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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Reports submitted in accordance with Council resolution 1988 (LX)
by States Parties to the Covenant, concerning rights covered by
articles 13 to 15

NORWAY

[10 November 1981]

I. INTRODUCTION

1. For a more complete survey of the development of Norwegian education during the period 1979-1980, we refer to the reports sent regularly every two years to the International Bureau of Education.

II. Article 13. RIGHT TO EDUCATION

A. Principal laws, administrative regulations, collective agreements, court decisions and other arrangements relevant to the right of everyone to education in its various aspects, as set out in Article 13

Answer

2. The principal laws concerning the right to education in Norway are:

(a) That of 6 June 1975 on day nurseries and preschool education, which makes it a municipal responsibility to secure favourable conditions for children

who grow up, for example, by establishing or supporting day nurseries. (In 1980 the percentage of children covered by preschool education was 20, and there is still some gap between the real demand for places in day nurseries and the existing facilities);

(b) That of 13 June 1969 on basic compulsory education for all 7 to 16 year-olds in public or private schools, with the amendment of 13 June 1975, which provides for education in the normal municipal school to the extent deemed feasible, in special municipal schools, or, as before, in special state schools, of handicapped children, who according to expert knowledge need special help;

(c) That of 21 June 1974 on voluntary upper secondary comprehensive education for the 16 to 19 year-olds;

(d) Those on higher education, including that of 8 June 1973 on teacher education, in so far as they base entrance requirements on an upper secondary school final examination testimonial or upon other achievements deemed qualifying by the authorities concerned;

(e) That of 28 May 1976 on adult education;

(f) That of 9 June 1978 on equality between the sexes.

B. Measures taken to promote the full realization of the rights of everyone to education

(a) The full development of the human personality and the sense of its dignity;

(b) The strengthening of respect for human rights and fundamental freedoms;

(c) The development of human rights teaching;

(d) The effective participation of all persons in a free society;

(e) The promotion of understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups;

(f) The furtherance of the activities of the United Nations for the maintenance of peace.

Answer

3. See the objectives of Article 1 in the laws on day nurseries/preschool education, basic compulsory education and adult education, Article 2 in the law on upper secondary comprehensive education, Article 6 in the law on equality between

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the sexes, and the Action Plan for Equality passed by the Storting (National Assembly) in 1981.

4. Respect for human rights and fundamental freedoms, human rights teaching, effective participation of all persons in a free society, promotion of understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and furtherance of activities, including inter alia those of the United Nations, for the maintenance of peace, are stressed in all official recommendations for educational curricula.

C. Right to primary education

(a) Measures taken to achieve the full realization of the right of everyone to receive compulsory and free primary education, including special provisions relating to specific groups such as young girls, children of low income groups, children in rural areas, children who are physically or mentally disabled, children of immigrants and of migrant workers, children belonging to linguistic, racial, religious or other minorities, and children belonging to indigenous sectors of the population;

(b) Percentage of children covered by primary education;

(c) Extent to which primary education is free;

(d) Factors and difficulties affecting the degree of realization of this right and progress achieved.

Answer

5. Measures to achieve full realization of the right of every child in Norway to receive compulsory and free primary and lower secondary education are all taken pursuant to the law on basic compulsory education and regulations according to that law. In practice children of immigrants and of migrant workers have the same benefits.

6. All 7 to 16 year-olds receive basic school (grunnskole-) education. Statistical figures for 1979/80 show 99.7 per cent, which reveals certain problems of registration.

7. Basic education (primary and lower secondary) is free as regards tuition, pupils' educational material and pupils' transportation where distances make transportation necessary.

8. The demands for native language education for minority groups are not entirely met in all local areas. The obstacles are to some extent of an economic nature but are mainly related to a lack of qualified personnel.

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D. Right to secondary education

(a) Measures aimed at making secondary education in its different forms generally available and accessible to everyone;

(b) Measures aimed at making technical and vocational secondary education generally available and accessible to everyone;

(c) Plans and legal provisions adopted or proposed in order to achieve the progressive introduction of free secondary education for all, with reference to problems encountered therein;

(d) Factors and difficulties affecting the degree of realization of this right.

Answer

9. Measures for making upper secondary comprehensive education in its various aspects generally available and accessible to everyone are taken by the law (1974) on upper secondary comprehensive education, and the regulations according to that law. Special measures to safeguard the educational rights of those attending school are provided in Article 8 of the 1974 law. According to statistics for 1979/1980 54.7 per cent of the 16 to 19 year-olds received secondary education.

10. According to law, the development plans for upper secondary comprehensive education are incumbent on regional authorities (fylker = counties) and as in the public system pupils have free tuition and opportunities for special scholarships (pursuant to a law of 19 June 1969 which provides for financial assistance to students in upper secondary education); problems encountered and difficulties affecting the degree of realization of obligations are economic and political. Article 37 of the 1974 law on voluntary upper secondary education earmarks for regional authorities state grants-in-aid for specified expenditure.

E. Right to higher education

(a) General and specific measures taken to make higher education equally accessible to all, on the basis of capacity;

(b) Practical steps taken to provide financial and other assistance to students in higher education, including measures directed at the progressive introduction of free higher education;

(c) Factors and difficulties related to making higher education equally accessible to all, including, in particular, problems of discrimination.

Answer

11. General requirements for university or college entrance are dealt with in paragraph 2 (d) above. The governing policy in post-war years has been to provide equal opportunities for higher education, irrespective of social condition, geographical location, sex, age or physical handicap, through extended decentralized facilities, preferential treatment of groups who traditionally have had less access to education on this level, and expanded opportunities for adults to re-enter education.

12. No educational fee is levied on students in state institutions of higher education, although a compulsory fee is paid to student welfare associations for social welfare purposes.

13. Financial assistance to cover the cost of living, etc., during the period of education, was recognized as a State responsibility through government grants in the inter-war years, and by laws passed in 1947 and 1948. A students' loan fund was established by the legislation passed in 1947. The Loan Fund Act was later amended to comprise of all types of full time education above the compulsory educational level of more than three months' duration. Applicants for support from what is now called the State Educational Loan Fund, including non-Norwegians who have special ties to the country, may obtain both grants and loans that are free of interest during the period of education.

14. A quantitative restriction on entry which exists in a number of fields means that applicants must have very good secondary school marks, often combined with other credits that may be obtainable, to strengthen their chances of admission.

F. Right to fundamental education

(a) General and specific measures taken to encourage and intensify fundamental education for persons who have not received or completed the whole period of their primary education, for example details of adult literacy programmes;

(b) Factors and difficulties affecting the implementation of this right, including information on specific and disadvantaged groups, particularly in rural areas, for which appropriate measures have not yet been fully implemented;

(c) Statistical data showing the evolution in the realization of the right to fundamental education.

Answer

15. As Norway, according to law, has had universal compulsory fundamental education for more than two centuries, the questions concerning adult literacy programmes do not apply.

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G. Development of a system of schools

- (a) Principal laws, administrative regulations and collective agreements designed to promote the development of a system of schools at all levels;
- (b) Comprehensive schemes and practical measures taken to develop a system of schools, such as the provision of finance, the building of schools and the provision of educational material;
- (c) Statistical and other comparative data relating to the development of a system of schools at all levels;
- (d) Factors involved and difficulties encountered.

Answer

16. The principal laws, which authorize regulations, with a view to promoting the development of the educational system, are stated in paragraph 2, subparagraphs (a) to (e) above.

17. Development plans for schools, long-term or short-term, are voted on in connexion with the budgets by municipal authorities for the day nurseries and the basic compulsory schools by the county authorities, for the upper secondary comprehensive school, and by the National Assembly for higher education.

18. With regard to (c) above, see paragraphs 6 and 9. Upper secondary education is expanding. So far 54.7 per cent of 16 to 19 year-olds are in upper secondary comprehensive education.

19. With regard to (d) above it is felt that the progress of development plans depends upon economic resources.

H. Establishment of an adequate fellowship system

- (a) Principal laws, administrative regulations and collective agreements designed to establish an adequate fellowship system for all types of education;
- (b) Measures taken or proposed, including reference to programmes of affirmative action designed to overcome obstacles such as all forms of discrimination or poverty;
- (c) Factors involved and difficulties encountered.

Answer

20. For further information on principal laws and administrative regulations see replies under paragraphs 10 and 12 above and the reply to Article 15, in paragraphs 43 and 44 below.

21. The Research Councils (see paragraph 44 below) administer a fellowship/scholarship system, which has been the most common way of recruitment for university posts. In addition, the Ministry of Education administers a number of fellowships, many of which are granted on the basis of less strictly applied academic or non-academic experience in the field of industry, public administration, etc.

I. Improvement of the material conditions of teaching staff

(a) Principal laws, administrative regulations and collective agreements and other types of arrangements designed to continuously improve the material conditions of teaching staff;

(b) Measures adopted in the public and private sectors, including those relating to working conditions, salaries, social security, career possibilities and continuing education for teaching staff;

(c) Extent to which teachers and their organizations are able to participate in the formulation of educational plans, both national and in the educational establishment in which they are employed and the preparation of curricula and teaching materials;

(d) Factors and difficulties affecting improvement of the material conditions of teaching staff.

Answer

22. Concerning the question of improvement of the material conditions of teaching staff, we refer to the fact that Norway has signed the ILO/UNESCO Recommendation on Teacher Pay and Working Conditions (1966).

23. Rights and duties of teachers, together with provisions for the improvement of instruction, are inherent in the laws of the different types of education. Social and economic conditions of the teaching profession are, according to law, subject to collective bargaining between employers and professional associations.

24. There will always be teacher participation in the formulation of educational plans at the national, regional and local levels. However, persons selected from among the profession are decided on by the administrative or political bodies in question. There is no legal right for professional associations to nominate their

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own participants. In matters of curricula at all levels, and of teaching materials at the individual school, the professional contribution is naturally predominant. Improvement of the material conditions of teaching depends upon the political climate, and, of course, the winds of economics.

J. Right to choice of school

- (a) Principal laws, administrative regulations, collective agreements and court decisions relating to the promotion of the right of parents and legal guardians to choose for their children schools other than those established by the public authorities;
- (b) Measures taken or proposed in order to promote the right of parents to ensure the religious and moral education of their children in conformity with their own convictions;
- (c) Measures taken or proposed in order to promote respect for this right, including the opportunity to attend a school where teaching is in the native language;
- (d) Factors and difficulties affecting the degree of realisation of the right.

Answer

25. The right of parents and legal guardians to choose for their children schools, religious and moral education is inherent in the laws for the different types of education. Teaching in the native language of children of foreign origin may depend on the availability of teachers.

K. Liberty to establish and direct educational institutions

- (a) Principal laws, administrative regulations and collective agreements designed to prevent interference with the liberty of individuals and bodies to establish and direct educational institutions, in accordance with Article 13 (4) of the Covenant;
- (b) Practical measures designed to prevent interference with this liberty.

Answer

26. Laws preventing the establishment and the running of educational institutions are non-existent. However, if such institutions aim at achievements equivalent with those of public institutions, they will be subject to official approval.

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III. Article 14. PRINCIPLE OF COMPULSORY EDUCATION,
FREE OF CHARGE FOR ALL

- (a) Principal laws, administrative regulations and other decisions designed to secure in the metropolitan territory, or other territories under the jurisdiction of the reporting State, the principle of compulsory primary education, free of charge for all;
- (b) Details of the plan of action, general and specific measures and stages adopted in accordance with Article 14 for the progressive implementation of the principle of compulsory education free of charge for all;
- (c) Factors and difficulties affecting the promotion of this principle.

Answer

27. For the law and regulations on compulsory education free of charge for all 16 year-olds, see the replies in paragraphs 2 and 5 to 8 above.

IV. Article 15. RIGHT TO TAKE PART IN CULTURAL LIFE AND TO ENJOY
THE BENEFITS OF SCIENTIFIC PROGRESS AND THE
PROTECTION OF THE INTERESTS OF AUTHORS

A. Right to take part in cultural life

- (a) Principal laws, administrative regulations, collective agreements, and court decisions relating to the right of everyone to take part in cultural life, including those aimed at the conservation, development and diffusion of culture;
- (b) Practical measures for realization of this right, including:
 - (i) information on the availability of funds for the promotion of cultural development and popular participation in cultural life, including information on public support for private initiative;
 - (ii) a description of the institutional infrastructure established for the implementation of policies to promote popular participation in culture, such as cultural centres, museums, libraries, theatres and cinemas;

- (iii) over-all policy and specific measures aimed at the promotion of cultural identity as a factor of mutual appreciation among individuals, groups, nations and regions;
 - (iv) an indication of measures and programmes aimed at promoting awareness and enjoyment of the cultural heritage of national ethnic groups and minorities and of indigenous sectors of the population;
 - (v) a description of the role of mass media and communication media in promoting participation in cultural life;
 - (vi) over-all policy and specific measures aimed at the preservation and presentation of mankind's cultural heritage;
 - (vii) legislation protecting the freedom of artistic creation and performance, including the freedom to disseminate the results of such activities, as well as an indication of any restrictions or limitations imposed on that freedom;
 - (viii) information on the professional education in the field of culture and art;
 - (ix) any other measures taken for the conservation, development and diffusion of culture;
- (c) Factors involved and difficulties encountered.

Answer

28. Right in the case of (a) above is taken for granted. Fundamental civil rights are guaranteed by the 1814 Constitution of the Kingdom of Norway, Article 100. General guidelines for our cultural policy for the years ahead have been drawn up in three parliamentary reports, presented in 1973, 1974 and 1976. The major aim of those reports is to promote cultural democracy, and the key words are decentralisation and participation. Some of the main points are:

(a) to encourage regional and local activities and to stimulate participation on all levels;

(b) to put greater emphasis on cultural work for the weak groups in our society, e.g. the elderly, children and the disabled;

(c) to give artists the same economic and social rights as other workers, and make sure that artistic works become known throughout Norwegian society.

29. The general right of everyone to take part in cultural life is not otherwise established by law, but among the principal laws dealing with specific aspects may

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be mentioned the law of 1971 on public libraries and the law of 1976 on adult education. Even though the latter law does not establish special rights for everyone to obtain adult education, it means widened opportunities within an extended scheme, and increased financial resources allocated to education in various forms in accordance with the needs and wishes of adults. The Adult Education Act shall contribute to providing adult persons with equal opportunities to acquire knowledge, understanding and skill through what in short may be characterized as formal education especially organized for adults by public institutions, and informal study programmes which are not restricted by set curricula and set examinations, organised by voluntary organizations.

30. According to a new parliamentary bill which was presented recently, a formal right to extended fundamental (grunnskole-) education for persons who have not received or completed such education will be established within the frame of the law on adult education.

31. In connexion with (b) above, practical measures for the realization of the right to participation in cultural life, apart from the educational laws, include the following:

(a) There are annual budgetary contributions for cultural purposes at the national, regional and local levels. A new grants scheme has been in operation since 1975, by which the State transfers funds directly to the local and regional authorities. The State also finances the Norwegian Cultural Fund of 1965, which aims at stimulating cultural activities at all levels. Obviously, the law on adult education, with its economic stimuli, has a particular part to play;

(b) There is a variety of instruments aiming at the promotion of popular participation in culture. All counties and most of the municipalities have elected cultural committees, which are responsible for cultural activities at the regional and the local level. Several national institutions are established to operate peripatetically, for example, the State Travelling Theatre, the State Travelling Art Gallery and the State Travelling Concerts. In addition, regional theatres and art galleries have recently been set up. Municipal cinemas, libraries and museums have long traditions in Norway, as have the activities of various private organizations. A historic contribution has been made by the Norwegian State Broadcasting System;

(c) Mutual appreciation among individuals, groups, nations and regions is an over-all idealistic aim;

(d) Measures aimed at promoting awareness and enjoyment of the cultural heritage of national ethnic groups and minorities and of indigenous sectors of the population are inherent in laws; activity programmes in accordance with laws, and the objectives of official grants, contribute to an awareness of a diverse cultural heritage. Private organizations have contributions to make according to their organizational aims;

(e) Mass media play a dual role in this area; that is, promoting participation in cultural life, and entertaining. As in Western civilization in general, there is an increasing emphasis on entertainment;

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(f) The preservation and presentation of mankind's cultural heritage is an objective within the school system. In adult education, as in cultural activities in general, there is freedom to choose objectives;

(g) Artistic creation in its various aspects, and the dissemination of results, is dealt with by the Law of 1961 on creative work and by a parliamentary report presented in 1976. One of the results of that report is a guaranteed income scheme for artists. In addition, negotiations between the State and artists' organizations have resulted in several remunerations payable to artists, for example, remuneration for copying and for the use of their works in libraries. In general, it can be said that genuine artistic freedom in Norway has increased at the same pace as the increase in public aid;

(h) Professional education in the fields of culture and art takes place in various post-secondary schools, for example, art, dance, music, theatre, opera;

(i) Various courses and seminars are arranged for the conservation, development and diffusion of culture.

32. Limiting factors in the promotion of the above right usually come down to economics. A special problem in recent years has been economic difficulties encountered in the counties and municipalities. Another problem is that of commercialization. It is believed that the public sector must involve itself more actively in order to counteract unfavourable market forces, for example, in the media field.

B. Right to enjoy the benefits of scientific progress and its applications

(a) Principal laws, administrative regulations, collective agreements and court decisions relevant to the promotion of the right of everyone to enjoy the benefits of scientific progress and its applications, including those aimed at the conservation, development and diffusion of science;

(b) Measures taken to ensure the application of scientific progress for the benefit of everyone, including measures to promote a healthy and pure environment and information on the institutional infrastructures established for that purpose;

(c) An indication of measures taken to promote the diffusion of information on scientific progress;

(d) Measures taken to prevent the use of scientific and technical progress for purposes which are contrary to the enjoyment of all human rights, including the rights to life, health, personal freedom, privacy, etc.;

(e) Any restrictions which are placed upon the exercise of this right, with details of the legal provisions prescribing such restrictions.

Answer

33. In connexion with (a) above, the right to enjoy such benefits is taken for granted.

34. For the promotion of a healthy and pure environment etc., Norway has had within its Government since the 1960s a Ministry for Environmental Protection.

35. The diffusion of information on scientific progress is undertaken by scientists, universities, publishers, news agencies, and the State Broadcasting System.

36. Measures are taken by legislation to prevent scientific and technical progress for purposes contrary to the enjoyment of all human rights.

37. No restrictions are placed upon the enjoyment of the benefits of scientific progress (see paragraph 33 above).

C. Protection of moral and material interests of authors

(a) Principal laws, administrative regulations, collective and other agreements and court decisions relevant to the right of everyone to benefit from the protection of moral and material interests resulting from any scientific, literary or artistic production of which he or she is the author;

(b) Information on the practical measures aimed at the full implementation of this right, including provision of the necessary conditions for scientific, literary and artistic activities, and the protection of intellectual property rights resulting from such activities;

(c) Difficulties affecting the degree of realization of this right.

Answer

38. Moral and material interests of authors are covered by the law on creative work of 1961 (1955).

D. Steps taken for the conservation, the development and the diffusion of science and culture

(a) Principal laws, administrative regulations, collective agreements and court decisions designed to conserve, develop and diffuse science and culture at the constitutional level, within the national educational system, and by means of the media of communication;

(b) Information on all other practical steps taken to promote such conservation, development and diffusion.

Answer

39. The diffusion of science and culture is guaranteed by the fundamental Article 100 of the 1814 Norwegian Constitution.

40. The dissemination of information on affairs subject to decisions by a public organ is secured by the law on publicity of 1970.

E. Right to freedom of scientific research and creative activity

(a) Principal laws, administrative regulations, collective agreements and other types of arrangements designed to promote the right of everyone to the freedom indispensable for scientific research and creative activity;

(b) Information on measures designed to promote enjoyment of this right, including the creation of all necessary conditions and facilities for scientific research and creative activity;

(c) Measures taken to guarantee the freedom of exchange of scientific, technical and cultural information, views and experience between scientists, writers, creative workers, artists and other creative individuals and their respective institutions;

(d) Measures taken to support learned societies, Academies of Science, professional associations, unions of workers and other organizations and institutions engaged in scientific research and creative activities;

(e) Factors involved and difficulties encountered.

Answer

41. Freedom for scientific research and creative activity is considered a time-honoured, customary and inalienable right.

42. Scientific, technical and cultural information (no mention of information which claims patent right), is exchanged freely between individuals concerned, and between their respective institutions.

43. Academies of science and other learned societies engaged in qualified research work receive government support. Voluntary organizations engaged in educational activities receive government subsidies automatically if qualified according to the law on adult education. Professional associations, obviously, stand on their own feet.

44. The State has a considerable stake in scientific research. Institutions of higher learning, such as universities, are State-financed according to law. A Scientific Research Fund was founded by the National Assembly in 1919. After the Second World War a State-run betting pool was founded, of whose proceeds the National Scientific Research Councils receive 50 per cent. There are four such Councils, three established in the 1940s, and the last in 1972. They are the Norwegian Council for Scientific and Industrial Research, the Norwegian Research Council for Science and the Humanities, the Agricultural Research Council of Norway, and the Norwegian Fisheries Research Council. A central Co-ordinating Committee for Norwegian Scientific Research was established in 1965 to advise the Prime Minister, whose secretariat for such matters is in the Ministry of Education, on issues of national research policy interest. In addition, there are endowments for scientific research purposes, and, of course, research carried out in industry. However, there will always be demands beyond resources.

P. Encouragement and development of international contacts and co-operation in the scientific and cultural fields

(a) Principal laws, administrative regulations and collective agreements designed to encourage and develop international contacts and co-operation in the scientific and cultural fields;

(b) Information on measures taken for:

(i) the fullest utilization, by all the States concerned, of the facilities afforded by their adherence to regional and international conventions, agreements and other instruments in the scientific and cultural fields;

(ii) participation by scientists, writers, artists and others involved in scientific research or creative activity, in international scientific and cultural conferences, seminars, symposiums, etc.;

(c) Factors and difficulties affecting the development of international co-operation in the scientific and cultural fields.

Answer

45. With regard to (a) above, activities such as international contacts and co-operation in the scientific and cultural fields have the strong backing of scientists, writers, artists and others concerned.

46. In connexion with (b) above, there are the benefits of membership in the United Nations, the United Nations Educational, Scientific and Cultural Organization, the Organisation of Economic Co-operation and Development, and the Council of Europe, and also the bilateral cultural agreements with countries in Europe. Participation in international scientific and cultural conferences, seminars, symposia etc., staged by non-governmental organizations, is to a large extent supported financially by the Government.

47. As for difficulties in the way of international co-operation, where there is no will, human resources available will not easily suffice.
