

NORWAY 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Norway is a parliamentary democracy and constitutional monarchy. The government consists of a prime minister, a cabinet, and a 169-seat parliament (Storting), which is elected every four years and cannot be dissolved. Observers considered the 2009 multiparty parliamentary elections free and fair. Security forces reported to civilian authorities.

In country where there were few abuses, the most serious human rights problems during the year included reports of mismanagement of asylum cases, resulting in asylum seekers sometimes waiting for years for a determination of their status, and there are elevated rates of return. Violence against women and children was also a continuing societal problem.

Other problems reported during the year included use of police holding cells to detain arrestees for longer periods than permitted by law and ethnic, religious, anti-Semitic, and anti-lesbian, gay, bisexual, and transgender (LGBT) hate speech on the Internet.

During the year there were no reports of officials in the security services or elsewhere in the government committing abuses. When they occurred in the past, the government took steps to identify, prosecute, and punish the guilty.

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances, abductions, or kidnappings.

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

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

Prison and Detention Center Conditions

Prison conditions mostly met international standards, and the government permitted visits by independent human rights observers. No visits took place during the year.

Physical Conditions: As of April 30, there were 3,637 prisoners in the country, 6.1 percent of whom were women and 0.2 percent of whom were minors. The combined total prison capacity in the country was 3,824. The country had 44 prisons, of which three were separate prisons for women. In addition, eight other prisons had women's departments with a total of 71 allocated slots. A number of other prisons in the country could accommodate women as needed.

Most prisons in the country contained separate cells for pretrial detainees.

Research from the Correctional Services Academy indicated there were two suicides in pretrial detention or prison in 2010 and four in 2011. Prisoners had access to potable water.

Administration: Prison recordkeeping was adequate, and authorities used alternatives to sentencing for nonviolent offenders. A test program of electronic monitoring scheduled to terminate at the end of the year tagged an average of 120 offenders at any one time.

An ombudsman, who can visit at a prisoner's request or on the ombudsman's own initiative, represented prisoners. The ombudsman does not act on behalf of prisoners and detainees on such matters as alternatives to incarceration for nonviolent offenders; only the courts handle sentencing. The ombudsman may conduct investigations and express a legal, nonbinding opinion on whether public authorities have erred or committed any injustice. The ombudsman also may serve on behalf of prisoners and detainees concerning the status and circumstances of confinement of juvenile offenders but received few complaints on this problem. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions; there were no such complaints or allegations during the year. Officials granted prisoners and detainees access to visitors and permitted religious observance for those incarcerated.

Monitoring: The government permitted monitoring visits by independent human rights groups, including the Council of Europe's Committee for the Prevention of Torture (CPT) and the media.

Improvements: On July 25, the CPT published the government's response to the committee's December 2011 report. In the response, the government reported several efforts to improve prison conditions, including expanding capacity throughout the prison system, particularly in the Halden and Hustad prisons; closing holding cells in Oslo criticized as inadequate; installing in-cell sanitation at Bredtveit prison; and increasing prisoner activities in Bergen. Expansion and refurbishment continued on the Trandum detention center for foreign nationals awaiting deportation.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and there were no reports during the year that the government failed to observe these prohibitions.

Role of the Police and Security Apparatus

The national police have primary responsibility for internal security. The police may call on the armed forces for assistance in crises. In such circumstances the armed forces are under police authority. The Ministry of Justice and Public Security oversees the police force.

Civilian authorities maintained effective control over the national police, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment While in Detention

The law requires warrants authorized by a prosecutor for arrests. Police are required to file a justification to hold detained persons in custody within four hours of their arrest and must inform detainees of the charges against them within three days. Authorities must arraign an arrested suspect within 24 hours (not including Saturday and Sunday), at which time the arraigning judge determines whether the accused should be held in custody or released pending trial. There is no bail system. Officials routinely released pending trial all defendants, including

nonresident foreigners, accused of minor crimes. Defendants accused of serious or violent crimes usually remained in custody until trial. Authorities allowed arrested persons access to a lawyer of their choice before interrogation or, if they could not afford one, to an attorney appointed by the government. Authorities usually allowed arrested persons access to family members. The law mandates that detainees be transferred from a temporary police holding cell to a regular prison cell within 48 hours. In practice, authorities did not always observe this time limit.

The law provides that a court must supervise whether and how long a detainee may be held in solitary confinement, but a regulation provides an exemption where necessary because of building or staff conditions. The Ministry of Justice and Public Security does not keep statistics on the use of this exemption. The courts subjected 483 prisoners to supervised isolation.

Arbitrary Arrest: While the European Commission against Racism and Intolerance (ECRI) reported no cases of arbitrary arrest, it noted unofficial, anecdotal reports that police employed racial profiling to stop and search members of vulnerable groups. Authorities informed the commission that such practice was not the police's "modus operandi." The ECRI noted that the lack of public police records of stop-and-search activities made it difficult to confirm the existence or monitor the extent of such practices.

Pretrial Detention: As in 2011 the Norwegian Bar Association criticized the government's pretrial detention policies, including conditions in holding cells. In 2011 authorities kept nearly 53,000 persons in holding cells, and held 3,500 longer than the 48 hours permitted by the law.

Detention of Rejected Asylum Seekers or Stateless Persons: The law permits detention of aliens to establish identity or to effect their removal from the country if it is deemed likely they would evade an order to leave. The Trandum detention center for foreign nationals awaiting deportation had space to house 150 detainees, but authorities maintained a maximum limit of 70 detainees. On December 10, the government opened Vardaasen Prison in Kongsvinger to house 97 foreign prisoners served with deportation orders and also kept foreign nationals remanded on custody there. Vardaasen is only for male convicts who will be deported once their time is served. The Ministry of Justice and Public Safety stated the aim of a separate prison was to prevent criminal organizations from developing among Norwegian and foreign inmates.

e. Denial of Fair Public Trial

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

Trial Procedures

Defendants enjoy a presumption of innocence and the right to be informed promptly and in detail of the charges against them. They have access to free interpretation, if necessary. Trials are fair and public. In criminal cases involving a maximum prison sentence of at least six years, a court of appeal sits with a jury of 10 civilian members; there is no right to a jury trial in other instances.

Defendants have the right to have counsel, at public expense if necessary, to have adequate time and facilities to prepare a defense, to have access to government-held evidence, to be present at their trial, to confront and question witnesses, to present evidence and witnesses, and to appeal. Defendants cannot be compelled to testify or to confess guilt.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

An independent and impartial judiciary in civil matters can adjudicate cases involving human rights violations; individuals and organizations can appeal decisions to the European Court of Human Rights (ECHR).

Regional Human Rights Court Decisions

The country is a party to the European Convention on Human Rights and subject to the jurisdiction of the ECHR. The government complied promptly with the court's orders.

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

The constitution and law prohibit such actions, and the government respected these prohibitions in practice.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

Freedom of Speech: The law prohibits “threatening or insulting anyone, or inciting hatred or repression of or contempt for anyone because of his or her: a) skin color or national or ethnic origin, b) religion or life stance, or c) homosexuality, lifestyle, or orientation.” Violators are subject to a fine or imprisonment not to exceed three years. There were no reports of persons being charged or convicted for violating the hate speech law during the year.

Internet Freedom

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms without appropriate legal authority. The Internet is available in 93 percent of the country’s households, and 94 percent of the population used it.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

The constitution and law provide for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

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

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

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government established a system for providing protection to refugees. At year's end 1,004 children remained in reception centers for longer than three years. Nongovernmental organizations (NGOs) criticized the government's policy, which often allowed minors seeking asylum to stay in the country until they were 18 years old and after that age to be sent to their countries of origin. In response, the government issued an action plan during the year that outlines new measures, including shorter processing times for child-asylum cases, improved services in asylum camps, and support to children upon return to the country of origin.

Amnesty International raised concern about the Norwegian Immigration Appeals Board's (UNE) willingness to abide by a Supreme Court decision in March that it was not safe to return asylum seekers based on the notion that they could hide their sexual orientation. In one case, despite the Supreme Court's decision, authorities returned to Afghanistan a national of that country who sought asylum in Norway because of his sexual preference. Before the decision in March, the UNE initially ruled that he could live safely in Afghanistan if he did not live openly as a gay. After the Supreme Court decision, the UNE changed its ruling on his case, stating that he was, in fact, not gay, even though he was openly gay and was a gay rights activist while in the country. Ultimately, in October authorities sent the man back to Afghanistan.

Safe Country of Origin/Transit: The country is party to the Dublin II regulation, which allows the government to return refugees and asylum seekers to the first country they entered that is also a party to the regulation.

Refoulement: In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. By the end of November, 4,424 persons were forcibly returned according to the Police Immigration Unit. Authorities did not return asylum seekers to Greece and did not return Iranian asylum seekers without passports to Iran. Authorities involuntarily returned

asylum seekers to Russia, Nigeria, Iraq, Somalia, Afghanistan, and many other countries. A number of NGOs criticized the government for returning some asylum seekers to different areas in their home country. The government frequently did this for returnees to Afghanistan.

Refugee Abuse: The government housed asylum seekers and stateless persons in asylum reception centers throughout the country until they received a decision on their refugee status from the government. The asylum seekers are free to leave and return to these centers with some limitations. They may not be away for more than three days without potentially losing their place at the center and all concomitant financial support from the government. Centers were predominantly located in remote areas of the country so, in practice, time of travel and lack of money to pay for public transport limited asylum seekers' ability to move freely.

Durable Solutions: The government's Directorate of Integration and Diversity in the Directorate of Immigration (UDI) had several programs to settle refugees permanently in the country. According to EU data, however, UDI permanently settled no refugees in 2011, the latest year for which data was available. The government has several programs for voluntary return of refugees through the International Organization for Migration, such as the Voluntary Assisted Return program; the Information, Return, and Reintegration of Afghan Nationals to Afghanistan Program; and the Information, Return, and Reintegration of Iraqi Nationals to Iraq program. These voluntary programs offered financial and logistical support for repatriation, including assistance with travel arrangements and funding.

Temporary Protection: According to the Norwegian Directorate for Immigration, the government provided temporary protection to individuals who might not qualify as refugees. As of August, the government provided protection to 896 persons.

Stateless Persons

According to UNHCR statistics, there were 2,773 stateless persons in the country as of January; they were not counted as refugees. Between January and November, the government repatriated 56 stateless persons, 38 of them to Palestine. The government returned stateless persons to Iraq, Jordan, Kazakhstan, Kosovo, Lebanon, Morocco, and Russia.

Citizenship is derived from one's parents; children born in the country do not automatically become citizens. The law authorizes revocation of citizenship granted based on false identity information. Because the law requires applicants for Norwegian citizenship to renounce their original citizenship, revoking Norwegian citizenship can result in statelessness if the person's original citizenship is not reinstated. The government effectively implemented laws and policies to provide stateless persons the opportunity to gain nationality on a nondiscriminatory basis.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: Observers considered the 2009 parliamentary elections to be free and fair.

Participation of Women and Minorities: Most major political parties in the country voluntarily apply a gender quota system for purposes of nominations and the composition of party-governing bodies at all levels. There were 67 women in the 169-seat parliament (nearly 40 percent). There were seven women among the 19 Supreme Court justices, and women headed 10 of the 20 government ministries. Women led three of the seven political parties represented in parliament. There was one member of parliament and one alternate member from a minority group. In September the prime minister appointed Hadia Tajik minister of culture. She is the country's first Muslim cabinet minister.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively. There were no credible allegations of government or police corruption during the year.

Public officials are subject to financial disclosure laws. Declarations are public, and failure to declare properly can result in jail time of up to two years. Officials must declare income, assets, liabilities, and holdings in public companies. All

officials declare their holdings yearly. The Ministry of Justice and Public Security and the Ministry of Finance are responsible for combating corruption. During the year the government did not sanction any officials for failing to disclose their financial information properly.

The law provides for public access to nearly all government information, and the government provided access in practice to both citizens and noncitizens, including foreign media. There were no major obstacles to obtaining government information, and the government generally provided information in a timely manner.

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

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

Government Human Rights Bodies: The country has parliamentary ombudsmen for public administration, for children, and for equality and antidiscrimination. All ombudsmen enjoyed the government's cooperation and operated without government interference. The ombudsmen hear complaints against actions by government officials, but their offices did not issue any reports specifically on human rights problems during the year. Although the ombudsmen's recommendations are not legally binding, in practice government authorities usually complied with those from the ombudsmen for children and public administration.

Parliament's Standing Committee on Scrutiny and Constitutional Affairs reviews the reports of the parliamentary ombudsmen. Its Standing Committee on Justice is responsible for matters relating to the judicial system, police, the penal code, and the civil and criminal code.

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

The law prohibits discrimination based on race, gender, disability, language, sexual orientation, or social status, and the government generally enforced this prohibition in practice, although there were reports of violence against women and children, some anti-Semitism, and stigmatizing statements against immigrants and Muslims.

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and the government generally enforced the law. The penalty for rape is two to 21 years in prison, depending on the severity of the assault, the age of the victim, and the circumstances under which the crime occurred. Very few cases, however, resulted in a sentence longer than three years and four months. According to police, various sources reported 588 rapes nationwide through the first half of the year. There were 50 attempted rapes reported to police nationwide through the first half of the year, five less than through the same period in 2011.

The media reported that in 2011, 892 of 1,186 reported rape cases (approximately 75 percent) were not prosecuted. A report issued in 2007 by the director of public prosecutions indicated that courts had dismissed 84 percent of rape cases reported to police between 2001 and 2005; authorities believed this was usually due to the victim's reluctance to press charges, while Amnesty International reported that systemic inadequacies played a role. The same report noted that approximately 36 percent of rape trials ended in acquittal. Authorities have not presented a similar national analysis since 2007.

Violence against women, including spousal abuse, was a problem. The law provides higher penalties for domestic violence than for simple assault, one to three years in prison, with an increased term of up to six years in more severe cases and up to 21 years for aggravated rape. The government generally enforced the law in practice, although the Oslo Crisis Center criticized the conviction rate (approximately 13.8 percent in 2011) as too low. Through the first quarter of the year, police received 1,353 reports of domestic violence, 39 more than during the same period in 2011.

The government had programs to prevent rape and domestic violence and to counsel victims. Respective action plans require each of the country's 27 police districts to have a domestic violence coordinator to assist victims. According to NGOs, however, only 12 police districts had a full-time domestic violence coordinator, and four districts had no coordinator. Public and private organizations operated 51 government-funded shelters and managed five 24-hour crisis hotlines. The shelters provided support and counseling for victims and helped them gain access to social services, doctors, lawyers, and housing authorities. Victims of domestic violence have a right to consult a lawyer free of charge before deciding

whether to make a formal complaint. If criminal proceedings are instituted, the victim is entitled to free assistance from a victim's advocate.

Sexual Harassment: The law provides that "employees shall not be subjected to harassment or other unseemly behavior," and the government effectively enforced this provision. Employers who violate this law are subject to fines or prison sentences of up to two years, depending on the seriousness of the offense.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence.

Discrimination: Women have the same legal status as men and enjoy identical rights under family and property laws and in the judicial system. The Ombudsman for Equality and Antidiscrimination (LDO) generally was effective in processing and investigating complaints of gender discrimination. However, in its report in December 2011, the ECRI regretted that the LDO did not have the necessary tools to enforce the duty of public authorities and employers to promote equality. During the year the LDO received more than 1,000 information requests and 170 complaints.

The law provides that women and men engaged in the same activity shall receive equal wages for work of equal value. According to Statistics Norway, women received largely the same pay and benefits as men for equal work but in 2011 earned on average 15 percent less than men on a monthly basis. The government attributed this to differences in the professions chosen by women and men and the predominance of women in part-time or public-sector work. The LDO expressed concern that many women were in part-time positions involuntarily because of a tendency in certain industries, such as health and service, to divide work into a large number of part-time slices with no meaningful full-time alternative. In October, 39 percent of women and 1 percent of men worked part time.

The law mandates that 40 percent of the boards of directors of publicly listed companies be women; virtually all public companies complied with the law.

Children

Birth registration: Citizenship is derived from one's parents; children born in the country do not automatically become citizens. All birth clinics in the country

reported childbirths to a central birth register, which included names, birth certificates, and social security numbers, including those of the parents.

Child Abuse: In 2011, the Norwegian Directorate for Children, Youth, and Family Affairs initiated 35,100 investigations of alleged abuse, nearly 7 percent more than in the previous year and a record high. It completed 35,900 investigations in 2011 and took action in 14,241 while providing counseling in 19,600 cases. An independent children's ombudsman office within the Ministry of Children, Equality, and Social Inclusion is responsible for the protection of children under the law. The directorate provides assistance and support services. With five regional offices and 26 professional teams, the directorate is the government's principal agency for the welfare and protection of children and families. If criminal proceedings are instituted, the victim is entitled to free assistance from a victim's advocate.

Child Marriage: The minimum legal age for marriage in the country is 18 for both women and men, although a 16-year-old child may marry with consent of parents/guardians and permission from the county governor. The county governor may only give permission when there are "special reasons for contracting a marriage." In both 2011 and 2010, the most recent data available, 0.01 percent of the population under 18 years of age, both men and women, married for the first time.

Harmful Traditional Practices: Female genital mutilation and cutting (FGM/C) is illegal. During the first six months of the year, there were three documented cases of FGM/C. There was concern the excessive focus on the topic stigmatized women and girls from particular minority groups. During the year an administrative panel ruled that response and consultation teams from the Norwegian Directorate for Children, Youth, and Family Affairs had discriminated against a Somali child and her family. The child was taken from her parents and then subjected to a genital examination based on a letter of concern from a substitute teacher, who believed she might have been a victim of FGM/C.

Sexual Exploitation of Children: Commercial sexual exploitation of children under the age of 18 is illegal both in the country and when committed abroad by a citizen of the country. In both cases, the commercial sexual exploitation of a child is punishable by either a fine or a prison sentence of up to two years. The age of consent is 16. Child pornography is also illegal and punishable by fine or a prison sentence of up to three years. The government generally enforced the laws. There were four reports of prostitution involving children under 18 during the year.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's annual report on compliance at www.travel.state.gov/abduction/resources/congressreport/congressreport_4308.html, as well as country-specific information at www.travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

Membership in Jewish congregations has decreased to 819 (from 850 in 2009).

Anti-Semitism is bundled with other hate crimes in the country's statistics. The police stated the number of anti-Semitism cases was too low to warrant a separate reporting mechanism. The Jewish community in Oslo and Trondheim (DMT) set up its own separate call-in line during the year as a trial. It received 11 reports of anti-Semitism in March, including reports of four threatening letters. The DMT announced plans to set up a permanent online reporting mechanism. The Ministry of Government Administration and Church Affairs would finance the new Web site.

A survey released in June by the DMT that interviewed 21 Jewish youths in depth reported verbal and physical assaults against Jewish students. When asked how their school reacted to those assaults, one respondent reported being told by an official, "When you are called a damn Jew, you just have to tolerate it." The government was disturbed to learn in a study it commissioned that a significant number of Norwegians compared Israel's treatment of the Palestinians to the Nazis' treatment of Jews. This and other indications of anti-Semitic views in the country prompted an official to say the Education Ministry would do more to teach young people about the Holocaust. For further information see the *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

The government continued to support organizations working to combat racism, discrimination, and anti-Semitism, including the White Buses Foundation, which took students from the country to the Auschwitz extermination camp in Poland and other Nazi concentration camps to educate them about the Holocaust.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other governmental services, and the government effectively enforced these provisions. The law applies to all persons with disabilities without enumerating specific types of disabilities. It mandates access to public buildings, information, and communications for persons with disabilities. The Ministry of Children, Equality, and Social Inclusion and the State Council on Disability share the responsibility to protect the rights of persons with disabilities. The state council served as an advisory body for the ministry, which coordinated national policy, and managed the social benefits system for persons with disabilities. All educational institutions are required to have an appointed contact person for students with disabilities as well as a plan of action to include this group of students.

National/Racial/Ethnic Minorities

Discrimination towards immigrants and ethnic minorities remained a problem during the year. Hate speech on the Internet focused on ethnic minorities, women, as well as gays and lesbians was an increasing problem, according to the ombudsman for antidiscrimination and equality. In one case Frank Willy Djuvik, the head of the Progress Party in Sogn og Fjordane county, published a blog entry in which he stated that he "hates Muslims and Islam." Although he initially defended his statements as misunderstood, he later apologized.

Immigrants and their children sometimes had more difficulty finding employment than equally qualified ethnic Norwegians. As of October, the unemployment rate among immigrants was 6.6 percent, compared with 3.2 percent among nonimmigrants, according to government statistics. African immigrants had the highest unemployment rate at 14.2 percent, followed by Asians at 7.5 percent, immigrants from eastern EU countries at 6 percent, and Central Americans at 7.1 percent. According to a study by the Institute for Social Research, applicants with Pakistani names were 25 percent less likely to be called for an interview than a similarly qualified applicant with a Norwegian name.

In a report released in December 2011, the ECRI expressed regret that the LDO did not have the necessary tools to enforce the duty of public authorities and employers to eliminate racial discrimination.

In July 2011, before it became clear that a white Norwegian, Anders Behring Breivik, had perpetrated the attacks in Oslo and Utoya that resulted in 77 deaths, there were reports of public harassment of Muslim immigrants. In July a report by the Norwegian Center against Racism detailed a number of instances of harassment, mostly verbal, that occurred in Oslo in the hours following the attacks. None of the harassment came to the attention of police.

An unprecedented number of Roma traveled to the country in the summer, establishing camps in Oslo and Trondheim. Many Roma felt harassed by police and civilians. For example, on August 13, a McDonald's restaurant in Oslo denied service to a Rom, and there were cases of Internet users referring to Roma as "subhuman" and "rats." Prime Minister Jens Stoltenberg and other members of the government spoke out against such insults, stating that they "can only lead to more hatred and conflict."

In July the defense ministry amended the rules for uniformed members of the military to permit religious head coverings such as hijabs, turbans, and skullcaps as part of the service uniform.

Indigenous People

Approximately 37,900 Sami live in the northern part of the country. In addition to participating freely in the national political process, the country's Sami elect their own parliament, the Samediggi. The law establishing the Sami parliament stipulates that this 39-seat consultative group meet regularly to deal with "all matters, which in [its] opinion are of special importance to the Sami people."

A 2011 study by the University of Tromsø and the Victorian Health Promotion Foundation concluded that 35 percent of Norwegian Sami have experienced race-based discrimination.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law covers crimes and discrimination against lesbian, gay, bisexual, and transgender (LGBT) individuals. The National Criminal Investigation Service

maintained an online tip service for hate crimes, including those motivated by sexual orientation. In the first half of the year, it received 14 reports of hate crime motivated by sexual orientation. The Norwegian LGBT Organization estimated that as many as 90 percent of cases against LGBT individuals were not reported to the police. It set up its own online reporting mechanism during the year, which received 41 reports of harassment.

Other Societal Violence or Discrimination

There were no media reports of societal violence against persons with HIV/AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law allows workers to form and join independent unions of their choice. The law provides for the right to strike, except for military forces and senior civil servants, and workers. However, with the approval of parliament, the government may compel arbitration in all industrial sectors under certain circumstances such as when a strike threatens the quality of healthcare or endangers public safety. All workers, including government employees and military personnel, have the right to organize and bargain collectively. The law allows unions to conduct their activities without government interference, and workers cannot be fired for union activity. The law prohibits antiunion discrimination.

The government respected workers' freedoms of association, collective bargaining, and striking, and workers exercised these rights in practice. The Labor Party, which leads the country's governing coalition, and the Norwegian Confederation of Trade Unions have common historical roots but are independent of each other. There were no reports of antiunion discrimination during the year.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor and the government enforced these provisions in practice. However, there were reports that employers subjected persons to forced labor in the domestic service and construction sectors and that unscrupulous individuals subjected foreign children to forced begging and forced criminal activity, such as shoplifting and selling drugs. Police received a total of 18 cases of forced labor as of September. The government prosecuted several cases of labor trafficking and worked with its Nordic and Baltic neighbors

to combat trafficking, including evaluating forced labor problems in the fishing industry. Among other actions, the government arrested and charged a man accused of trafficking three Filipino nurses. Employers kept the nurses in near-captivity while working at the Oslo University Hospital, forced them to pay two-thirds of their salaries to their Norwegian labor recruiter, withheld paychecks documenting their work, and provided no overtime for evening and night work.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

Children who are 13 to 15 years of age may be employed up to 12 hours per week in light work that does not adversely affect their health, development, or schooling. Between the ages of 15 and 18, persons not in school may work up to 40 hours per week, while persons who remain in school may work only a number of hours that does not adversely affect their schooling, which in fact should be substantially less than 40 hours.

The law protects children from exploitation in the workplace, and the government effectively enforced these laws. The Norwegian Labor Inspection Authority (NLIA), which is part of the Ministry of Labor, is the enforcement agency. While minimum age rules generally were observed in practice, there were reports that children were trafficked for forced labor. Children were most often forced to work as criminals, particularly in drug smuggling, theft, and prostitution. There were also reports of children forced to work as unpaid domestic help. Officials tried six Romanian Roma in Bergen for the human trafficking of four children in their family. Police arrested the four girls, ranging from age 13 to 16, several times for pick pocketing, shoplifting, and sale of stolen contraband.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

d. Acceptable Conditions of Work

There is no legislated or administratively set minimum wage, although in practice there was a minimum wage in certain sectors. Wages are set in collective bargaining agreements negotiated by labor unions, employers, and the government. The usually biennial agreements may include minimum wage levels for specific

sectors. The government signed the last agreement during the year. The law requires equal pay for equal work.

The law limits the normal workweek to 37.5 hours and provides for 25 working days of paid leave per year (31 days for workers over age 60). The law mandates a 28-hour rest period on weekends and holidays. The law provides for premium pay of 40 percent of salary for overtime and prohibits compulsory overtime in excess of 10 hours per week. The law provides the same benefits for citizens and foreign or migrant workers with residency permits. The law forbids employment of foreign or migrant workers who do not have residency permits.

The law provides for safe and physically acceptable working conditions for all employed persons. The NLIA, in consultation with nongovernment experts, set specific standards. Under the law, enterprises with 50 or more workers must establish environment committees composed of management, workers, and health personnel. All enterprises with 10 or more workers must have safety delegates, elected by the employees.

The NLIA effectively monitored compliance with labor legislation and standards. There were reports, especially in the cleaning, hotels, service, construction, and transport industries, of foreign workers being underpaid or overworked beyond legally permissible limits. During the year there were 41 workplace fatalities.