobacco Control at the Norwegian Directorate for Health and Social Welfare show that less than one third of the population aged 16-74 smoke on a daily basis. Fewer young people take up smoking now than, for instance, 25 years ago. This decline is probably a result of increased focus on and knowledge of the risks involved in the use of tobacco. However, the significant decline in the percentage of daily smokers among young people aged 16-24 that took place between 1973 and

the late 1980s has stagnated, and the trend has remained stable since the end of the 1980s up to the present. In the under-25 age group, around 30 per cent of both men and women smoke daily (Statistics Norway, 2002). Ten per cent of lower primary school pupils were daily smokers in 2000, compared with 16 per cent in 1975. Approximately 25 per cent of upper secondary school pupils are daily smokers.

331. One of the goals of the national strategic plan for combating the harmful effects of tobacco (1999-2003) is to stop smoking among children and young people. Schools are an important arena for these efforts. One example of the action taken is the *Vær Røykfri* (Be Smoke Free) educational programme which targets lower secondary school pupils. About half of the lower secondary school pupils in Norway take part in this programme, which is the largest systematic campaign against tobacco ever launched in Norway. Its primary aim is to prevent young people from taking up smoking. An evaluation of the programme shows that it has achieved good results. The programme is continuing in lower secondary schools with the involvement of teachers, pupils and parents.

332. *Røyksignaler* (Smoke Signals) is a joint project run by the Directorate of Health and Social Welfare and the Norwegian Cancer Society. The goal of the project is to reduce the number of smokers aged 16-19. The project aims at combining strategies that target individuals with measures aimed at the group and community levels. In line with this policy, the project comprises four types of measures: initiatives aimed at developing and implementing programmes for upper secondary schools, specific services designed to assist and motivate smokers to stop smoking, national and local mass media campaigns, and structural measures, such as the introduction of smoke-free schoolyards.

Diet and nutrition

333. In general, the nutritional situation of children in Norway is good. However, significant challenges remain to be tackled, and there is considerable potential for improvement. In 2000-2001, a new nation-wide study was conducted of the diet of children and young people in 4th to 8th grades (UNGKOST 2000). The study shows that their diet largely conforms to the recommendations of the Directorate for Health and Social Welfare. However, it contains too much saturated fat and not enough fruit and vegetables and high fibre foods, such as bread. Nine out of ten pupils received more than 10 energy per cent from sugar, thereby exceeding the recommended maximum level.

334. There is clear evidence of a growing degree of overweight among the Norwegian population. Between 1975 and 2000, the weight of nine-year-old girls rose on average by 3.7 kg, while the corresponding figure for boys is 3.9 kg. Taking into account their increase in height, nine-year-olds are now three kilos heavier than they were 25 years ago. Increased body weight is the result of low physical activity combined with a poor diet containing a great deal of sugar and fat. The percentage of passive children and adolescents appears to be rising significantly, and many children have motor problems or diseases related to inactivity. Measures to improve diet and promote greater physical activity in daily life are therefore essential in order to prevent overweight.

335. As a result of long-term, continuous efforts to promote breastfeeding and good infant nutrition, which include the *Mor-barn vennlige sykehus* project relating to mother-child-friendly hospitals, almost all Norwegian mothers start to breastfeed their babies after birth. Around 80 per cent of the children are still breastfed at the age of six months. Nevertheless, there is room for improvement as regards the duration of exclusive breastfeeding. In 2001 the Directorate for Health and Social Welfare (the then National Council for Nutrition and Physical Activity) issued new recommendations for infant nutrition, which included new recommendations on exclusive breastfeeding up to the age of six months.

336. As part of the efforts to ensure a healthy diet, emphasis is placed on improving and enhancing meals eaten at schools. It is particularly important that children are ensured a 20-minute meal break and full adult supervision during meal breaks for first-to-fourth-grade pupils. An important initiative in recent years has been the establishment of a subscription scheme for fruit and vegetables in primary and lower secondary schools, equivalent to the school milk scheme. As from autumn 2002, this scheme is offered in 18 counties, and will be available throughout Norway from 2003.

337. In connection with, *inter alia*, the new report to the Storting on efforts to improve public health (*cf paragraph 375 of this report*), the Ministry of Health has appointed a working group to study the issue of food in schools in a broad perspective. The working group will examine possibilities of improving both school meals and tuition in Home Economics, each of which are regarded in their own way as essential elements in efforts to promote a healthy diet for children and young people.

Efforts to combat eating disorders

(*Reference is made to Observation 36/Recommendation 38 of the Committee on the Rights of the Child.*)

338. *The Committee is concerned by the high incidence of anorexia nervosa and bulimia. The Committee encourages the State party to continue its efforts to address eating disorders, which are both a medical and a psychological problem.*

339. Eating disorders are a health problem on which increasing attention is being focused. It is mainly children and young people who develop eating disorders. A distinction is made between eating problems and more serious eating disorders on the basis of medical criteria (diagnoses). There has been an increase in less serious eating problems, but it is difficult to quantify the rise. However, assumptions concerning a *dramatic increase* in the incidence of eating disorders are not supported by recent research.

340. International and Norwegian surveys estimate that approximately 2 per cent of the female population suffer from serious eating disorders. According to a number of studies, the gender distribution is around 90 per cent girls and women and 10 per cent boys and men. Due to both physical complications and attempted suicides as a result of eating disorders, the mortality rate is 6-9 times higher for this group than in a comparable population. Research indicates that about 30 per cent of women with anorexia nervosa undergo treatment, compared with only about 6 per cent of those with bulimia nervosa. Many of them have symptoms for 4-5 years

before seeking treatment. In many cases, the treatment and follow-up of patients with eating disorders are a long-term process, necessitating as much continuity and coherence as possible in the services offered at all levels.

341. The efforts of the authorities to strengthen measures targeting persons with eating disorders are described in the strategic plan to combat eating disorders issued in 2000. The plan aims at both preventing eating disorders and improving services for those who have developed an eating disorder. Particular emphasis is placed on increasing expertise on eating disorders and their prevention and treatment in general health services.

342. Services for persons with eating disorders have been followed up through the approval of plans for mental health care, counselling for health services, implementation of low-threshold services at municipal level, testing of models at county level and the educational programme *Kropp og selvfølelse* (Body and Self-Esteem). The programme is an interdisciplinary, inter-agency initiative, in which emphasis is placed on building up local groups of professionals and strengthening resource networks. New treatment programmes were established in 2001. In December 2001, a special unit was set up at Haukeland University Hospital for the eating disorder patients who require the most intensive treatment. This unit offers day-time services for out-patients, and 24-hour services was established in 2002. In the Central Norway Health Region, a regional team of professionals was established in 2001 to deal with eating disorders. This was the first step of the process of establishing a special unit for patients with serious eating disorders. In spring 2001, an out-patient unit for the treatment of eating disorders was opened at Aker University Hospital.

343. The project *Kjøp av helsetjenester i utlandet* (Purchase of Health Services Abroad) has resulted in the provision of treatment abroad for patients with serious eating disorders. In 2001 and 2002, therefore, substantial sums were allocated for treatment abroad for this group. So far, 22 children under the age of 18 have been referred for or are currently receiving such treatment. Part of the project aims at transferring expertise to Norway with a view to expediting the process of building up Norwegian treatment facilities for this group.

344. Regional health enterprises have been requested to improve treatment for eating disorders in line with the strategic plan and to meet needs in their region. According to the plan, each health region is to designate one hospital in the region to have a particular responsibility for developing highly specialized clinical services.

345. In 1999, a teaching manual and guidelines on the prevention of eating disorders, *Om kultur, kropp, kommunikasjon* (Culture, Body, Communication), were produced for use in schools and school health services and public health clinics for young people. The teaching materials were jointly developed by the Ministry of Health and Social Affairs and the National Centre for Educational Resources (now the Norwegian Board of Education). The teaching manual consists of three sections: teaching guidelines, educational teaching aids and a book of exercises for pupils. The material comprises a section on general health promotion and a special section on eating disorders. The latter is primarily intended to give teachers necessary knowledge of eating disorders in order to effectively meet the needs of the pupils concerned.

346. An evaluation of teaching material and guidelines on the prevention of eating disorders is one of the measures in the Government's strategic plan to combat eating disorders. A report prepared in 2002 by the Norwegian Institute for Urban and Regional Research (NIBR) includes a favourable evaluation of the teaching manual. Distribution of the material to relevant users is continuing.

347. The Ministry of Children and Family Affairs and the Ministry of Education and Research (the Norwegian Board of Education) have financed an Internet-based educational programme aimed at raising awareness among children and young people of the methods and means used in the media and in advertising and the role they play in the development of eating disorders. This project is entitled TENK (Think) and is intended to mobilise confidence in one's own human value and promote understanding of the media. Internet pages have been developed that include both a pupils' zone for pupils in lower and upper secondary schools and a teachers's zone to provide more information for teachers on this topic. Further information about this project may be found on <http://skolenettet.no/tenk>. These web pages will be available to all Norwegian schools through the "School Net". The effects of the "TENK" project is being evaluated by the regional university of Nord-Trøndelag.

Sexual relations, sexuality and contraception

348. After a rise in the number of teenage abortions in 2000, the incidence of such abortions has now returned to the level observed in the late 1990s. In 2000, there were 2,599 induced teenage abortions (of a total of 14,655 abortions), but in 2001 this figure decreased to 2,448. This was a decline of 1.3 per 1,000 teenagers. (Source: Abortions, 2001, Statistics Norway.)

349. The plan of action to prevent unwanted pregnancies and abortions (1999-2003) is being followed up by the Directorate for Health and Social Welfare and the Ministry of Health. The two main goals of the plan are to reduce abortion rates, i.e. the number of induced abortions per 1,000 women of childbearing age, in the target groups and to give everyone the best possible basis for choosing a wanted pregnancy by ensuring that they are well informed about issues relating to sexual relations, sexuality, contraception and pregnancy. The main target groups for abortion prevention efforts are young people aged 13-19, young adults aged 20-29, groups who are at particular risk of an unwanted pregnancy, and women and couples who are considering an abortion.

350. There are ongoing measures in municipalities aimed at preventing unwanted pregnancies and abortions. These are designed to improve boys' and girls' ability to develop ethical, well-considered attitudes to sexuality and sexual relations. This important work is carried out by schools, public health clinics for young people, school health services, medical services, organizations and clubs. At the central government level, the Directorate for Health and Social Welfare is following up a number of measures: the SUSS helpline is a counselling service for young people aimed at preventing unwanted pregnancies and induced abortions, while the *Telefon for seksuell helse* (Helpline for Sexual Health) is a service for adults. The organization *Alternativ til abort i Norge* (Alternative to Abortion in Norway (AAN)), which has 19 offices in various parts of the country, receives an annual allocation of over NOK 12 million for abortion

prevention. The AAN emphasizes its role as a counselling centre for pregnant women, and offers women or couples an opportunity to talk to counsellors both before and after they choose to have an abortion or go through with the pregnancy. The special expertise of the AAN is also increasingly in demand in the education system.

351. In cooperation with the Ministry of Education, Research and Church Affairs and the Ministry of Health and Social Affairs, the Norwegian Board of Education has developed a teachers' guide for the subject Self, Society and Sexuality and contraception. This guide was distributed to all teachers in lower secondary school, public health clinics and school health services at the start of the school year in autumn 2001.

352. As a follow-up to Report No. 16 to the Storting on the practical results of the Act relating to Abortions, etc., *Forsøk med samlivs- og prevensjonsveiledning i kommuner 1997-2000*, a pilot programme for municipal counselling on sexual relations and contraception (1997-2000), was carried out in Trondheim Municipality by SINTEF Unimed. The pilot programme was concluded in June 2001. In order to test measures that might help to reduce the number of unwanted pregnancies and abortions, the following measures were initiated:

- Increased emphasis on counselling on sexual relations and contraception;
- Distribution of free birth control pills and condoms by public health clinics;
- Midwives and public health nurses with special additional training were given limited authority to prescribe and distribute birth control pills in accordance with a list established by the Norwegian Medicines Agency.

353. The pilot programme showed that the number of abortions can be reduced by good counselling and increased availability of contraceptives. The number of abortions fell by 34 per cent and the number of births by 24 per cent in the age group 17-19 years in the pilot municipality compared with the control municipality where no extra measures had been initiated at public health clinics for young people.

354. In its debate on Proposition No. 1 (2001-2002) to the Storting for the 2002 budget period, the Storting endorsed the proposal to provide young women aged 16-19 with birth control pills free of charge as a means of preventing unwanted pregnancies and abortions among teenage girls. The measure came into force on 1 January 2002. The Ministry of Health has adopted an amendment to the Regulations of 27 April 1988 No. 455 on the requisition and distribution of medicines by pharmacies, which gives public health nurses and midwives the right to prescribe contraceptives for young women aged 16-19. The amendment came into force on 1 June 2002. The measure is described in Circular I-3/2002 on the prevention of unwanted pregnancies and abortions - guidelines on the right of public health nurses and midwives to prescribe contraceptives for young women aged 16-19.

355. Based on the teachers' guide to the subject Self, Society and Sexuality, circulars to pupils and parents have been prepared regarding tuition on the topics of sexual relations and sexuality. The circulars were sent out at the end of 2002, and the responsibility for following them up

was assigned to lower secondary schools, which were given the task of distributing them to 10th grade pupils in connection with tuition in Self, Society and Sexuality, and to parents at parent-teacher meetings in 10th grade at which information on tuition in these topics is provided. The circular to parents has been translated into several languages.

Mental health care

356. From the Life Before 18 project: The young people with mental problems who took part in the project said that they can see for themselves that they need help, and also understand that it is necessary to be in an institution. But they would like more and better information from adults about why they have to be there and what will happen to them. They also question whether their mental health will improve when they live in such close proximity to other young people with serious mental problems. They express a strong desire to spend more time with their families. Many also find the transition back to ordinary school difficult and believe it would have been easier if their classes were prepared for it.

357. Although Norway's young population is, on the whole, in good health, many children and adolescents struggle to cope with problems and disorders. There is much to indicate that the incidence of mental disorders and problems among children and young people is increasing significantly. Various surveys show that the incidence of mental disorders in this group is about 20 per cent. Researchers and clinicians agree that around five per cent of the child population (0-18 years old) have mental problems that are so serious that they require assistance from the specialized health services. Surveys also show that many children and young people develop a life style that is harmful to their health during their childhood and adolescent years in the form of poor dietary habits, inactivity, risk behaviour and the use of tobacco and other intoxicants. *Reference is also made to Ch. VII C, paragraph 477, of this report.*

358. The Storting has adopted a special plan to expand and restructure mental health services, *Opptrappingsplan for psykisk helse 1999-2006* (the National Programme for Mental Health 1999-2006, Proposition No. 63 to the Storting (1997-98)). The plan calls for mental health services to be significantly strengthened and a total of approximately NOK 6.3 billion to be invested in specific measures during the period in question. It emphasizes the importance of a stronger focus on services for children and young people, and proposes that 20 per cent of municipal investments should target children and young people. This figure is a recommended norm for the allocation of municipal grants. The plan also aims at increasing the quality and quantity of specialized health services. This has produced results in the form of marked annual growth in the number of children and young people receiving treatment. As a consequence of the plan, 7,000 more children and adolescents received treatment in 2001 than in 1998, a rise of 40 per cent. 2.7 per cent of the population under 18 years of age received treatment in 2001, while the corresponding figure for 1999 was 2.2 per cent. The goal of the plan is to achieve a national treatment rate of 5 per cent. However, despite the substantial rise in the number of persons receiving treatment, the fact that children and young people increasingly have to wait for help poses a challenge.

Availability of mental health services, psychiatrists and psychologists

(Reference is made to Observation 40/Recommendation 41 of the Committee on the Rights of the Child.)

359. *The Committee expresses concern at the long waiting list for mental health services for children, and encourages the State party to ensure better access to psychiatrists and psychologists.*

360. In order to prevent mental problems more effectively and improve services for children and young people with mental disorders, there is a need to increase recruitment and raise the level of expertise. A number of measures have been initiated to provide in-service training and further and specialized education and to recruit personnel.

361. The National Programme for Mental Health anticipates a continued shortage of psychologists after 2006. Further measures are therefore required to increase training and recruitment, including at the municipal level. Admissions to psychology studies increased by eight places between 1995 and 2000. In 2001, steps were taken to provide 16 new study places. The Ministry provided funding for a study of the recruitment and stability of psychologists in municipalities. It also continues to work closely with the Ministry of Education and Research to increase the number of admissions. In order to maintain and increase training capacity, a seven-year programme is being introduced to provide psychologists with the necessary dual qualifications (research combined with clinical practice). A follow-up of the study of measures to increase recruitment and stability of psychologists in municipalities is being considered. Continued funding will be provided for specialized in-service training and further education.

362. The National Programme for Mental Health anticipates a certain shortage of psychiatrists up to 2006. Although the situation is improving and the percentage of vacant posts for child and adolescent psychiatrists has declined, a large percentage of posts are still vacant in these specialized fields. The scheme providing for specially adapted training programmes for psychiatrists and child and adolescent psychiatrists in areas where there is a lack of such professionals has been maintained and is being assessed in relation to the restructuring of hospital-based specialist training programmes for physicians and specialist training programmes for clinical psychologists. Funding for salaries for compulsory service in pediatrics in connection with the specialist training programme in child and adolescent psychiatry has been maintained and is under assessment. Support for specialized in-service training and further education has been maintained.

Prevention of suicide

(Reference is made to Observation 36/Recommendation 37 of the Committee on the Rights of the Child.)

363. *The Committee is concerned by the continuing incidence of suicide by children, especially boys. The Committee recommends continued research into the incidence and causes of child suicide, and that this research be used as the basis for further development of the State party's suicide prevention programme.*

364. Despite the fact that the suicide rate for the population as a whole has shown a clearly declining tendency in the 1990s, the trend has not been as favourable among the younger age segments of the population. The suicide rate for young people in Norway has traditionally been very low compared with other countries, including Norway's Scandinavian neighbours, Denmark and Sweden. However, this is no longer the case; the Norwegian suicide rate for the 15-24 age group is now considerably higher than the rates in Denmark and Sweden, and the situation is the same for both sexes. In Norway, suicide has become the most common cause of death among boys and young men (27 per cent of all deaths in 1998), but suicide now accounts for a very significant percentage of all deaths (24 per cent in 1998) for girls and young women as well. Suicide must therefore be regarded as one of the very greatest threats to public health among young people. The incidence of suicide attempts in the under-20 age groups is almost twice as high for girls as for boys.

365. A plan of action to prevent suicide was concluded at the end of 1999. A new follow-up project comprising suicide prevention measures, *Oppfølgingsprosjekt - tiltak mot selvmord (2000-2002)*, was established to maintain and safeguard the expertise that has been acquired. The primary goal is to strengthen the health services' human resources and services for people in suicidal crisis and to prevent suicide among groups that are at risk, including children and young people. Prevention of suicide among lesbians and homosexuals has also been defined as a priority area for the follow-up project. These efforts will be maintained in 2003. Further efforts to prevent suicide in 2004 and beyond will be considered in 2003.

366. Research will continue and more will be initiated to acquire more knowledge about the mental health of children and young people in general and suicidal behaviour in particular. Regional resource centres have been established which are responsible for establishing routines at institutions for patients admitted after attempting suicide. Each health region has its own resource centre. Efforts are now being made to ensure that research and the build-up of expertise on the incidence and causes of suicide continue after the expiry of the project period, 2000-2002, in part to ensure that the expertise and knowledge gained are passed on.

Prevention of HIV and sexually transmitted infections

367. HIV infection has never been widespread among children and young people in Norway. In the last ten years (1992-2001), a total of 1224 cases of HIV infection have been diagnosed in Norway, of which 53 cases (0.4 per cent) were found among young people under 20 years of age. Of these 53 cases, 43 (81 per cent) are immigrants or refugees who were infected in their home countries prior to arrival in Norway. 24 of them are presumed to have been infected heterosexually and 13 perinatally, and in six cases the source of infection is unknown. Of the ten cases residing in Norway when they were infected, three were infected heterosexually, two homosexually and five perinatally.

368. Since 1983/84, the central health authorities have made active efforts to prevent HIV/AIDS. The first plan of action was initiated in 1986, since when the Storting has made annual earmarked allocations from the state budget. The fourth plan of action, *Ansvar og omtanke. Strategiplan for forebygging av hiv og seksuelt overførbare sykdommer* (Responsibility and Consideration. A Strategy for the prevention of HIV and sexually transmitted diseases), entered into effect in 2002. The strategic plan will serve as a guideline for future efforts and will help to ensure that Norwegian society is better prepared to tackle both

present and future challenges. One of the main goals is to reduce the number of persons newly infected with HIV and sexually transmitted diseases. The other main goal is to ensure that all infected persons are followed up satisfactorily regardless of their age, gender, sexual orientation, residence, ethnic background or personal financial situation. Several subsidiary goals focus particularly on young people:

- Preventive and health-promoting efforts related to HIV and sexually transmitted diseases and targeting adolescents and young adults are to be strengthened;
- The use of condoms is to be increased by improving their availability and promoting behavioural changes;
- Persons with HIV and AIDS who are particularly vulnerable or at risk are to be offered special follow-up measures adapted to their specific needs; this particularly applies to women and children;
- The stigmatization of and discrimination against persons with HIV and AIDS are to be combated.

369. The number of HIV cases found in children born to HIV-positive women in Norway has remained low. All in all, 25 cases have been diagnosed since 1983, 11 of them born in Norway and 14 born abroad. Of the five children found to have been infected in Norway in the 1990s, the mother's HIV infection was known at the time of birth in two cases. The mothers of three of the children were of foreign origin.

370. Sixty HIV-positive women are known to have given birth in Norway during the period from 1983 to 31 December 2000, 37 of them after 1990. In the light of the two cases of HIV infection among children whose mother was known to be infected with HIV at the time of birth, the rate of infection transfer has been low. All pregnant women are offered a free HIV test, and virtually all of them accept the offer.

371. As is evident from its title, the strategic plan also aims at preventing sexually transmitted diseases (STDs). There is still a high incidence of STDs among young people, particularly genital chlamydia infection. As in the rest of the western world, genital chlamydia infection is very widespread in Norway. The disease is not monitored in detail, and no data is available for age and gender. Most of the 10,000-14,000 cases found each year are young people under 25 years of age, and clinical studies show that the disease is also widespread among young people under 20. It is assumed that around 5 per cent of sexually active young people around 20 years old in Norway have a genital chlamydia infection.

372. In the past 10 years, the number of gonorrhoea cases has ranged around 200-300 reported cases per year, of which about 20 cases per year are found in young people under 20 years of age. Syphilis is very rare among the under-20 age group in Norway, and only four cases have been diagnosed in this age group in Norway in the past decade. Herpes genitalis and genital papilloma virus infection are diseases that are not monitored in Norway, but are very prevalent in Norway as elsewhere in the western world, also among young people.

373. It would appear that young people consider avoiding pregnancy to be more personally relevant than protecting themselves against HIV and other STDs. The strategic plan therefore focuses on the importance of intensifying efforts targeting young people, and of involving young people in the process. This work must be based on a gender perspective and must also be seen in conjunction with the plan of action to prevent unwanted pregnancies and abortions (1999-2003) (*cf. paragraph 349 of this report*).

Health-promoting and preventive efforts

374. From the Life Before 18 project: The children and young people who took part in the project very much enjoy using their own resources and creativity in cultural and artistic activities. Many of them emphasized that young people who are allowed to take part in planning their everyday lives and futures are happier than those who are excluded and controlled. In response to a question about what will be most important for young people in future, many of them answered belief (religion), followed by tolerance and environmental protection. The participants also responded to a question about what they miss most in their lives. Almost all of them miss persons, as opposed to things. Many said that they miss their fathers – but they also often miss friends, grandparents and pets.

375. By placing greater emphasis on health-promoting and preventive efforts, the Government intends to improve the health of children and young people. Importance will be attached to strengthening efforts to assist children and young people with psycho-social problems and mental suffering. Priority will also be given to efforts to promote good dietary habits and increased physical activity, and prevent unwanted pregnancies and abortions, smoking and the use of alcohol and other intoxicants. In order to address the challenges in the public health sector, the Government has recently presented a new Report to the Storting that presents goals and strategies for a national public health policy in the coming decade. Measures to promote the health of children and young people through public health clinics and school health services have a central position in this report. Cf. Report no. 16 (2002-2003) to the Storting, *Resept for et sunnere Norge. Folkehelsepolitikken* (Prescription for a Healthier Norway. Renewed policy for Public Health).

Public health clinics and school health services

(Reference is made to Norway's initial report, paragraphs 304-311.)

376. The number of man-years worked in public health clinics and school health services increased from 1499 in 1987 to 3003 in 2001, i.e. they doubled over a period of 14 years. Man-years worked in 2001 may be broken down as follows:

Physicians	231 man-years
Physiotherapists	271 man-years
Public health nurses, midwives and other personnel	2 500 man-years

377. 1999 marked the start of the National Programme for Mental Health (1999-2006), which also aims at strengthening public health clinics and school health services. The programme provides for the allocation of earmarked central government funds for public health clinics and school health services equivalent to a total of 800 man-years in the course of the programme period. These funds are to be used for categories of personnel whose services are required by law in the municipal health services (physicians, midwives, nurses and physiotherapists), as well as other categories of personnel if the funds are spent on increased activity by such personnel, cf. Circular I-47/99 *Helsestasjon for barn og for unge 0-20 år - eit kraftsenter for helse og oppvekst* (Public Health Clinics for Children and Young People aged 0-20 - a Power Centre for Health and Childhood Environments).

378. In order to prevent psychosocial problems and build up services for groups at risk, funds have been earmarked for practical trials of family centres in certain municipalities with a view to developing a coherent range of child and youth services in which the main emphasis is on addressing psychosocial problems.

Public health clinics for young people

379. Public health clinics for young people offer counselling and information covering such topics as the importance of taking care of oneself, relations with friends and family, social networks, the psychosocial and physical development of young people, sexuality, sexual relations and contraception, protection against communicable diseases, including prevention of HIV and sexually transmitted infections, diet, dental health, freedom from dependency on smoking and intoxicants, and physical activity, including the prevention of injury and accidents.

Traditional practices prejudicial to the health of children (female genital mutilation and forced marriage)

Female genital mutilation

(Reference is made to Norway's second report, paragraphs 236-237. Reference is also made to Ch. I A, paragraphs 46-47 of this report.)

380. The Government presented the Action plan to prevent female genital mutilation in 2000. Almost all the measures in the plan are organized in the form of projects and are being followed up through the project "OK - *Omsorg og kunnskap mot kvinnelig omskjæring*" (OK - Care and Knowledge in Combating Female Genital Mutilation). Many of the activities are related to education, information and communication measures. The OK project consists of a national and a local component. The latter targets the Somali population in Oslo, and has a general approach based on improving living standards, in which the prevention of female genital mutilation is included. Measures are to be developed in close cooperation with the target group.

381. The Act 15 December 1995 relating to the prohibition of female genital mutilation has been followed up by the preparation of a guide for health personnel. The Act has also been translated into 7 relevant languages and made available to various groups through public health clinics, etc. One of the measures encompassed by *Regjeringens innsats mot kjønnslemlestelse 2002* (the Government's Programme to Combat Female Genital Mutilation in 2002) is a proposed new provision in the Act relating to prohibition of female genital

mutilation which would impose a duty to prevent breaches of the Act on relevant professional groups such as teachers, child welfare personnel, social services personnel, health professionals and leaders of religious communities. The rules of the Penal Code that currently apply only cover the failure to seek to prevent female genital mutilation which must be described as serious bodily harm. A new provision regarding the duty to prevent all forms of genital mutilation will create a better legal instrument in the combat against female genital mutilation. To follow up this measure the Ministry of Health distributed a document regarding amendments in the Act for consultation in March 2003.

382. As part of the Government's efforts to prevent female genital mutilation, a number of measures are carried out within the framework of Norway's international activities. Norway helps to keep the topic on the agenda of international forums such as the UN Commission on Human Rights and the UN Commission on the Status of Women, and special events such as UNGASS, the UN General Assembly Special Session for Children, held in New York in May 2002. In its main intervention at the UN Commission on Human Rights in Geneva in spring 2000, Norway emphasized that honour killing, female genital mutilation and forced marriage are practices that must be condemned internationally. Norway also raised the topic at the 2002 session of the UN Commission on the Status of Women. In both forums, Norway expressed its clear support for resolutions condemning female genital mutilation. This work was also followed up at the 57th General Assembly of the United Nations in New York.

383. Norway is also in the process of strengthening its own efforts in this field within the framework of development cooperation. As a result of this work, the Norwegian Agency for Development Cooperation (NORAD) has drafted an international plan of action that is currently being processed by the Ministry of Foreign Affairs. The plan of action will be launched in spring 2003. The plan is the result of a very thorough process within NORAD, in which a number of other players, including other parts of the public administration, relevant non-governmental organizations and researchers, have been involved.

384. NORAD currently provides assistance for local organizations in Ethiopia which seek to eliminate female genital mutilation. As part of this work, funding has been provided for a base line survey aimed at ascertaining the extent of female genital mutilation. The survey is being carried out in cooperation with local organizations. NORAD also finances projects in Ethiopia which aim at combating female genital mutilation and which are run by Redd Barna (Save the Children Norway) and Norwegian Church Aid. In spring 2002, NORAD held a meeting attended by representatives from the embassies of Ethiopia, Uganda and Tanzania on efforts to prevent female genital mutilation. This work will be followed up closely and may be expanded to include other relevant embassies in the region.

385. In accordance with the plan of action presented by the Government in 2002, NORAD has also helped to establish a network of non-governmental organizations in Norway that are involved in, or plan to become involved in, efforts to prevent female genital mutilation.

Forced marriage

386. Through its Plan of Action to Combat Forced Marriage (1998-2001), the Ministry of Children and Family Affairs coordinated the Government's efforts to prevent forced marriages and assist young people who are under threat of or subjected to such marriages.

The Government's measures attach importance to promoting communication and mediation between children and parents, providing assistance in the form of emergency housing in particularly acute situations, and fostering dialogue and cooperation with various communities. An updated programme comprising 30 new measures was presented by the Government in spring 2002. *Reference is made to Ch. I B, paragraphs 48-52 of this report.*

International cooperation on children and health

387. The World Health Organization (WHO), of which Norway is a member, addresses many health issues that concern children and young people, such as mother-child and reproductive health, tobacco, alcohol and poverty. The WHO is currently focusing particular attention on children's environmental health. Issues related to children and health are covered in both the organization's development policy and its health policy.

C. Social security and child care services and facilities (articles 26 and 18, paragraph 3)

Family allowance

(Reference is made to Norway's second report, paragraphs 257-261.)

388. Family allowances are paid for children who reside in Norway. With effect from 1 May 2000, the age of entitlement to family allowance was raised from 16 to 18 years. This increase was financed by reducing the rates for the other age groups slightly. The family allowance is paid to the person with whom the child lives permanently. The allowance has not been price-adjusted in the past few years. In 2002, a total of NOK 15 billion was paid in family allowances. On average, 1,072,883 children were entitled to a family allowance.

389. From 1 January 2001 all children receive the same amount of family allowance, regardless of their order of seniority among the children in their family.

390. In 2003 the ordinary family allowance was NOK 11,664 per year per child. Single parents are entitled to an allowance for one child more than they actually have (extended family allowance). An annual infant allowance of NOK 7,884 is paid for children between the ages of 1 and 3. The infant allowance ceases to apply as from 1 August 2003. Single parents who fulfil the conditions for entitlement to an extended family allowance and full transitional benefit pursuant to the National Insurance Act, and who have children between the ages of 1 and 3, are paid an extra infant allowance (NOK 7,884 per year). Families residing in the county of Finnmark and in certain municipalities in the county of Nord-Troms receive an extra supplement totalling NOK 3,792 per year per child.

Parental leave

(Reference is made to Norway's second report, paragraphs 266-269.)

391. As regards wage compensation during leave in connection with childbirth and adoption, reference is made to the information provided in Norway's second report. An independent right for fathers to earn paternity benefit was introduced with effect from 1 July 2000. This means

that fathers may earn the right to such benefit even if the mother has not earned such a right. However, for the father to be entitled to paternity benefit, it is still required that the mother is not at home taking care of the baby at the same time.

Cash benefit scheme

(Reference is made to Norway's second report, paragraph 277.)

392. The cash benefit scheme was introduced in autumn 1998. The purpose of the scheme is to help parents to spend more time caring for their own children, to give them genuine freedom of choice as regards the type of care provided for their children and to bring about greater equality in the transfers the individual family receives for child care from the State, irrespective of the child care arrangements made by the parents. For children aged 1 to 3 who do not make use of a place in a day care centre that receives a state operating grant, a cash benefit totalling NOK 36,000 per year is paid. As from 1 August 2003 the cash benefit will be increased to 43,884 per year. For children who have a part-time place in a day care centre, a partial cash benefit may be paid according to specific rates. Entitlement to the cash benefit is not contingent on the parents minding the child themselves.

393. Around 75 per cent of children aged one and two receive a cash benefit. This figure has remained relatively stable since the scheme was introduced in 1998. In 2001, NOK 3 billion was paid in cash benefits.

(Reference is made to Observation 42/Recommendation 43 of the Committee on the Rights of the Child.)

394. *The Committee expresses concern at the unmet need for day care places and that the cash benefit scheme does not compensate for this need. The Committee recommends that the cash benefit scheme be evaluated, and that the goal of ensuring that day care places are available for all children.*

395. The Government makes continuous efforts to ensure that all those who so desire receive a day care place for their children that meets their needs to a reasonable degree, at an affordable price. Both financial and legal instruments are currently being considered in order to achieve the goal of making day care places available for all children.

396. The cash benefit scheme has been broadly evaluated, *inter alia* in two almost equivalent studies carried out in spring 1998 and spring 1999. The results of the studies were presented in Report No. 43 to the Storting (2000-2001) on the evaluation of the cash benefit scheme.

397. The studies of the cash benefit scheme showed that a smaller percentage of families in which the mother had a high income and high level of education made use of the scheme. The percentage of cash benefit recipients was also lower among families with a high family income.

398. The percentage of mothers who work at home and whose youngest children are of an age eligible for the cash benefit remained almost unchanged from 1998 to 1999. However, it had become more common for this group to have part-time work. On average, the mothers reduced their working hours by 1.5 hours. The mothers with the highest education reduced their working hours most. Fathers with children of an age eligible for the cash benefit did not work any less than before.

399. Almost two thirds of the children for whom a cash benefit was received were mainly minded by their parents. Fifteen per cent had a childminder or an au-pair. Thirteen per cent had combined or other solutions. To a somewhat greater degree, parents had taken part in child-minding arrangements after the introduction of the cash benefit scheme. Children of cash benefit age were minded by their parents for approximately 2.5 more hours per week.

400. The number of very young children in day care centres had decreased somewhat. On the whole, day care centres continued to be established, but at a reduced rate. Consequently, the services available for families who wished to have a day care centre as part of care facilities for their youngest children were somewhat reduced.

401. In 1999, 53 per cent of parents of children aged 1-2 and 80 per cent of parents of children aged 3-5 preferred to have child-minding arrangements that included a day care centre. Approximately one third of the cash benefit recipients wished to have a day care centre as part of the child-minding arrangements. In general, the mothers of very young children took a favourable view of spending more time with their children and, among the welfare schemes available for families with very young children, preferred arrangements that gave them an opportunity to do so.

402. A report prepared as part of the cash benefit scheme evaluation concluded that the cash benefit scheme has had no apparent effect on the number of children with disabilities in day care centres.

403. A study shows that use of day care centres by the child welfare service as a measure to assist families has not been affected by the introduction of the cash benefit scheme.

404. The evaluation of the cash benefit scheme was debated by the Storting in spring 2002. A majority of the Storting wishes to continue the scheme. However, the Storting wishes to make certain changes in the scheme in order, for instance, to make it easier to combine a part-time day care place with a partial cash benefit. The Storting also wishes to ensure that women with a minority background are not financially disadvantaged by the fact that they must make use of a day care place while receiving Norwegian language tuition and thus lose the cash benefit.

Transitional benefit from the National Insurance Scheme for single mothers or fathers

(Reference is made to Norway's initial report, paragraphs 346-347 and Norway's second report, paragraph 270.)

405. As from 1 May 2002 the full transitional benefit is NOK 100,215 per year.

D. Standard of living (article 27, paragraphs 1-3)

(Reference is made to Norway's initial report, paragraphs 357-362 and Norway's second report, paragraphs 282-284.)

The financial situation of families with children - low-income families

406. Household incomes improved very significantly in the 1990s. Households with children were among those that experienced the strongest growth in income. This applies to both couples with children and single parents. Households with children under 6 years of age, in particular, experienced a marked rise in income, partly due to higher incomes earned by families with very young children and increased transfers to this group.

407. In a report published in 2001, Statistics Norway examined the incidence of children in low-income households. The study shows that between 2.6 and 3.1 per cent of all children under the age of 18 lived in households with an income of less than half the median income in 1998. This is equivalent to between 27,000 and 32,000 children. For some of these households, however, the problems are short-term. If the children are followed over a three-year period (1996-98), the study shows that between 1.7 and 2.4 per cent lived in households with a persistently low income. This is equivalent to between 14,000 and 19,000 children. Compared with other industrialized countries, Norway and the other Nordic countries had the lowest percentage of children in low-income households. Reference is made to a report entitled *Barn husholdninger med lav inntekt: Omfang, utvikling, årsaker* (Children in low-Income Households – Incidence, Trends, Causes) prepared by Statistics Norway at the request of the Ministry of Children and Family Affairs.

408. The vast majority of children in households with a persistently low income have parents who are totally or partly outside the labour force. Between 60 and 70 per cent of these children live in households in which no adults are gainfully employed. Between half and two thirds of the children live in a household with a single parent. Furthermore, immigrant children are clearly over-represented among children living in households with a persistently low income. One out of two children in this group was a first-generation immigrant or Norwegian-born with two foreign-born parents.

409. Children in low-income households obviously have less access to benefits that are taken for granted by other children in today's welfare society. It takes more resources than before to participate in normal play, school and leisure activities. In a society with a generally high standard of living and where children and young people are under strong pressure to buy, living in a family with persistent low-income problems can be particularly difficult. There may be reason to assume that many children and young people try to conceal their family's financial problems and the consequences of such problems.

410. In 2002 the Government submitted a Plan of action for combating poverty, cf. Report No. 6 to the Storting (2002-2003). Families with children that have a permanently low income are a priority target group in this plan. Employment for parents is clearly the most important prerequisite for combating poverty and improving the conditions for children growing up in low-income families. Measures that may help strengthen parents' possibilities for

employment are a vital element of the Action Plan. The Government will also implement targeted improvements in the welfare services. The Action Plan contains the following individual measures that will help to improve the situation for underprivileged families, children and young people:

- Improved transitional allowances for single parents to enable them complete their education;
- Targeted labour market measures;
- Improved housing allowances for underprivileged families with children;
- Free primary and lower secondary education;
- Increased efforts to prevent young people from dropping out of upper secondary education;
- Restructuring of the grant scheme for young pupils who are entitled to upper secondary education;
- Strengthening school health services;
- Increased focus on “Measures for young people in larger urban communities” (see paragraph 413 below);
- Measures to increase the participation of children and young people from immigrant backgrounds;
- Improved targeting of child welfare services.

411. In February 2001, the Ministry of Social Affairs issued guidelines for allocating a subsistence allowance pursuant to the Social Services Act. The purpose of the guidelines is to ensure more uniform practice in municipalities and more equal support from one municipality to another and to indicate a recommended level of support. The guidelines contain special recommended rates for a subsistence allowance for children. In 2002 the children’s rates were increased by more than the price adjustment rate. In addition to the recommended rates for subsistence allowance for children, it has been indicated in circulars to municipalities that when determining the amount of subsistence allowances for families with children, special account must be taken of the fact that children must have as normal a childhood as possible.

412. In the state budget for 2002, the Government has increased the supplement for children granted to disability and old age pensioners with children under 18 years of age by NOK 5,136 per year, so that the supplement for children is now equivalent to 40 per cent of the basic national insurance amount.

413. The Ministry of Children and Family Affairs administers the grant scheme *Ungdomstiltak i større bysamfunn* (Urban Youth Projects). The goal of the scheme is to improve the conditions in which young people live and grow up in major urban communities (ten cities in 2002), and the target group is young people with special needs and youth groups and communities that are at risk, particularly in areas with significant problems as regards living conditions. As from 2002, special emphasis is placed on efforts and initiatives aimed at reaching children and young people affected by poverty problems through the allocation of funds for this purpose.

The principles of free primary and lower secondary education

414. On 14 June 2002 the Government presented a proposal to the Storting to introduce a new provision in the Education Act regarding the principle that primary and lower secondary education must be provided free of charge. The proposal is important in that it defines the principle and serves as a guideline as to how it is to be applied. All activities that are part of primary and lower secondary education must be free of charge. This means that the limited right of municipalities, under current legislation, to require payment for travel and living expenses in connection with stays in school camps no longer applies. Municipalities must satisfy the minimum obligations laid down by the Education Act and appurtenant regulations. Municipalities may not refrain from providing pupils with textbooks and appropriate writing and drawing materials. Schools may receive gifts from parents, etc., provided that the gifts are voluntary.

CHAPTER VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education, including vocational training and guidance (article 28)

Primary and lower secondary education (article 28.1.a)

(Reference is made to Norway's second report, paragraphs 285-290.)

415. In 2001/2002 there were a total of 3,147 municipal and inter-municipal primary and lower secondary schools with a total of 588,521 pupils, and 98 ordinary private primary and lower secondary schools with 10,734 pupils.

416. A new Education Act relating to primary and secondary education was adopted by the Storting on 17 July 1998. The Act came into force on 1 August 1999. The Education Act is a statute governing both primary and secondary education which replaces the Primary and Lower Secondary Education Act, the Upper Secondary Education Act and the Vocational Training Act. Certain parts of the Adult Education Act have also been incorporated into the new Act. This applies to the rules regarding special education in primary and lower secondary schools, and rules regarding primary and secondary education that has been specially organized for adults. The new Education Act was based on reforms carried out in the 1990s. The Act covers pupils' entire schooling from the time they start school at the age of 6 to their completion of upper secondary education. The Ministry of Education, Research and Church Affairs has issued common regulations relating to the entire Education Act, the Regulations of 28 June 1999 No. 722 appurtenant to the Education Act. *Cf. Ch. III D, paragraphs 202-205 of this report.*

417. From the Life Before 18 project: Through the “Pupil Inspectors” scheme, just over 80 per cent said that they enjoy school. They were also asked how well they learn from various working methods. A majority – 81.4 per cent – stated that they learn very well or well from working on projects. Almost 60 per cent said that they would like to work more in this way. In response to a question about the indoor climate at school, 57 per cent stated that the indoor climate at their school is fairly poor or very poor.

418. In November 2002, the Storting adopted a resolution making the provisions of the Education Act relating to the psychosocial environment more stringent, cf. Proposition No. 72 to the Odelsting (2001-2002) on measures to prevent bullying in schools, cf. *Ch. III A, paragraphs 127-131 of this report*.

419. The Government wishes to strengthen tuition in primary and lower secondary school in the basic subjects of reading, writing and mathematics. This is to be achieved in part by increasing the number of hours of tuition in these subjects and strengthening tuition for beginners, in part by restructuring teacher training programmes, in-service training and further education for teachers and making more relevant use of ICT. The number of hours of Norwegian will be increased by an average of 1 hour per week in second, third and fourth grades from autumn 2002. The Norwegian Board of Education will draw up a plan in 2003 aimed at improving reading skills and promoting an interest in reading, which will also include the development of skills in the use of school libraries.

420. The Ministry of Education and Research is currently preparing a coherent strategic plan for science subjects throughout primary and secondary education. The Norwegian Board of Education is drawing up a plan of action to strengthen the subject of mathematics in schools. The *Nasjonalt senter for matematikk i opplæring* (National Centre for Mathematics Education) was established in August 2002. It has been proposed that tuition in mathematics be increased by two hours in the fifth to seventh grades from 2003.

421. From the Life Before 18 project: The children and young people who took part in the project stated that computers provide an opportunity for learning, meeting the world, encountering different cultures and understanding more. However, computers must be used more actively. Young people want to learn – they often know more than adults and would like adults to discover things with them. Computers, films and video are regarded as being a positive element in children’s and young people’s everyday lives and they understand and prefer to communicate in pictures rather than words. Through the “Pupil Inspectors”, more than 60 per cent said that they would like to use PCs/the Internet, TV, films and video more at school – in order to learn more.

Day care facilities for schoolchildren

422. Pursuant to section 13-7 of the Education Act, all municipalities are obliged to offer day care for first to fourth grade pupils. The scope of the municipalities’ obligations is extremely limited. They are not obliged to establish a specific number of places or to provide day care at more than one of the schools in the municipality. The obligation to offer day care applies only during the school year and only before and after school hours, and does not include similar arrangements during school hours. The Education Act does not give pupils a right to a place in day care facilities, cf. Proposition No. 60 to the Odelsting (1997-1998), page 2.

423. Applications for a place in a municipal day care facility for schoolchildren are dealt with according to the ordinary rules of public administrative law, which provide protection against unfair differential treatment. A municipal decision as to whether a pupil is to be given a place in a day care facility for schoolchildren is an individual decision pursuant to the Public Administration Act, and may be appealed. Chapter 23 of the Regulations of 28 June 1999 No. 722 appurtenant to the Education Act contains various rules relating to day care for schoolchildren.

New Act relating to independent schools

424. In autumn 2002 the Government submitted Proposition No. 33 (2002-2003) to the Odelsting relating to independent schools (the Independent Schools Act). The Government considers the facilities offered by independent schools to be an important supplement and alternative to public schools and wishes to increase this element, thereby broadening the range of facilities in the educational sector. The Government intends to present a proposal to abolish the Private Schools Act and replace it by a new Independent Schools Act, which will offer greater scope for diversity and impose fewer constraints than the current statute. The most important amendments proposed will apply to primary and lower secondary education. The proposal opens the door for the approval of international schools.

425. In the draft Bill on independent schools, the Ministry has attached importance to implementing the provisions of the Convention on the Rights of the Child. No extensive amendments have been made to the Private Schools Act since it was adopted, and no amendments were made to the Act in connection with Norway's ratification of the Convention on the Rights of the Child in 1991.

426. Article 28 of the Convention on the right to education will be implemented by making education a statutory duty, enacting provisions relating to rules and discipline and making the provision of counselling a statutory duty. The Private School Act contains no rules regarding the right to counselling. Pursuant to Article 28.1.d of the Convention on the Rights of the Child, the State must make educational and vocational information and guidance available and accessible to all children. The right to counselling is established by law in section 9-2 of the Education Act. The Ministry therefore proposes to enact the right to counselling for pupils in independent schools. In order to implement Article 28.2 of the Convention on the Rights of the Child, as has been done in the Education Act, the Ministry will further propose a provision to the effect that physical disciplinary action or other humiliating treatment must not be used.

427. The Private School Act contains no provisions regarding the right to exemption from religious activities, etc. The Ministry's point of departure is that the same considerations on which the rules regarding exemption in section 2-4, fourth and fifth paragraphs, of the Education Act are based may also apply to pupils in independent primary and lower secondary schools. In order to implement Article 14 of the Convention on the Rights of the Child, relating to freedom of thought, conscience and religion, it is therefore proposed that a provision referring to section 2-4, fourth and fifth paragraphs, of the Education Act be included in the new Act. In the Ministry's opinion, it is not desirable to have an arrangement whereby pupils may request exemption from parts of the tuition that entail practice of the religion and/or the ethical principles

on which the school is based. It is therefore proposed that the right to exemption from religious activities, etc. shall not apply to pupils in independent primary and lower secondary schools that are based on religious and/or ethical principles.

428. Section 1-2, last paragraph, of the Education Act contains rules regarding bullying, etc. The Ministry proposes that this provision also be included in the draft Bill relating to independent schools. It will also be proposed that the provision regarding tightening of the Education Act's provisions on the psychosocial environment be incorporated in the Independent Schools Act. *For more detailed information on these provisions, see Ch. III A, paragraphs 127-128 of this report.*

Teachers' qualifications and salary levels

(Reference is made to Observation 44/Recommendation 45 of the Committee on the Rights of the Child).

429. *The Committee expresses concern at limitations and the lack of specialization in the educational background of some teachers. It recommends that the State party study the impact of low teacher salaries and other factors, and implement measures to address the problems identified.*

430. A scheme has been established in teacher training programmes to evaluate students' aptitude for the teaching profession. Students who are not suited to lead learning processes in respect of children and young people, but whom it may be difficult to give a failing grade in ordinary tests and in practical training, will be excluded from working as a pre-school or school teacher on the basis of an aptitude evaluation. The most important reason for subjecting teacher training students to this type of evaluation is to safeguard the interests of children and young people. Teachers are a significant factor in the environment in which a child grows up, and it is necessary to ensure that the teachers who are trained will serve children's best interests. Children and parents are entitled to be assured that teachers will advance the learning and development of children and young people in a satisfactory manner and strive to promote the goals that have been set for day care institutions and schools.

431. New regulations relating to teaching qualifications, which came into force on 1 August 2002, specify the minimum requirements for appointing primary and secondary school teachers. The amendments in the new regulations were based on the principle that the qualifications formerly required were to be maintained. To a large degree this principle has been adhered to, but instead of listing the various training programmes that are acceptable, the new regulations specify the minimum requirements for appointment as a fully qualified teacher. It is up to each employer to stipulate any qualifications required of an individual teacher in excess of the minimum requirements. Under the new rules, if none of the applicants who apply for an advertised teaching post fully satisfy the qualification requirements laid down in the regulations, the employer may, in certain situations, appoint an applicant on special conditions without full qualifications. One consequence of the new regulations is that the Ministry's authority to grant exemptions from the regulations ceased to apply as from 1 August 2002.

432. A decision has been made to strengthen efforts to provide guidance for newly trained teachers. Their successful socialization into the teaching profession in the first year is of great significance for their confidence in their own abilities and desire to remain in the profession.

433. In 1999, 70 per cent of students admitted to general teacher training programmes were women, as were 90 per cent of those admitted to pre-school teacher training programmes. In broad national recruitment campaigns carried out in 2001 and 2002, there was particular focus on recruiting more men.

434. In the main collective wage settlement on 1 May 2000, an agreement of intent regarding the level of teachers' salaries was entered into between the State as represented by the Ministry of Labour and Government Administration and the main unions. The agreement was based on Report No. 12 to the Storting (1999-2000), a plan of action for recruitment to the teaching profession, and the Storting debate on the report. Based on the above, two agreements were entered into, the first effective from 1 August 2000 and the second effective from 1 January 2002 and 1 August 2002, respectively. In connection with the agreements, the salaries of teachers and school administrators were raised by five pay grades. In the period from 1 May 2000 to 1 August 2002, teachers received a rise of between 8 and 11 pay grades (between approximately NOK 45,000 and 85,000 depending on qualifications and seniority), including supplements granted in the ordinary collective wage settlements. In accordance with the agreement of intent, local negotiations were also conducted in individual municipalities and counties in both 2000 and 2001. These negotiations have resulted in further pay rises for many teachers.

435. The Government intends to strengthen the in-service training and further education of school administrators and teachers at the local level. The continuation in 2003 of components of Samtak, the three-year (2000-2002) programme to upgrade skills, will be considered. The Ministry of Education and Research will otherwise work in close cooperation with the Ministry of Children and Family Affairs on further education for pre-school teachers in day care institutions.

436. A common, national education portal is to be created to make it easier to find teaching resources on the Internet, and from autumn 2002 courses were offered on basic training in the educational use of ICT for teachers. Efforts to produce digital teaching aids are to be intensified and more schools are to have access to broadband.

437. In March 2002, the Government presented Report No. 16 to the Storting (2001-2002) *Kvalitetsreformen - Om ny lærerutdanning* (Quality Reform - On a new, improved general teacher training programme). The changes in teacher training programmes were based on reforms of higher education and an evaluation organized by the Network Norway Council. On this basis, the aim was to adapt teacher training programmes to a new structure of academic degrees, delegate greater responsibility for designing teacher training programmes to educational institutions, promote greater freedom of choice for students and tailor training programmes to a greater degree to specific professions. The objective of the reform was to promote teacher training that is diversified, demanding and relevant. In its report, the Government advocates maintaining a four-year course of education, but increasing the optional part from one to two years and reducing the compulsory part from three to two years. Particular emphasis is placed on strengthening the subjects of Norwegian and Mathematics, which are to be incorporated into

the compulsory part along with Profession-Oriented Education and Christianity and Other Religious and Ethical Education. This part also includes a unit of fundamental reading, writing and mathematics tuition.

Pupils with special educational needs

(Reference is made to Norway's second report, paragraph 296.)

438. Most pupils with special educational needs are currently placed in ordinary classes, where they receive various types of special education pursuant to individual decisions and based on IEP (individual educational program). In total, around 6 per cent of pupils in primary and lower secondary school and 4-5 per cent of pupils in upper secondary schools receive special education pursuant to individual decisions. Pupils who require special education have a right to a total of five years of upper secondary education; in other words, they are entitled to up to two years of extra full-time education. In 2001 the Ministry of Education and Research prepared a guide for primary and secondary schools, *Spesialundervisning i grunnskole og videregående opplæring* (Special Education in Primary and Secondary Schools), which contains information on rules, procedures and processes. The purpose of the guide is to provide assistance in further developing cooperation between schools, educational and psychological counselling services and others with a view to improving the quality of special education.

439. Less than 0.5 per cent of primary and secondary school pupils, in total about 3,100 pupils, were placed in special schools or specially organized measures outside ordinary schools. These figures comprise all groups of pupils with disabilities (including pupils at schools in child welfare institutions, psychiatric institutions and substance abuse institutions). In addition, over 600 pupils are enrolled in prison education programmes.

440. Segregated state-run training programmes are currently only to be found in the hearing sector (educational departments at resource centres for the hearing impaired under the Norwegian Support System for Special Education), and comprise a total of around 300 year-round pupils.

441. A national support system for special education has been established with the overall goal of providing municipalities and counties with guidance and support for their efforts to assure high-quality services for children, young people and adults with special educational needs. The support system currently encompasses 17 resource centres in the field of sight, hearing, complex learning difficulties, behavioural problems, language problems and speech problems. The system also comprises state educational services at the county level for the visually impaired and the hearing impaired and a few small units that offer services for small groups of persons with disabilities.

Special measures for pupils with a minority background

442. Many minority language pupils face special linguistic and cultural challenges in school. Many of these pupils start school with very limited proficiency in Norwegian. Recent research shows that pupils with a minority background perform more poorly in school and make slower

progress than pupils with a Norwegian language background. This poses new challenges for Norwegian schools. Various aspects of this problem are discussed in greater detail in Report No. 25 to the Storting (1998-99) on mother tongue tuition in primary and lower secondary schools.

443. Children from language minorities are usually offered tuition in their mother tongue as a tool for learning the Norwegian language. The children may be given their early reading and writing lessons in their mother tongue and tuition in other subjects in both Norwegian and their mother tongue. In 2001-2002, 3.1 per cent of all children in primary and lower secondary school were taught in a mother tongue other than Norwegian. Under the scheme for special Norwegian tuition, pupils with a mother tongue other than Norwegian and Sami receive special tuition in the Norwegian language until they are sufficiently proficient in Norwegian to be able to follow ordinary Norwegian tuition. The pupils may either follow the subject syllabus in Norwegian as a Second Language (NSL), or receive other special tuition in Norwegian as needed.

444. It is the Ministry's intention that NSL is to be offered on a temporary basis. In various plans of action, the Ministry has committed itself to initiating measures to improve the way the subject is taught. The National Centre for the Development of Competence in the Multicultural School is to design measures to upgrade expertise in this field, and clear criteria are to be defined for when a pupil should cease to receive NSL tuition and start to receive ordinary tuition in Norwegian. Work on compiling statistics will be improved, and the County Governors will report annually on efforts to follow up this work. Furthermore, municipalities are to be informed of the consequences for individual pupils related to the choice of subject syllabus in Norwegian. The Norwegian Board of Education has also prepared a status report on the educational progress made by pupils with special educational needs receiving NSL tuition. As regards measures for upper secondary school pupils with a minority background, *reference is made to paragraph 459 of this report*.

445. In the 2001-2002 school year, a total of 2,527 primary and lower secondary school pupils received tuition in Sami at the three levels at which such tuition is provided. At 34 schools, 1,024 Sami children have received their education in Sami with Norwegian as their second language.

446. The Ministry of Education and Research has established a project entitled *Foreldre med minoritetsspråklig bakgrunn - en ressurs for elevenes opplæring i skolen* (Parents with a Minority Language Background - A Resource in Pupils' Schooling). The project started up in 2002. Its main purpose is to better enable parents with an immigrant background to bring up and offer guidance to their children in Norwegian society and in relation to Norwegian primary and lower secondary schools. The project is one of the measures included in the Plan of Action to Combat Racism and Discrimination (2002-2006).

447. In June 2002, the Government presented a Plan of Action to promote the increased participation in society of children and young people with an immigrant background, in which one of the goals is to give children and parents better knowledge of the Norwegian language and society, and to promote more cooperation with parents. Another goal is greater participation in cultural activities and sports by young people with an immigrant background. For a more detailed description of these measures, *reference is made to Ch. III D, paragraph 212 of this report*.

448. Mothers' proficiency in Norwegian appears to have a significant effect on pupils' level of achievement in school. According to a 1998 research report, 72 per cent of pupils whose mothers had no knowledge of Norwegian performed poorly in school (Krange and Bakken, 1998). One of the measures proposed in the Plan of Action to promote the increased participation in society of children and young people with an immigrant background is a pilot project involving the provision of short-term day care free of charge, combined with Norwegian language tuition for mothers with a minority language background.

449. At present there are relatively few teachers with a multicultural background. Campaigns have been launched to recruit more candidates with a minority language background for general teacher training. Steps have also been taken to enable more educational institutions to provide supervision adapted to the needs of students with this background and unqualified employees already working with children and young people. The primary goal of the National Centre for the Development of Competence in the Multicultural School (SEFS), which was established in August 2000, is to help raise the level of expertise in the multicultural school. The work carried out by the centre aims at enabling counties and municipalities, in cooperation with colleges and universities, to themselves ensure that school administrators and teachers receive the necessary training, thereby rendering the centre superfluous in the long term.

450. Through a recently established research project, the Ministry of Education and Research wishes to examine how the multicultural perspective has been presented in textbooks and teaching aids since 1997. The National Board of Education is responsible for developing new textbooks and guides that support the general efforts of schools to foster sound attitudes, as well as teaching aids that focus particularly on mutual respect and tolerance and efforts to combat racism and discrimination.

451. In its Plan of Action to Combat Racism and Discrimination (2002-2006), the Government called on all primary and lower secondary pupils to write their own rules for a culturally diverse Norway characterized by tolerance and the absence of racism and discrimination. Pupils are to be made aware of the values inherent in fundamental human rights and of the fact that these human rights are constantly violated. The Government will follow up the rules by designing teaching materials based on the pupils' suggestions, and will widely publicize good examples on the National Board of Education's website. In order to further strengthen efforts to raise awareness, Holocaust Memorial Day (27 January) will be commemorated in schools each year with the presentation of a special award. The award, called the Benjamin Prize, was presented for the first time in 2003 by the Prime Minister and the Minister of Education.

452. Report No. 21 to the Storting (1999-2000), the Action Plan for Human Rights, called for a project aimed at identifying and meeting the educational needs of immigrant women. The 2001 Annual Report on Human Rights describes how this objective has been followed up: "In 2000 and 2001, Oslo Municipality received additional funding for the completion of Norwegian language training programmes for immigrant women with special needs. These programmes targeted women who had exhausted their quota of hours of language training, in addition to requiring a childminder. The report on this project is expected to be presented in 2003."

453. The survey of the educational needs of immigrant women is part of a joint project between the National Education Office in the county of Oslo and Akershus, Oslo municipality and the Institute for Applied Social Science, and was concluded in 2002. The first part of the survey has revealed that many immigrant women drop out, and the Ministry has requested that the survey be continued in order to identify the reasons for the high drop-out rate and why many women seem to have difficulty completing the training programme. Efforts will also be made to obtain women's own assessments of their language training needs.

Educational services for children with a Roma or Romani background

(Reference is made to Observation 46/Recommendation 47 of the Committee on the Rights of the Child.)

454. *The Committee is concerned that many Roma children and the children of other itinerant groups do not complete compulsory education, and recommends that the State party explore means of making formal education more accessible to children who travel for a part of the year.*

455. Report No. 15 to the Storting (2000-2001) on national minorities in Norway states that "schooling is not always adapted to groups of people for whom travel is a part of their lifestyle (Roma and Romani people). Nonetheless, the Government finds that the right and obligation to have an education apply equally to all children. It may be necessary to develop forms of teaching that can be practised even if the pupils travel during part of the summer half of the year." In the light of this, the Ministry of Education and Research is assessing whether ICT, combined with a school-based contact network in the areas in question, can be adapted to meet the educational needs of the Roma and Romani peoples, who travel for parts of the school year. Selected ministries are participating in a working group responsible for concretizing the measures mentioned in Report No. 15 to the Storting.

456. The municipality of Oslo has taken part in a Comenius project, based in a primary and lower secondary school, which has aimed at promoting cooperation with the parents of children with a Roma or Romani background and developing teaching programmes likely to make school more attractive to such children. The project was financed by the EU Socrates programme, the state and Oslo municipality. The Comenius project has been completed, but the primary and lower secondary school involved is still the main contact for Roma children in Oslo.

457. Persons with a Roma or Romani background are otherwise offered educational programmes in primary and lower secondary schools and adult education programmes in the municipalities in which they reside according to the ordinary needs criteria. The county authorities are responsible for ensuring that specially adapted upper secondary schooling is provided for those pupils who require it.

Upper secondary education (article 28.1.b)

(Reference is made to Norway's second report, paragraphs 297-301.)

458. In the 2001-2002 school year, more than 95 per cent of all 16-year-olds and 82 per cent of all 18-year-olds entitled to upper secondary schooling were attending school. The corresponding figures for 1995 were 94.1 per cent and 83.6 per cent, respectively. Thus, slightly fewer pupils drop out of school. There are no statistics at present to show the number or composition of the young people who do not start, or who drop out of, upper secondary school. Discontentedness and psychosocial problems coupled with the failure to adapt upper secondary education to the needs of those who are not strong on theory are some of the factors that can contribute to a lack of motivation and drop-outs. Young people who do not apply for upper secondary school upon completion of lower secondary school or who drop out during upper secondary school are followed up by the service established for that purpose. *Reference is made to paragraph 461 of this report.*

459. The proportion of minority language pupils who complete upper secondary education is low. Among pupils from first-generation minority language groups, only 39 per cent have successfully completed their upper secondary education (1999), while the corresponding figure for pupils who speak the majority language is around 76 per cent. The Action Plan for Combating Poverty includes a proposal to allocate NOK 8 million in 2003 to further develop the efforts of the Follow-Up Service to prevent young people from dropping out of upper secondary school. The measure is aimed at preventing drop-outs, identifying and steering young people back to work or education, and further developing efforts to improve statistics and documentation in this field. The measure will target all pupils in this category, but particular attention will be focused on minority language pupils since they constitute a large proportion of the group that drops out of upper secondary school.

460. In 2001-2002, a total of 29,325 pupils were under apprenticeship contacts. 571 pupils received vocational training in schools because they did not have an apprenticeship place in a company. Under Reform 94, all pupils who are enrolled in vocational training programmes that require an apprenticeship must be offered an apprenticeship contract.

The goal of reducing the number of pupils who do not complete their schooling

461. In connection with Reform 94, the Follow-Up Service was established as a statutory county service for young people entitled to upper secondary education who do not have a place in a school or do not have permanent work. The purpose of the Follow-Up Service is to ensure that all young people belonging to the service's target group are offered training, work or another occupation. The activities offered must primarily aim at providing pupils with entrance qualifications for higher education, vocational qualifications or a lower level of qualifications. The evaluation of Reform 94 showed that, on the whole, the Follow-Up Service functioned well. The service has helped to focus attention on the problem of school drop-outs, and to promote more active efforts in schools to prevent pupils from dropping out.

Measures to make higher education accessible to all on the basis of capacity (article 28.1.c)

462. The size of cohorts of 19-year-olds has remained stable, rising slightly from 52,806 in 1996 to 54,179 in 2001. The number of students at universities and colleges has also been relatively constant at around 170,000 during the period 1996-2001. Institutions of higher education can now offer so many student places that more than half of the pupils leaving upper secondary school can obtain a higher education. In 2002, over 95 per cent of qualified applicants were admitted to an institution of higher learning and more than 68 per cent of the applicants were admitted to their first priority course of study. The corresponding figures for 1996 were 81 and 50 per cent, respectively.

463. As from 2001, applicants who are 25 years old or older and who do not meet the general formal qualification requirements for entrance to higher education but who are considered to have the necessary total qualifications (formal and non-formal) for the course of study may be admitted. In 2001, 2,700 persons were offered admittance on the basis of total qualifications.

464. The State Educational Loan Fund is required to offer all pupils and students the opportunity to finance their education. Students who pursue a course of higher education receive loans and grants regardless of the financial situation of the persons supporting them. Under the new support scheme introduced in autumn 2002, loans are not means-tested on the basis of the student's financial situation either, and incentives in the form of higher costs and part of the grant's being contingent on the progression of studies have been included in order to encourage students to complete their studies more quickly.

Information (article 28.1.d)

(Reference is made to Norway's initial report, paragraph 383.)

465. The National Board of Education has developed an Internet-based forum for the teaching community and other persons working with children and young people. The target group comprises teachers, school administrators and school owners, and school counselling services such as the educational and psychological counselling service. The forum was established as a means of improving the quality and accessibility of information and guidance services and efforts to ensure that all pupils have a safe and stimulating environment in which to grow up and learn.

466. The Ministry of Education and Research has initiated the project *Delt rådgivningstjeneste* (Separate Counselling Services) (2001-2003) in order to test new ways of organizing counselling services with a view to improving educational and vocational guidance in secondary school.

Humane treatment in education programmes (article 28.2)

(Reference is made to Norway's initial report, paragraph 388.)

International cooperation (article 28.3)

467. The World Conference on Education for All held in Jomtien, Thailand, and the World Summit for Children in New York in 1990 were important milestones for multilateral and bilateral development assistance in the education sector. The decade that followed was characterized by a gradual increase in and prioritization of development assistance for education on the part of both Norway and the international community. Another international conference, the World Education Forum on Education for All, held in Dakar in 2000, confirmed that the goal of ensuring education for all as a fundamental human right is far from being achieved.

468. The conference in Dakar, which was attended by representatives of 181 countries and relevant international agencies such as UNESCO, UNICEF and the World Bank, culminated in a plan of action in which the international community committed itself to increasing its efforts to ensure basic education for all by 2015, with particular focus on poor countries. In Dakar, Norway and other wealthy countries pledged to ensure that no developing country lacks the financial resources to realize the goal of education for all.

469. Responsibility for coordinating the follow-up of the Dakar Declaration at the international level has been assigned to UNESCO. Norway's efforts to follow up the Declaration are being carried out both multilaterally and bilaterally as a part of Norwegian development assistance for education. Norway actively supports the cooperative efforts of the African networks, the Association for the Development of Education in Africa (ADEA) and the Forum for African Women Educationalists (FAWE).

470. Norway has also taken the initiative in the establishment of Nordic cooperation on following up the Dakar Declaration on education for all by arranging *Et Solidarisk Norden* (A Solidary Nordic Region), a conference on education as a part of development policy. The conference was held in Oslo in June 2002. In a final communiqué issued by the conference, the Nordic Ministers for Education and Development stressed that children are the most important resource for the development of all countries, and that investments in children's education, with particular emphasis on girls, generate the highest returns in development policy. In future, therefore, the Nordic countries will place greater emphasis on education in development cooperation. Education is important for individuals and a key instrument for reducing poverty, promoting social and economic development and strengthening democracy and respect for human rights.

471. Norway aims to increase the percentage of the overall Norwegian development assistance budget that is allocated for education from 9 per cent to 15 per cent by 2005, by focusing particularly on the education sector in important partner countries, with special emphasis on basic education (primary and lower secondary school). In a Report to the Storting on development policy in 2002, the Norwegian Minister of International Development declared that education for all is the highest priority task in development assistance policy. Norwegian development aid for educational purposes totalled 8.4 per cent of the development assistance budget in 2001, equivalent to about NOK 700 million.

472. Most of Norway's development assistance for education is provided to the education authorities through sector programmes. Norway works particularly closely on promoting education with countries such as Bangladesh, Nepal, Tanzania, Zambia and Malawi. Broad-based cooperation is also being initiated with Pakistan and Vietnam. A substantial portion of Norwegian assistance for the education sector is channelled through international agencies such as UNESCO, UNICEF and the World Bank, and through non-governmental organizations (NGOs) such as Save the Children Norway, Norwegian Church Aid, the Norwegian Refugee Council and teachers' unions. Children are often a priority target group, both direct and indirect, of projects supported by Norwegian NGOs.

473. The focus on education in development assistance policy has led to closer cooperation between NORAD and Norwegian education authorities and education communities, for instance, through framework agreements between NORAD and the Ministry of Education and Research and the LINS Centre for International Education at Oslo University College. Under the framework agreement with the Ministry of Education and Research which was entered into for the first time in 2000, the Ministry is to act as a centre of expertise for NORAD in connection with the development of educational systems and implementation of education reforms in Norway's partner countries. In its role as a centre of expertise, the Ministry has established cooperation directly with sister ministries in other countries so as to promote professional dialogue and sound management, all with a view to improving these countries' capacity to offer education for all.

B. Aims of education (article 29)

Measures to strengthen the aims of education

(Reference is made to Norway's second report, paragraph 312.)

Tuition in human rights principles and the principles enshrined in the Convention on the Rights of the Child

474. In June 2002, Human Rights was established as a new national optional subject in upper secondary education. A proposal to create an optional subject of this nature was presented in Report No. 21 to the Storting (1999-2000), the Action Plan for Human Rights. *Reference is made to Ch. IV, paragraphs 213-215 of this report.* The objectives of this subject include knowing the meaning of the concepts of human dignity and human rights, being able to place the idea of human rights in a historical and cultural perspective, having knowledge of various agencies that promote and enforce human rights, being able to discuss the way Norway fulfils its human rights obligations, being able to evaluate current events, both national and international, in a human rights perspective, being able to see the significance of one's own participation in society for the promotion of human rights, tolerance and equality, and being able to develop an ability to think critically and show tolerance. The action plan also indicated that there will be increased focus on in-service training for teachers in the field of human rights. For further details, *reference is made to Ch. I B, paragraphs 64-65 of this report.*

475. The Government has initiated the launch of a project entitled *Verdier i skolehverdagen* (Values in Everyday School Life). The national curriculum serves as an instrument in the continuous efforts to raise awareness in schools. The project was presented at a national

conference on the topic of democracy and values. The conference was one of five initiated by the Nordic Council of Ministers. A topic common to all five conferences is value issues from the perspective of children and young people.

476. In March 2000, a new national optional subject, Work in Organizations, was established in upper secondary education. The objectives of the subject include knowing the place and role of organizations in society, knowing the main aspects of the democratic rules of play in society, being able to perform practical functions in an organization, showing an ability to interact socially with other people, displaying behaviour that promotes equality and equal status, being able to understand the necessity of ethical norms in work in organizations, being able to work independently and take responsibility for one's own learning and work, being able to participate actively in pupil democracy in school and elsewhere in organizational life, and being able to view the subject in an interdisciplinary, socially useful perspective.

C. Leisure, recreation and cultural activities (article 31)

477. Studies show that a growing number of children and young people are physically inactive, their contact with their natural surroundings is diminishing, and the gap between physically active and passive children is widening. Sedentary activities, often in front of a computer or television screen, occupy a growing proportion of their leisure time. Symptoms such as back pains, stiff necks and aching shoulders, usually associated with adult "problems of prosperity", are increasingly cropping up in younger generations. Growing urbanization is one of the causes of this trend. The proportion of natural and green areas in local communities that can serve as natural playgrounds and sites for physical activity has been reduced or the areas offer insufficient challenge.

478. The recognition that Norway is a multicultural society poses a challenge to cultural policy in the years ahead. This has made it necessary to add a new dimension to general cultural policy, and to formulate an overall cultural policy that seeks to promote increased participation and cultural diversity. The central government authorities have a particular responsibility for promoting Sami culture. There are groups of children and young people who require extra assistance and special measures to enable them to take part in cultural life in the same way as others. This applies, for instance, to children and adolescents with disabilities.

Land use planning

(Reference is made to Norway's initial report, paragraphs 400-401 and Norway's second report, paragraph 315. Reference is also made to Ch. III D, paragraphs 316-320 of this report.)

Recreation, nature and cultural heritage

(Reference is made to Norway's initial report, paragraphs 400-401 and Norway's second report, paragraphs 316-320.)

479. Outdoor recreation leads to better health and quality of life, fosters a commitment to environmental protection, and promotes sustainable development. It is the Government's goal to ensure that a love and knowledge of and respect for nature is communicated to new generations of children and young people. Everyone must have the possibility of taking part in outdoor

recreation as an activity that promotes health and wellbeing and is environmentally friendly, both in local neighbourhoods and in outdoor environments in general. In spring 2001 the Government presented Report No. 39 to the Storting (2000-2001) on outdoor recreation, with the subtitle “a path to a better lifestyle”. The Report’s main target group was children and young people and the Government’s proposals were designed to improve the “green conditions in which they grow up”.

480. Official Norwegian Report NOU 2002: 1 *Fortid former framtid* (The Past Shapes the Future) attaches great importance to children and young people and cultural monuments. Encouraging children and young people to take an active interest in cultural monuments is a challenge. Further efforts to follow up the report will address this issue.

481. The UN designated 2002 as the Cultural Heritage Year. A number of measures targeting children and young people have been launched in the course of the year: *Norsk kulturarvs ryddeaksjon 2002* (the Norwegian Cultural Heritage Clean-up Campaign for 2002) involves children and adolescents in efforts to focus attention on more cultural monuments. The Network for Environmental Learning now has a new cultural heritage portal where schools are encouraged to carry out activities revolving around cultural monuments. Cultural monuments have become a topic in the National Programme for Arts and Education (*reference is made to paragraph 496 of this report*). Werner, a young lion with a long pedigree of lions in Norwegian cultural history, has been created as a protector of cultural heritage. Werner’s target group is children and young people aged 8-12. In cooperation with the Ministry of the Environment, the Norwegian Association for Music and Art Schools has started a cultural heritage project at certain music and art schools.

482. As stated in Norway’s second report, paragraph 319, state funds are available for the purchase and adaptation of special areas for outdoor recreation. At the end of 2002, there were more than 1,800 state-supported areas, including some 300 specially protected coastal parks along the southern coast of Norway.

Participation in cultural activities

(*Reference is made to Norway’s initial report, paragraphs 402-421 and Norway’s second report, paragraphs 321-342.*)

483. The provision of opportunities to take part in cultural activities and organizations and to experience and contribute to art and culture of high quality must be an integral component of overall child and youth policy, and this goal must be supported in public planning activities at all levels. Steps must be taken to ensure that children and adolescents with special needs have the same opportunities for participation. To achieve this objective, it is also important to ensure that the costs of participation are kept at a low level. Furthermore, it is a challenge to safeguard cultural policy interests in commercial arenas, which offer services that are used by many children and young people. The Ministry of Culture and Church Affairs is currently preparing a new report on cultural affairs which is due to be presented to the Storting in early 2003. Children and young people will be one of the topics of this report.

Sports

484. Children and young people are key target groups for state policy on sports. In Report No. 14 to the Storting (1999-2000) on the State's relationship to sports and physical activity and Report No. 39 to the Storting (2000-2001) on outdoor recreation, special emphasis is placed on providing favourable conditions for a broad range of sports, physical activities and outdoor recreational activities for children and young people.

485. The problem of young people dropping out is a current topic of discussion in many voluntary organizations, as it is in the sports community. An MMI survey carried out in 2000 examined the reasons cited by young people for ceasing to take part in organized sports. The reason most commonly given is that they have lost interest in sport, or that it is boring. The time factor is another dimension that affects the priorities of children and young people. To a large degree, adolescents want to have more time for their friends and schoolwork.

486. On the basis of Report No. 27 to the Storting (1996-97) on the State's relationship to voluntary organizations and Report No. 44 to the Storting (1997-98), which supplemented the former report, a new grant scheme has been developed to support the work of local sports clubs for children and young people (6-19 years old). The grant scheme was established in 2000. In 2002, NOK 86 million was allocated to the scheme from the surplus from the state lottery. All voluntary, membership-based sports clubs that run activities for children and/or young people are entitled to support from the grant scheme. Local sports councils are responsible for distributing the funds in their respective municipalities. Rogaland Research has been commissioned by the Ministry of Culture and Church Affairs to evaluate the grant scheme.

Outdoor recreation

487. Report No. 39 to the Storting (2000-2001) on outdoor recreation focused on children and young people and their participation in outdoor activities. A number of measures are proposed in the report to stimulate an interest in such activities among children, young people and families. These measures include intensified efforts to motivate and encourage the target groups to participate in outdoor recreation by increasing the grant for activities run by outdoor organizations, and efforts to build up expertise at the municipal level with general focus on the value of outdoor recreation and special focus on its importance for children's health and development.

Artistic and cultural activities

488. Since 2001 the Ministry of Culture and Church Affairs has allocated funds to enterprises that arrange cultural events to which tickets are sold on the condition that persons possessing official identification as accompanying person for disabled persons who purchase a full-price ticket to a cultural event are entitled to a free ticket. A similar arrangement has been established for sports events. Many municipalities have now introduced a system of official identification for persons accompanying disabled persons.

489. In the 2000-2001 school year, 431 municipalities had established music and art schools, either individually or jointly with other municipalities. Around 70,000 primary and lower secondary school children participated in these educational programmes, in addition to 7,000 pre-school children and close to 9,000 pupils above lower secondary school age.

Libraries

490. Data from local youth surveys show that libraries are a facility used particularly frequently by girls with an ethnic minority background. The Ministry of Culture and Church Affairs supports a library service for immigrants and refugees in Oslo through the Norwegian Directorate for Public Libraries. The service functions as a national exchange for inter-library lending of literature for refugees and immigrants. The Ministry also provides funding for the Sami Special Library in Karasjok.

Museums

491. 340 of Norway's close to 800 museums currently receive direct or indirect grants from the state budget. One of the goals of the Government's museum policy is for museums to reach all groups, with particular emphasis on children and young people. In 2000, around 1.8 million children and adolescents visited a museum. In 1999 the Norwegian Museum Authority issued a publication on Norwegian museum services and the multicultural challenge. As a follow-up to the report, the Norwegian Museum Authority formed a group of museums interested in developing information projects that target communities of recent immigrants. The International Cultural Centre and Museum, which is a part of this measure, has carried out projects for groups of recent immigrants for several years, with particular focus on children and young people.

Dramatic art

492. One of the Government's main cultural policy goals is to ensure that as many people as possible have access to theatre, opera and dance performances of a high artistic quality by providing state allocations for dramatic art institutions and independent theatre groups. Children and young people are a key target group. In 2000, theatres presented 6,450 performances. Children and adolescents were the primary target group of just over 40 per cent of theatrical productions.

493. The School of Drama at the Nordic Black Theatre offers a programme of study in drama that is particularly designed for young people with an ethnic minority background. The school, which was started in 1993, aims at training professional actors. A total of five classes of students have completed a three-year programme of study at the school.

494. A three-year pilot project featuring a sign language theatre was initiated in spring 1999. The theatre has been based in Ål municipality during the pilot period, but has toured many parts of the country. An evaluation of the project carried out at the end of the pilot period showed that the sign language theatre was a viable venture, in terms of both artistic talent and box office receipts, and the Norwegian Sign Language Theatre was established on a permanent basis as

from 2002. A state allocation totalling NOK 6.7 million was granted for 2002. The board and administration of the theatre will be linked to the Norwegian Touring Theatre. While the Norwegian Sign Language Theatre will be a touring theatre, some of its activities will be based in Oslo.

Music

495. Norconcert (the Norwegian Concert Institute) has a particular responsibility for concerts for children and young people. In 2000, 95 per cent of all the concerts arranged or supported by Norconcert were given for that target group. Norconcert enters into agreements with counties regarding the planning and presentation of concerts at schools and day care centres. The Norwegian Council for Cultural Affairs administers a number of grants for music-related activities targeting children and adolescents. In 2000, funding was provided for 399 projects in 148 municipalities in every county of Norway. In 2001, the grant was increased by over NOK 1 million in order to include the multicultural music community in existing networks and support schemes.

The National Programme for Arts and Education

496. The National Programme for Arts and Education is a development programme aimed at increasing art and cultural activities in schools. The programme is designed to provide primary and lower secondary school pupils with easier access to all types of artistic and cultural expression. The programme was started in 2001, and is a part of the National Curriculum for the 10-Year Primary and Lower Secondary School (L 97). In 2001 every county received funding for promotional projects at both the local and regional level. In the state budget for 2002, NOK 12.3 million was allocated from the budget of the Ministry of Culture and Church Affairs to activities related to the National Programme for Arts and Education which are jointly carried out by the Ministry of Culture and Church Affairs and the Ministry of Education and Research.

Development programme to improve the environment in which children grow up

497. The Ministry of Children and Family Affairs initiated a development programme aimed at improving the environment in which children and young people grow up in autumn 1998. The goal is to enhance and further develop local environments in which children grow up through broad-based cooperation between public and volunteer bodies. Improving the possibilities for children and adolescents to take part in society and influence and cope with the conditions in which they grow up is a key objective. Furthermore, efforts to combat violence, bullying, substance abuse, crime and racism among children and young people will be intensified. Ten municipalities have taken part in the programme over a three-year period, and a further eight municipalities have been selected to participate in a new three-year period as from 2002. Through the programme, lessons are learned that can be used in efforts to improve childhood environments in other municipalities. These lessons will be passed on by means of conferences, reports, etc. A description of this work was presented in November 2002 in a memorandum from The Norwegian Institute for Urban and Regional Research (NIBR).

Voluntary child and youth organizations

498. From the Life Before 18 project: In response to a question about the positive aspects of belonging to a children's or youth organization in Norway, the young people who took part in the project (who had experience from an organization) said that they learn about teamwork, dialogue, solidarity and self-confidence. They were critical of the lack of resources, adult management and the lack of communication with other organizations. Nevertheless, they regard belonging to an organization as positive.

499. Voluntary child and youth organizations in Norway provide a wide range of valuable activities and play a key role in the daily life of children and young people. Around 90 per cent of all children and adolescents have been a member of an organization or club.

500. The Ministry of Children and Family Affairs provides funding for both the central and local activities of child and youth organizations through the Frifond scheme. State support has been provided for the central activities of such organizations since 1950. The purpose of the support is to facilitate child and youth participation in the organizations by fostering democratic organizations that promote the views of children and young people in society and that offer children and young people an arena for creative activity and give them a sense of belonging. While responsibility for providing this support lies primarily with the Ministry of Children and Family Affairs, grants are also provided by other ministries. In 2002, a total of NOK 60.3 million was allocated to the central activities of child and youth organizations, NOK 800,000 of which went to the Ideas Bank (*reference is made to paragraph 502 of this report*).

501. In 2002 the Ministry considerably simplified the rules governing funding for central activities in order to ensure that a larger portion of public funding is used to promote the organizations' own goals and in order to simplify the administration of the schemes.

The Ideas Bank

502. The Government allocates funds for the Ideas Bank which is currently administered by the Norwegian Youth Council. Through the Ideas Bank, funding is provided for multicultural activities for children and young people run by voluntary organizations and local youth groups. The purpose of the scheme is to promote activity and improve dialogue between young people with different cultural backgrounds. The Ideas Bank also stores and disseminates data and lessons learned from projects and from measures to combat racism and discrimination. The results achieved by the Ideas Bank are positive. The Government will therefore provide funds to ensure that the scheme can be maintained. The Ideas Bank has existed as an independent scheme since 1998.

***Frifond* (the Free Fund Scheme)**

503. In 2000, the Government established *Frifond*, a new grant scheme for voluntary child and youth work at the local level. These grants are intended to improve the framework conditions for voluntary organizations and the local activities of groups and to be used for various forms of local activities and projects. The intention is for the scheme to reach a broad range of local clubs and groups with diverse aims and activities, both those associated with the traditional large

organizations and independent local groups. In 2002 the scheme totalled NOK 43.5 million. In 2002 the Storting changed the way in which gaming revenues are distributed, as a result of which the scheme will be significantly strengthened during a period of three years. The Ministry of Children and Family Affairs evaluated the scheme in 2002. The evaluation showed that Free Fund has helped to improve the financial situation and increase the level of activity in the local branches of children's and youth organizations. The impact of the scheme varies geographically. In relation to the number of children and young people, the central part of South-Eastern Norway receives less funding from the scheme than the other parts of the country. One possible reason for this is that the activities of organizations in this area are deteriorating and weakening in comparison with those of independent groups. The main challenge in the further development of Free Fund will be to ensure that the scheme is more easily available to independent groups.

Youth work in outlying regions

504. In 1999 the Ministry of Children and Family Affairs established a new grant scheme for youth work in outlying regions. Funds are provided for local initiatives in the field of culture and recreation in municipalities with significantly declining populations. The Ministry is particularly concerned to ensure that municipalities plan coherent, well-designed local programmes and that young people take part in the planning and implementation of the activities and projects that receive support. The scheme has helped to focus more attention on the influence of young people in outlying municipalities, and thanks to the efforts volunteered by young people in local initiatives, a great deal of activity has taken place for the relatively small amounts granted. In 2002 a total of NOK 2.6 million was allocated to this scheme.

Urban Youth Projects

505. The Ministry of Children and Family Affairs administers a grant scheme entitled *Ungdomstiltak i større bysamfunn* (Urban Youth Projects), aimed at improving the conditions in which adolescents live and grow up in large cities (ten cities in 2002). The allocation is used for measures and projects targeting young people with special needs and youth groups and circles at risk. Emphasis is placed on:

- Preventing undesirable social behaviour, including violence, bullying, crime, substance abuse and racism, combating prejudices and discrimination, and promoting mutual acceptance;
- Promoting the participation of groups of young people who make little use of existing cultural and recreational facilities;
- Promoting an inclusive environment and establishing alternative learning arenas;
- Promoting efforts and initiatives aimed at reaching young people who are affected by poverty problems;
- Promoting equality and equal opportunities for girls and boys;
- Promoting equal opportunities for persons with disabilities.

CHAPTER VIII. SPECIAL PROTECTION MEASURES

A. Children in emergency situations

1. Refugee children (article 22)

506. As regards facilities for minors applying for asylum, refugee children and their parents, reference is made to Ch. III B, paragraphs 118-136, and Ch. III D, paragraph 212 of this report.

(Reference is made to Observation 48/Recommendations 49 and 50 of the Committee on the Rights of the Child.)

507. *The Committee is concerned about the processing of applications from children seeking asylum, and recommends that children be given sufficient opportunities to participate in the decision-making process and to express their concerns. The Committee recommends that efforts be made to ensure that the guardianship mechanism for unaccompanied children functions better, inter alia, through the provision of training for guardians. The Committee is also concerned by delays in the processing of asylum applications and the fact that some child applicants are not integrated into the school system. It recommends examining the reasons for delays in the processing and implementing measures to ensure the rapid integration of children into the normal schooling system.*

508. Children who come to Norway as asylum-seekers or as refugees through the United Nations High Commissioner for Refugees (UNHCR) (quota refugees) are usually accompanied by their parents or other family members with parental responsibility. When adults are granted asylum or a permit to reside in Norway, their children are given the same status. Children who are accompanied by their parents may also be given asylum on independent grounds, even if their parents are not granted asylum. In such cases, the child's closest relatives will be granted family reunification in Norway. In many cases, the applications for asylum of both accompanying children and their parents are rejected. It is regarded as being in the children's best interests for them to be with their parents, regardless of the outcome of the application. This is also in line with the recommendations of the UNHCR.

509. In 2002, 3,688 children under 18 years of age came to Norway with their parents to seek asylum. These figures do not include unaccompanied minors applying for asylum. In the past three years, an average of over 550 unaccompanied minors applying for asylum have come to Norway each year. In 2002 894 such minors came to Norway. As of 1 March 2003 approximately 130 unaccompanied minors have come to Norway. *Reference is made to Ch. III A, paragraphs 155-165 of this report.*

510. The time required to process asylum applications was generally reduced in 2001-2002. Asylum applications from unaccompanied minors are to be given priority at all stages. It may nevertheless take a long time to process such applications due to the problem of finding enough guardians, the need to verify information regarding age and identity, the need to find persons to take care of the applicants, processing of appeals and factors preventing their return.

511. In order to ascertain whether children accompanied by their parents may have independent grounds for being granted asylum, a new system for interviewing children in asylum cases was introduced from 1 July 2000. *Reference is made to Ch. III D, paragraphs 209-211 of this report.*

512. It takes time to verify information pertaining to individuals. In order to reduce the processing time, the Directorate of Immigration has in February 2003 introduced a new system for determining an applicant's age. This will further reduce the processing time.

513. Very few unaccompanied minors are granted asylum in Norway. On the other hand, many are granted a residence permit on humanitarian grounds because the authorities are unable to trace their parents in the home country. It is a goal for unaccompanied minors to be settled within three months of being granted a residence permit. All children who are in Norway for more than three months must be offered schooling.

514. An inter-ministerial working group has considered the introduction of an arrangement for unaccompanied minors that may replace or supplement the current guardianship scheme. Furthermore, part of the mandate of the Guardianship Committee consists of examining the need for special arrangements for unaccompanied minors. In July 2002, Salangen municipality received a grant of NOK 250,000 from the Ministry of Local Government and Regional Development to initiate a preliminary project with a view to defining the content of the role of guardian and drawing up proposals for the recruitment, quality assurance and remuneration of provisional guardians for unaccompanied minors. A key part of the project will be to clarify how the remuneration of provisional guardians can be effected in practice, and to ascertain whether this will make it easier to recruit new provisional guardians. *Reference is made to Ch. II, paragraph 90 and Ch. II B, paragraph 157 of this report.*

515. The municipalities' settlement of unaccompanied minors is described in two reports prepared in December 2000 and February 2002 at the request of the Directorate of Immigration and the Ministry of Children and Family Affairs. *Reference is made to Ch. III B, paragraphs 163-164 of this report.*

516. Housing provided by municipalities for the settlement of refugees is largely designed for families. Furthermore, municipalities welcome families because of the advantages they offer in terms of transfers of state funds. Families with children are therefore usually resettled quickly, and within the goal of six months following the administrative decision regarding permission to stay.

517. A number of unaccompanied minors must wait for a relatively long time to be settled. The primary reason for the long waiting time is the lack of places in municipalities, particularly if the child has relatives in a municipality where there is great pressure on the housing market and he or she is to be settled there. Moreover, many municipalities spend a long time on pre-settlement planning.

518. Since it became possible, pursuant to section 4.4 of the Child Welfare Act, to obtain reimbursement for expenses incurred in connection with unaccompanied minors, municipalities are now more willing to settle them. This reimbursement comes in addition to the ordinary integration grant and a special grant of NOK 96,400 (as from 2003) per child per year which

municipalities receive until the unaccompanied minor reaches the age of 21. In certain municipalities, the lack of capacity and child and youth professionals are probably a greater obstacle to settlement than the financial aspect. *Reference is made to Ch. III A, paragraph 125 of this report.*

519. Work is in progress on finding alternative models for the reception and settlement of unaccompanied minors that can help to ensure that they are settled more quickly and satisfactorily. In January 2002, SOS Children's Villages received NOK 200,000 from the Ministry of Local Government and Regional Development to carry out a six-month study of a settlement project for unaccompanied minors. The Ministry of local Government and Regional Development is awaiting an application from the SOS Children's Villages regarding a settlement project for unaccompanied minors.

Integration into the educational system

520. As regards the integration of refugee children into the normal schooling system, *reference is made to Ch. III A, paragraphs 121-122 of this report.*

521. As far as unaccompanied minors are concerned, an earmarked grant has been provided since 1998 for primary and lower secondary education for immigrants (including refugees and asylum seekers) aged 16-20. This grant has made it possible for minority language speakers to take a school-leaving examination upon completion of primary and lower secondary school and thus avail themselves of the right to upper secondary education. In 2001, 113 municipalities offered primary and lower secondary education programmes for minority language speakers aged 16-20. Most of the pupils were offered a full-time programme of 30 hours of school per week. Just under 1,900 persons took part in the educational programme, and approximately 40 per cent of the participants were women.

522. These earmarked funds have now been included in the general purpose, lump-sum transfers to municipalities, as a result of the fact that all adults were given the right to primary and lower secondary education as from 1 August 2002. This right also applies to immigrants aged 16-20. It is now up to the individual municipalities to prioritize the use of these funds.

523. The right to primary and lower secondary education does not apply to asylum seekers aged 16-18. To ensure that these persons have access to such education, the Ministry has proposed that in 2003 the grant scheme related to primary and lower secondary education for asylum seekers under 16 years of age should be expanded to include asylum seekers aged 16-18. The grant for the education of children and young people in state reception centres for asylum seekers covers all primary and lower secondary education, including special Norwegian language tuition and mother tongue tuition for language minorities.

Grants for day care institutions

524. The State provides grants for day care centres for the children of newly arrived refugees. The goal of this scheme is to enable municipalities and private day care centre owners to offer day care for children of newly arrived refugees when the family is settled in a municipality after a stay in a reception centre.

(Reference is made to Observation 51/Recommendation 52 of the Committee on the Rights of the Child.)

525. *The Committee is concerned that psychosocial assistance for refugee children is not offered to all children in need of such help, and recommends that the current available psychological assistance be extended. The Committee is also concerned by cases of malnutrition among refugee and asylum seeking children, and encourages the State party to continue its efforts to solve this problem.*

526. Health services in Norway generally lack capacity to provide psychological and psychiatric assistance. The assistance offered to refugee children and their parents must be viewed in the light of this situation. Traumatized children will primarily be identified and followed up by the health authorities, particularly psychosocial teams. In the last couple of years, routines and expertise in this field have significantly improved at reception centres. A professional child welfare approach is adopted when dealing with children. Personnel receive better guidance than before, although even stronger input from child and youth professionals is desirable.

527. Efforts involving several groups of professionals are being made to ensure that children with special needs are given the possibility of physical and mental rehabilitation. There is greater awareness of the problems of various groups of children seeking asylum. Guidance programmes are provided for municipalities that receive children seeking asylum. The Centre for Crisis Psychology in Bergen offers group therapy for children in reception centres for asylum seekers and counselling for parents. *Reference is made to Ch. III B, paragraph 151 of this report.*

528. Special mention is made of unaccompanied minors seeking asylum in Report No. 17 to the Storting (2000-2001) on Norwegian asylum and refugee policy. The report also focuses on the need for psychosocial follow-up and early assessments of the possible need for treatment of psychological problems. Special guidelines for health services for asylum seekers and refugees were published in 2002. Funds for 2002 were allocated for the establishment of a unit of experts on somatic and mental health and care for persons with an immigrant background. The guiding principles for the allocation define children and young people as a special target group.

529. New instructions and a guide for the supervision of unaccompanied minors seeking asylum were prepared and adopted from spring 2002. *Reference is made to Ch. III B, paragraph 158 of this report.* These documents place particular emphasis on the individual's need for trauma therapy. The possibility of establishing special teams of therapists to assist individual children seeking asylum during the initial period after their arrival in Norway is being considered.

2. Children in armed conflicts, including physical and psychological recovery and social integration (article 38)

530. As regards services for the treatment and integration of children who have experienced war, *reference is made to Ch. III A, paragraphs 151-152 of this report.*

Ratification of the Optional Protocol to the UN Convention on the Rights of the Child on the prohibition against participation in armed conflict of children under 18 years of age

531. Until recently, Norwegian legislation (the Compulsory Military Service Act and the Home Guard Act) provided that in certain cases children could become liable for military service before they reached the age of 18 (see further information on these rules in Norway's initial report, paragraphs 83-85). Partly as a result of the adoption of the new Optional Protocol to the UN Convention on the Rights of the Child on the prohibition against participation in armed conflict of children under 18 years of age, certain amendments have now been made in this legislation (the legislative amendments came into force on 1 July 2002).

532. These amendments entail a total statutory prohibition against the *forced* recruitment of children under 18 years of age for any form of service in the Armed Forces in peacetime, during preparedness measures and in wartime. This means that even in wartime a man is not liable for military service until *the day* he reaches the age of 18, cf. section 4 of the Compulsory Military Service Act and section 4 of the Home Guard Act (however, the date on which a man normally becomes liable for military service is still January 1st of the year in which he reaches the age of 19).

533. Furthermore, a statute has been introduced prohibiting the *voluntary* recruitment of children under 18 years of age for training and participation in combat-related activities, as well as a provision to the effect that volunteer personnel under 18 years of age shall immediately be exempted from service if Norway is at war or if war is imminent, or if the Armed Forces or any part of them are ordered on a war footing (cf. section 4 of the Compulsory Military Service Act and section 6 of the Home Guard Act). It is also stipulated that volunteers under 18 years of age (including the Home Guard Youth) shall not be regarded as being recruited to the Armed Forces. Among other things, they shall not be subject to mobilization or enrolled as members of the Armed Forces, they are not subject to military discipline, and they are not regarded as "belonging" to the Armed Forces in relation to the Military Penal Code.

B. Children involved with the system of administration of juvenile justice

534. Crime statistics show that only a small minority of children and young people in Norway are registered each year as having committed a crime. This applies to less than half of one per cent of children below the age of criminal responsibility (15 years), and two to three per cent of young people up to the age of 20. However, even if the juvenile crime rate is low in Norway compared with many other countries, there has been an increase in the past few years in registered crimes committed by children and young people. The number of young offenders has increased for most types of crime, but the most serious offences committed by young people (aged 15-20) are usually theft, a drug-related crime or vandalism. The trend for some types of registered crime is alarming. This applies in particular to the increase in drug-related crimes, but also in crimes of violence and robbery. In this respect, statistics are particularly negative for young people aged 15-20. For children under 15 years of age, there has been relatively little change, except as regards vandalism (tagging) where a significant increase in offences committed by this group has been registered.

1. The administration of juvenile justice (article 40)

(Reference is made to Observation 53/Recommendation 54 of the Committee on the Rights of the Child.)

535. *The Committee is concerned that current responses to children who commit crimes often focus either uniquely on child welfare action or on responses appropriate for adult offenders. The Committee recommends that greater consideration be given to the need for prevention and rehabilitation.*

536. In 1999, the Government presented a Plan of Action to combat Child and Youth Crime (Report No. 17 to the Storting (1999-2000)). The plan of action is based on the view that efforts to combat child and youth crime must be rooted in both justice policy and child and youth policy. Five ministries have collaborated on the plan, which will be implemented over a five-year period (2000-2004). Attention is focused on improving inter-agency and interdisciplinary efforts at the local level and on promoting greater interaction between the public authorities and children, young people, parents, voluntary organizations and groups.

537. One of the measures in the plan is a pilot project (2001-2003) for youth contracts in seven municipalities. The youth contract scheme offers an alternative penalty for criminal offences and particularly targets young people aged 15-17 who are not yet locked into a permanent pattern of criminal behaviour. A youth contract is an agreement between the adolescent with the consent of his or her parents or guardian, on the one hand, and the police and municipal authorities on the other hand. In the contract, the adolescent commits himself or herself to carrying out specified activities in return for which the legal authorities will refrain from taking further legal action. The contract must contain measures aimed at helping the adolescent to change his or her behaviour and supporting his or her efforts to embark on a positive course of life. On the basis of the lessons learned from the pilot project, the Government will consider further follow-up action.

538. In autumn 2000, as an important part of the follow-up of the Plan of Action to combat Child and Youth Crime, the Minister of Justice and the Minister of Children and Family Affairs appointed an inter-ministerial working group. The group was to evaluate and present proposals for ways in which society's responses to young criminal offenders (under 15 years of age) can be strengthened and improved, so as to prevent the development of criminal behaviour. The working group was also charged with evaluating measures for young people up to 18 years of age, as well as measures that only apply to 15-18-year-olds. The group's report, which was submitted in June 2001, was circulated for consultative comment to the relevant bodies.

539. In the light of the report and the consultative comments, the Government presented a number of proposals for legislative amendments in spring 2002. Account was taken in this process of Recommendations 23, 29 and 54 of the Committee on the Rights of the Child. The aim of the proposed amendments is to ensure more appropriate follow-up of children and young people and better cooperation between the relevant public agencies. Measures are intended to have a preventive effect by deterring young people from developing criminal behaviour. The most important proposals are described in the following paragraphs.

540. In its proposition to the Storting, the Government proposes that the police should be given a duty, depending on the nature and seriousness of the criminal offence, to investigate criminal offences committed by children between 12 and 15 years of age at the time of the crime. The police investigation of the case conveys the message to young offenders that society takes their crime seriously. The action of investigating and clearing up criminal offences in itself has a generally deterrent effect and a specifically deterrent effect. Moreover, the investigation may result in the child's parents being made aware of the criminal offence, thereby enabling them to take follow-up action in respect of the child. Making investigation mandatory is also warranted in the interests of the aggrieved person.

541. When children and young people commit a crime, the child welfare service may, depending on the circumstances, decide that measures are to be implemented. The child welfare service itself has no investigative capacity and is often dependent on the information that can be obtained by the police. A duty to investigate may be the necessary bridge between the two agencies' spheres of responsibility. Since the investigation documents may in many cases form the basis for the way the child welfare service deals with a case and contribute towards ensuring that adequate measures are taken in respect of the child, it is proposed that this aim be reflected in the Criminal Procedure Act. It is further proposed that the police be able to formally close the case by transferring it to the child welfare service when the investigation has been concluded if the perpetrator was under 15 years of age. Investigations in cases in which the perpetrator is under 15 cannot culminate in any penal sanction. It is therefore necessary to transfer the case to another public authority that is competent to take action in respect of the child. Transferring cases to the child welfare service enables society to underscore the gravity of the criminal offence to a greater degree, in line with the considerations prompting the extension of the duty to investigate.

542. Rapid processing is of decisive importance if the criminal prosecution of children and young people is to have the desired generally deterrent and specifically deterrent effect. The Government therefore proposes to enact a statutory time-limit of six weeks for deciding whether or not to prosecute in cases against persons under 18 years of age. A number of amendments in the Criminal Procedure Act relating to accelerated hearing of criminal cases and remand in custody in solitary confinement came into force in October 2002. Some of the amendments particularly concern the under-18 age group. The main hearing is to be held as soon as possible. Unless this is precluded by special circumstances, the main hearing must have commenced within six weeks of the date the case comes before the district court, and within eight weeks after an appeal to the Court of Appeal has been referred for an appeal hearing if the person charged was under 18 years of age when the criminal offence was committed.

543. It has also been proposed that children and parents be required to meet with the police for an interview. The object of the interview is to prevent the development of criminal behaviour on the part of a young person whom the police consider to be at risk. In the vast majority of cases, the parents will be a vital resource in such a process. The provision regarding the duty to meet with the police must be applicable to all minors, i.e. children both over and under the age of criminal responsibility.

544. It has also been proposed that the prosecuting authority should be able to prohibit children under 15 years of age from being in a specific place, if there are grounds to believe that their being in that place increases the risk of their committing a criminal offence. According to the proposal, if the guardian does not consent to the prohibition, the prosecuting authority must bring the decision before a court of law, which will rule on the issue.

545. One proposal is of particular significance for persons between 15 and 18 years of age. It is proposed that it be specified in the General Civil Penal Code that victim-offender mediation may be imposed as a special condition for suspended sentences. Experience shows that mediation between the offender and the victim can help to prevent further crimes and help the offender to adjust to society. In most cases, mediation also takes the needs of the victim into consideration. It is therefore considered to be appropriate to facilitate the increased use of victim-offender mediation as a special condition for suspended sentences.

546. The proposition also addresses issues relating to the police's and prosecuting authority's duty of secrecy as a possible obstacle to cooperation with other public agencies, particularly the child welfare service. Certain amendments are proposed to the rules regarding the duty of secrecy in order to remove any uncertainty as regards their interpretation and thereby improve and assure cooperation. The Ministry of Justice has also stipulated that a circular must be drawn up to clarify those aspects of the rules regarding the duty of secrecy that have significance for efforts to prevent child and youth crime.

547. The consultative process showed that several of the proposals in the report submitted by the inter-ministerial working group and in the consultative document were controversial. Several of the proposals raised issues that require broader examination from the point of view of criminal policy. This applies in particular to issues related to measures in respect of persons under 15 years of age who commit a criminal offence, such as a proposal to establish follow-up teams and joint agencies in each municipality. The report also discusses various methods of giving a young offender the possibility of making amends. Proposals presented in the report which were not followed up in the Government's Bill will be further studied and clarified. The Government will follow up the work on a plan of action to address fundamental criminal policy issues related to offences committed by minors.

2. Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (article 37)

(Reference is made to Norway's initial report, paragraph 434.)

548. As of 10 March 2003, 10 boys under the age of 18 were detained in Norwegian prisons, and there is reason to believe that the number will be approximately the same in 2002. Norway has no juvenile prisons, and because of the small number of persons concerned, keeping them separate from other adult inmates would result in their being virtually totally isolated. However, young inmates are followed up particularly closely by prison staff in order to prevent any harmful effects of their incarceration. In the guidelines for the new Execution of Sentences Act, this is mentioned in several places, such as in connection with the choice of prison. It is also specified that young inmates must be encouraged to engage in physical activity. Emphasis will also be placed on young inmates' need for education while serving their sentence.

549. A number of amendments to the Criminal Procedure Act relating to accelerated hearing of criminal cases and remand in custody in solitary confinement came into force in October 2002. These amendments are intended partly to ensure that the issue of whether remand inmates are to be placed in total or partial solitary confinement is dealt with more satisfactorily, and partly to limit the use and duration of solitary confinement. Persons under 18 years of age must only be arrested and remanded in custody if this is particularly necessary. Several of the amendments to the Criminal Procedure Act are directly oriented towards cases in which minors are remanded in custody, in order to ensure that solitary confinement is only used subject to the fulfilment of stringent conditions and for the shortest possible period of time.

3. The sentencing of children, with particular reference to the prohibition of capital punishment and life imprisonment (article 37 a)

(Reference is made to Norway's initial report, paragraph 439.)

4. Physical and psychological recovery and social reintegration of the child (article 39)

(Reference is made to Norway's initial report, paragraph 440.)

C. Children in situations of exploitation, including physical and psychological recovery and social reintegration

1. Economic exploitation of children, including child labour (article 32)

(Reference is made to Norway's initial report, paragraphs 441-443 and Norway's second report, paragraph 370.)

Working hours

550. The Working Environment Act, which regulates the working hours of children, was amended in 1998. The amendments provide that ordinary working hours for children under 15 years of age or who must attend primary and lower secondary school must not exceed 2 hours per day or 12 hours per week. On days when school is not in session, the number of hours worked per day may be increased to 7. During school holidays of at least one week's duration, ordinary working hours must not exceed 7 hours per day and 35 hours per week. For children under 15 or who attend primary and lower secondary school and who work as part of an arrangement involving alternating theoretical and practical training, working hours and school hours must in total not exceed 8 hours per day and 40 hours per week. For children between the ages of 15 and 18 who are not required to attend primary and lower secondary school, ordinary working hours must not exceed 8 hours per day and 40 hours per week.

551. Children under 15 years of age or who must attend primary and lower secondary school must have a work-free period between 8 p.m. and 6 a.m. They must have an uninterrupted period of rest of at least 14 hours per day. Children aged 15-18 who are not required to attend primary and lower secondary school must have a work-free period either between 10 p.m. and 6 a.m. or between 11 p.m. and 7 a.m. They must have an uninterrupted period of rest of at least 12 hours per day. Children aged 15-18 who work within the ordinary hours for night

work (9 p.m.-6 a.m.) are required to have a medical examination. In the event of accidents, natural disasters and the like, children aged 15-18 who are not required to attend primary and lower secondary school may, under specific conditions, be used for work during the period between 10 p.m. and 7 a.m.

Work harmful to health

552. The Working Environment Act contains provisions to the effect that persons under 18 years of age must not be used for work that may be harmful to their safety, health or development. More detailed specifications are given in regulations. Norway has otherwise ratified ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour adopted in 1999. The provisions relating to working environment in this convention are regarded as being in accordance with Norwegian legislation.

Work in private homes

553. New regulations regarding work in private homes were laid down in July 2002. Regulations on housework, supervision and care in the home or household of a private employer contain special provisions regarding working hours, etc. for persons under 18 years of age that correspond to the provisions in the Working Environment Act, (cf. above.) For regulations regarding work performed in the employee's home, the rules regarding working hours, etc., (cf. above) apply to persons under 18 years of age. Both regulations require a contract of service that regulates the most important aspects of an employment relationship and prescribe that the working environment must be safeguarded in the best possible way, taking into consideration the fact that the workplace is a private home.

Information

554. All the rules relating to working environment are posted on the website of the Directorate of Labour Inspection, including the rules that apply to children and young people in particular. The Norwegian Federation of Labour Unions (LO) has a system of summer patrols who visit workplaces where children and young people are traditionally employed in temporary summer jobs and inform both the employer and the young people concerned about their rights and duties. In the event of more serious breaches of the working environment provisions, the relevant authorities are contacted.

2. Drug abuse (article 33)

(Reference is made to Norway's first report, paragraphs 444-448 and Norway's second report, paragraphs 371-377.)

555. Following a dramatic increase in the past few years in the consumption of alcohol by young people aged 15-20, which was reflected in a European youth survey (the 1999 ESPAD Report), results of the questionnaire survey carried out by the National Institute for Alcohol and Drug Research (SIRUS) show that consumption appears to have declined slightly in 2002. The results indicate a break with earlier trends. Surveys conducted in the years ahead will be able to

show whether the decline is a change in trends, or whether it is due to random circumstances. However, the average age of alcohol debut for the various types of beverage seems to have stabilized around 14.5 years for beer and around 15 years for wine and spirits.

556. After a steady rise in the period 1995-2000 in the percentage of young people aged 15-20 who stated that they had on some occasion used cannabis, the results of the 2001 and 2002 SIRUS surveys indicate that the increase has come to a stop (14.8 per cent in 2002). Moreover, there does not appear to have been any increase in the last couple of years in the percentage who state that they have on some occasion used substances such as amphetamine (3-5 per cent) and ecstasy (3 per cent). Even if the figures are still considerably higher than they were ten years ago, these are positive statistics.

557. The Norwegian Government continues to make active efforts to prevent drug- and alcohol related problems among children and young people. The Government has prepared a Plan on Drug and Alcohol related problems (2003-2005), which was presented in autumn 2002. In order to reduce the problems arising from drug abuse for individuals, their families and society at large, Norwegian drug abuse policy must be renewed. The Plan on Drug and Alcohol related problems describes the challenges and problems in this field. In the plan, the Government has set clear goals for alcohol and drug policy, and explained the strategies and measures that will be adopted to achieve these goals. Children and young people are priority target groups for the plan of action.

558. Norway has also reorganized its national prevention efforts, and now has seven regional centres of expertise on substance abuse. The main objectives of the reorganization process were to empower local communities to tackle and prevent substance abuse, and to strengthen research and training in the field of substance abuse. Work is also in progress on reorganizing and strengthening facilities for treating substance abusers.

559. Continued funding will be granted for the PAG Foundation (formerly the Wanda Centre) which provides advice, guidance and support to organizations or municipalities that wish to introduce measures for the children of substance abusers in local communities. *Reference is made to Ch. V K, paragraph 308 of this report.*

3. Sexual exploitation and sexual abuse (article 34)

(Reference is made to Norway's initial report, paragraphs 449-458 and Norway's second report, paragraphs 381-383.)

Sexual abuse of children

560. Chapter 19 of the General Civil Penal Code, which relates to sexual offences, was revised in 2000. The purpose of the revision was partly to simplify and modernize the provisions, and partly to better protect children and women against sexual abuse. Sexual relations with minors are still regulated by two different sections with different prescribed penalty limits, one for sexual relations with children under 14 years of age (section 195) and one for sexual relations with children under 16 years of age (section 196). Pursuant to section 195, the penalty is imprisonment for a term of up to 10 years, but at least 2 years if the sexual relations were intercourse. The most severe legal penalty (imprisonment for a term of up to 21 years) may be

imposed if the sexual relations with a child under 14 years of age were carried out jointly by several persons, committed in a particularly painful or offensive manner, committed against a child under 10 years of age and there were repeated assaults, the offender has previously been convicted of abuse of children under 14 or of rape, or the aggrieved person dies or sustains serious injury to body or health. Section 196 has a prescribed penalty limit of imprisonment for a term of up to 5 years, but a sentence of imprisonment for a term of up to 15 years may be imposed if there are aggravating circumstances of the nature mentioned above. The main rule regarding statutory limitation in respect of criminal offences is that the time limit is calculated from the day the criminal offence ceased (section 68 of the Penal Code). In the event of violations of sections 195 and 196, however, the time limit does not begin to run until the day the aggrieved person reaches the age of 18. A new general provision was introduced regarding the abuse of a relationship in which one person is in a position of superiority, to the effect that any person who obtains sexual relations for himself/herself or another person through the abuse of his/her position, relationship of dependency or relationship of trust is liable to imprisonment for a term of up to 5 years (section 193). At the same time, the absolute prohibition against sexual relations between employees in the police force, prison and probation services or child welfare services and persons who are inmates of or placed in a prison or institution was maintained, cf. section 194. The rules relating to sexual relations between persons with whom one has a close relationship were maintained with no significant amendments.

561. The scheme for compensation for victims of violent crime was enacted in 2001, at which time it was converted from a system of ex gratia payments to a system of legal entitlement. Society has a responsibility both for seeking to protect individuals against acts of violence and for helping to repair the damage when such acts have taken place.

(Reference is made to Observation 55/Recommendation 56 of the Committee on the Rights of the Child.)

562. *The Committee is concerned by incidents of sexual abuse, and urges the State party to continue its efforts to prevent and address such problems through the appropriate evaluation of adults who are to work with children, monitoring, legal processes, training of relevant professionals and the timely provision of care to the victims of such acts.*

563. Two nation-wide studies (1986 and 1993) have been carried out to ascertain the incidence of sexual abuse against children and young people. The studies indicate that 3-5 per cent of children are subjected to long-term, serious abuse by older persons before they reach the age of 18. However, these figures are uncertain. The studies also indicates that the number of cases in which the child welfare service intervenes on this ground is small compared with the number of child victims. Sexual abuse or incest was the criterion for intervening in respect of 96 children in 1999 and 99 children in 2000 (i.e. 1.2 and 1.1 percent of new children subject to child welfare measures). However, sexual abuse committed by persons outside the family is not registered in child welfare statistics. Crime statistics show that 131 persons were convicted of sexual abuse (sexual relations with children under 14 or 16 years of age and incest) in 2000. There are challenges to be addressed in terms of uncovering sexual abuse, dealing with cases where sexual abuse is suspected and assisting the children who are the victims of such abuse.

564. Since 1995, persons applying for positions in day care institutions are required by law to present a police certificate (*reference is made to Norway's second report, paragraph 383*). The police certificate must state whether the applicant has been charged with, indicted for or convicted of specific sections of the Penal Code that concern sexual crimes against children. If so, the applicant may not be employed in day care institutions. Similar provisions relating to police certificates were introduced for employees in primary and lower secondary schools when the new Education Act was adopted in 1998. The requirement for a police certificate was introduced for applicants for positions in municipal child welfare services, the staff of child welfare institutions and foster parents by amendments to the Child Welfare Act in 1999. Pursuant to the Child Welfare Act, a police certificate may also be required for persons other than the foster parents who live in the foster home, personal support contacts, supervisors, private individuals who take care of children as a respite measure, and other persons who perform functions for the child welfare service as part of assistance provided.

565. The Government emphasizes the importance of developing stable, interdisciplinary groups of experts in all parts of the country. Two sets of guidelines regarding sexual abuse were/will be completed in 2002 and 2003. Since 1998, a special ministerial network group comprising politicians and professionals has worked on planning and coordinating measures for child and youth victims of sexual abuse and exploitation.

566. The National Resource Centre for Sexually Abused Children (*reference is made to Norway's second report, paragraphs 192 and 381*) continues to operate as a project. Since 2000, this centre has been a key component of a project aimed at raising the level of expertise and strengthening the range of measures available in the various regions of Norway as regards sexual abuse of children and, to some extent, other types of child abuse as well. The project (2000-2002) has been headed by the National Board of Health. The Norwegian Directorate for Health and Social Welfare took over this function in 2003. In the light of lessons learned from prior attempts to strengthen expertise at regional level, particular emphasis has been placed on establishing permanent, stable, interdisciplinary networks that are not dependent on dedicated individuals. Various models for coordinating national groups of experts who deal with different types of violence and trauma are currently being assessed.

Sexual exploitation of children

567. In the past few years it has become usual to distinguish between sexual abuse and sexual exploitation of children. The sexual exploitation of children refers to the production, distribution and storage of child pornography and the purchase of sex from persons under 18 years of age.

568. According to a 2002 status report on young people under 18 who sell sexual services, there is considerable uncertainty about the incidence of this problem. In an extensive survey conducted among 14-17-year-olds in Oslo in 1996, 1.4 per cent of the respondents stated that they had sold sexual services one or more times. The uncertainty as to the extent of this activity is linked to the degree to which the sale of sexual services is a problem confined to large cities. There are clear indications that this type of sexual transaction usually takes place in forms that are concealed from the rest of the world and that only a minority of the boys and girls concerned

have been in contact with the welfare services. The Norwegian authorities place emphasis on integrating measures to combat the sexual exploitation of children with measures for child victims of sexual abuse and measures to combat substance abuse among children and young people. At the same time relevant professionals must tackle the special challenges related to preventing sexual exploitation and helping the victims.

569. In connection with the amendments to the provisions of the Penal Code regarding sexual offences, amendments were also adopted with a view to strengthening the protection of children against sexual abuse and sexual exploitation. The purchase of sexual services from persons under 18 years of age has been made a criminal offence. A breach of this provision is also punishable when it has been committed abroad by Norwegian nationals and persons whose home is in Norway. It is a criminal act to give pornography to persons under 18 years of age. To emphasize that any dealings with child pornography are an offence, the production of child pornography and the transmission of such material to others are also specifically mentioned. Such acts were also punishable previously, even though this was not directly evident from the provision. A prohibition was also introduced against enticing persons under 18 years of age to allow themselves to be photographed as part of the commercial production of still and moving pictures with sexual content. It is also prohibited to produce such pictures when a person under 18 years of age is photographed. Furthermore, a duty was introduced for courts of law to assess whether a sentence of loss of civil rights should be imposed when a person is found guilty of child sexual abuse.

570. In December 2002 the Government distributed a consultation paper concerning a proposal to amend Section 204 of the Penal Code. The proposed amendment would change the definition of child pornography. Since the term “child” is not currently defined in Section 204 of the Penal Code, the question of whether a person depicted in pornographic material is to be regarded as a child or not must be determined in each case. The age of sexual consent (which is 16) and the sexual maturity of the person concerned will be important indicators in such a determination. In the consultation paper, the Government proposes that any person under the age of 18 shall be defined as a child. This means that pornographic material depicting a person under the age of 18 will be defined as child pornography and, consequently, it will be a punishable offence to possess or in any other way deal with such material. In the Government’s view, the proposed amendment would better meet Norway’s obligations under international law, including the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The Government also took the view that the amendment will provide better protection for children and young people from sexual exploitation. The Government presented a bill concerning the amendment to Section 204 in Proposition No. 45 to the Odelsting (2002-2003) in spring 2003.

571. In June 2002, the Ministry of Justice sent out a consultative document, requesting that the bodies consulted give their opinion on a possible prohibition against exhibiting pictures of nudity and sexual depictions. Similar proposals have been discussed before, partly with a view to protecting children from seeing such depictions in grocery stores, petrol stations and newspaper kiosks.

572. Norway and Sweden have contributed towards placing the topic of the sexual exploitation of children on the agenda in the member countries of the Council of the Baltic Sea States. This was first done through a regional seminar arranged in 1998 in cooperation with the Estonian authorities. Since then, efforts have primarily been focused on establishing an IT-based network in the region on matters concerning children and young people at risk. There has been considerable focus in this process on child and youth victims of sexual exploitation and sexual abuse, but the target groups also include children who are victims of other types of abuse or who live under particularly risky conditions. The IT network, which became operational in 2001, is intended to promote increased communication and professional cooperation across national borders between groups of persons who work with children and young people at risk. In this connection, the term “groups” means professionals, authorities and voluntary organizations. In 2002, the Council of the Baltic Sea States established a permanent working group to coordinate efforts to help children and young people at risk in the region.

573. In order to implement the final declaration issued at the first World Congress against the Commercial Sexual Exploitation of Children held in 1996, the Ministry of Children and Family Affairs and other relevant ministries presented a Norwegian follow-up plan comprising eighteen measures in 1999. The lessons learned from the follow-up efforts were summed up in preparation for the Second World Congress against the Sexual and Commercial Exploitation of Children held in Yokohama, Japan, in December 2001. As a follow-up to the congress, the Ministry of Foreign Affairs contributed funding for a Save the Children Norway campaign targeting child sex tourism. The campaign included cooperation with five of the most important tour operators in Norway on the production of brochures for distribution to tourists on the sexual exploitation of children during trips abroad.

574. In autumn 2001 Norway ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (cf. Proposition No. 58 to the Storting (2000-2001)). In 2001 Norway endorsed the Council of Europe’s Commitment and Plan of Action and Recommendation 2001-16 on the protection of children against sexual exploitation and the Yokohama Global Commitment, the final document of the World Congress in Yokohama. These regional and international commitments will form the framework for future efforts to combat the sexual exploitation of children.

575. In 2001 the Ministry of Children and Family Affairs and other relevant ministries presented a plan of measures relating to children, young people and the Internet. The purpose of the plan was to protect children and adolescents from being exploited in child pornography and prevent the sale of sex by minors through electronic channels. For further details of the contents of the plan, *reference is made to Ch. IV G, paragraphs 238-240 of this report.*

576. Save the Children Norway and ECPAT Norway have participated actively in national efforts to combat trafficking in children for sexual purposes and the dissemination of child pornography through the Internet. From 1996 to 2001, Save the Children Norway operated a hotline on child pornography on the Internet, which was partly funded by the Ministry of Children and Family Affairs and operated jointly with the National Bureau of Crime Investigation. In 2002 these functions were largely taken over by the National Bureau of Crime Investigation.

4. Abduction and sale of and trafficking in children (article 35)

Sexual exploitation of children in other countries

(Reference is made to Norway's initial report, paragraphs 458-460 and Norway's second report, Ch. VIII D.)

577. Many circumstances and conditions of life make children and young people a group at particular risk of sexual exploitation and trafficking in persons. Norway has a responsibility for helping to prevent and combat trafficking in women and children. The Government presented a plan of action against trafficking in women and children in February 2003. The plan contains specific measures that will primarily address Norwegian conditions and experiences, while also reflecting Norway's international responsibility. The plan comprises preventive measures aimed, for instance, at combating recruitment and demand. It also contains measures related to prosecution and investigation and, not least, measures to protect and assist those who are victims of trafficking in persons. The perspective of children is an integral component of the analyses and assessments that form the basis for the design of the measures in the plan of action. This is done in such a way that the general measures also take account of the situation of children and their particular vulnerability as victims of this type of criminal act. Special measures relating to development assistance and the protection of children and young people are also being considered.

5. Other forms of exploitation (article 36)

(Reference is made to Norway's second report, paragraph 388.)

578. Media trends pose clear challenges to society. Commercial television channels influence young people through advertising and increase the pressure on them to buy. Through films, television, the Internet and computer games, children and adolescents are exposed to violent forms of expression. As part of the efforts to ensure the safe use of the Internet by children and young people, the Ministry of Children and Family Affairs presented a plan of measures called *Barn, unge og Internett* (Children, Young People and the Internet) in August 2001. *Reference is made to Ch. IV G, paragraphs 238-240 of this report.* Through the EU/EEA Agreement, Norway participates in, and has initiated, cooperation with Sweden, Denmark, Iceland and Ireland on a joint plan of measures to ensure the safer use of the Internet for children and young people. This resulted in the project Safety and Awareness for Tweens (SAFT), which started in autumn 2002 and is initially planned to continue until 2004. The Norwegian action plan and the SAFT project have a joint home page on the Internet at <http://www.saftonline.org/>.

579. When the plan of action to combat violence in pictorial media (1995 -1998) came to an end, a special unit was established at the Norwegian Board of Film Classification to administer instruments used to counteract violence in the media.

580. The Oslo Challenge was launched during the international conference to mark the tenth anniversary of the UN Convention on the Rights of the Child (1999). The Oslo Challenge calls on the countries of the world and the media to take the rights of children in the field of media seriously, and to use the media to promote the rights of children in general and greater awareness of the Convention on the Rights of the Child. To follow up the Oslo Challenge,

Norway and UNICEF are working together, with funding from Norway, to develop specific “tools” for use by countries and the media in efforts to facilitate measures that strengthen and realize the rights of children in the field of the media.

581. The Broadcasting Act contains a prohibition against advertising that “specifically targets children”. Norwegian regulation is not fully effective because it is impossible to regulate advertising in television programmes broadcast from other countries. In the Marketing Control Act, there are general rules to the effect that “advertising shall not conflict with good marketing practices”. The Nyborg Committee (NOU 2001:6) proposed preparing legislation prohibiting all advertising that specifically targets children under 12 years of age. In the view of the Ministry of Children and Family Affairs, a rule of this nature will be too wide and will create problems in terms of enforcement and limitation. The Ministry of Children and Family Affairs has provided funding for the Consumer Ombudsman in order to strengthen the ombudsman’s monitoring of the Marketing Control Act, particularly oriented towards children, young people and the Internet. As regards a possible prohibition against the exhibition of pictures of nudity and sexual depictions, *reference is made to Ch. VIII C 3, paragraph 571 of this report.*

582. In April 2003 the Ministry of Children and Family Affairs will present an Action Plan to limit commercial pressures on children and young people. The Ministry’s strategy is based on the following main elements:

- Enter into constructive dialogue with advertisers, the advertising industry, the media and relevant organizations in order to generate debate and develop attitudes and guidelines relating to their influence on minors;
- Develop teaching aids and promote information and education for children and young people on consumer topics, including the influence of advertising, its ideals, etc;
- Consider relevant regulations to reduce commercial pressures on children and young people.

D. Children belonging to a minority or an indigenous group (article 30)

Immigrant children

(Reference is made to Norway’s second report, paragraph 390.)

583. In June 2002, the Government published a new plan of action concerning children and young people with an immigrant background. *Reference is made to Ch. III D, paragraph 212 of this report. Reference is also made to Ch. III A, Non-discrimination, and Ch. III B, Best Interest of the Child, paragraphs 145-165 of this report.*

584. An arrangement offering half-day day care places for four-year-olds and five-year-olds in ordinary state reception centres was introduced from January 2002. The purpose of this arrangement is to ensure that children learn Norwegian before starting school and can participate in activities along with other children.

585. The State offers grants for bilingual assistance in day care centres. The purpose of the grant scheme is to ensure satisfactory, stimulating day care for children from language and cultural minorities. It is too early to provide any information as regards the extent to which the scheme is used.

586. As a pilot scheme, state funds have been allocated over a three-year period for free day care places for all four-year-olds and five-year-olds in the urban neighbourhood of Gamle Oslo. The primary goal of the project is to improve the children's language development and integration, and to increase the proportion of immigrant children in day care centres. The scheme is currently being evaluated, but preliminary results show that the experiment has been very successful. All the families and children in the target group with whom it has been possible to make contact have participated in the day care activities for parts or all of the year. The children have made measurable progress in the Norwegian language, even though they still lag somewhat behind their Norwegian-language peers.

Sami children and young people

(Reference is made to Norway's second report, paragraphs 392-400.)

587. Child and youth policy for Sami children and young people is formulated and followed up with a view to creating childhood environments in which Sami and Norwegian culture have the same status and are perceived as equal to the greatest possible extent. The action that must be taken to strengthen the identity of Sami children and adolescents and reinforce their sense of belonging to the Sami community will vary from one municipality to another. The Sami Parliament and the Ministry of Children and Family Affairs have jointly produced a brochure aimed at encouraging municipalities to provide better facilities for Sami children and young people. The Sami Parliament has established a youth policy committee to provide input for policy formulation. The committee has arranged two conferences for young people and for official representatives.

588. The Education Act, which came into force on 1 August 1999, strengthened the rights of pupils to tuition in and through the medium of Sami. All primary and lower secondary pupils in areas defined by the Act as the Sami district are entitled to tuition in and through the medium of Sami. Sami pupils have an individual right to Sami language tuition throughout the country. Outside the Sami district, if at least ten pupils in a municipality wish to receive tuition in and through the medium of Sami, they have the right to such education as long as there remain at least six pupils in the group. Pursuant to the Education Act, Sami persons in upper secondary education are entitled to tuition in Sami. The Ministry may issue regulations on alternative forms of such tuition when it cannot be provided by special teaching staff at the school.

589. A special grant is provided to day care centres that have adopted statutes to the effect that they are based on Sami language and culture. The intention of the grant is to cover the additional expenses incurred in providing Sami day care places, thereby ensuring that Sami children at day care centres have the possibility of developing and strengthening their Sami language skills and their cultural background. The special grant for Sami day care centres was transferred to the Sami Parliament on 1 January 2001 in line with the efforts to strengthen the Sami right of self-determination. The Sami Parliament has drawn up new guidelines for the grant scheme.
