

Universal Periodic Review
(19th session, May –June 2014)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Norway

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Ratification 08/01/1963	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Ratified on May 12, 1977			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratified on January 17, 2007			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Ratified on January 17, 2007			Right to take part in cultural life

II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

Constitutional Framework:

2. The right to education is not enshrined in the Constitution of 1814 which was for the last time amended in 2007.¹ With regard to religious education, **Article 16** provides that "The King ordains all public church services and public worship and all meetings and assemblies dealing with religious matters, and ensures that public teachers of religion follow the norms prescribed for them." With regard to minorities, **Article 110.a** states that "It is the responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop its language, culture and way of life." While **Article 110c on Human Rights Mechanism stipulate that** "It is the responsibility of the authorities of the State to respect and ensure human rights. Specific provisions for the implementation of treaties hereof shall be determined by law".

Legislative Framework:

3. The basic legislative framework for education in Norway is made up of:
- **Education Act, Act No 61 of 17 July 1998² as last amended in 2008³.**
 - The **Private Schools Act of 2003** (also named **Independent Schools Act**).
 - The **1999 Norwegian Human Rights Act⁴**, which incorporates, among others, the following conventions and protocols: the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms, including the Protocol of 1952 which guarantees the right to education in its article 2; the 1996 International Covenant on Economic, Social and Cultural Rights; and the 1966 International Covenant on Civil and Political Rights.
 - The **Act of 20 June 2008 No. 42** relating to a prohibition against discrimination on the basis of disability (**the Anti-Discrimination and Accessibility Act**).⁵
 - The **Anti-Discrimination Ombud Act of 2006⁶**, which establishes that the Ombud is responsible for ensuring that the regulations of several acts and regulations against discrimination have their intended effect.

¹ <http://www.stortinget.no/en/In-English/About-the-Storting/The-Constitution/The-Constitution/>

² [http://www.regjeringen.no/upload/KD/Vedlegg/Grunnskole/Opplaeringsloven_engelsk_\(sist_endret_2005-06-17\).pdf](http://www.regjeringen.no/upload/KD/Vedlegg/Grunnskole/Opplaeringsloven_engelsk_(sist_endret_2005-06-17).pdf)

³ <http://www.ub.uio.no/ujur/ulovdata/lov-19980717-061-eng.pdf>

⁴ <http://www.ub.uio.no/ujur/ulovdata/lov-19990521-030-eng.pdf>

⁵ <http://www.ub.uio.no/ujur/ulovdata/lov-20080620-042-eng.pdf>

⁶ <http://www.regjeringen.no/en/doc/Laws/Acts/The-Act-on-the-Equality-and-Anti-Discrim.html?id=451952>

- The **Gender Equality Act** (as amended in 2005)⁷ establishes that "Women and men shall be given equal opportunities in education, employment and cultural and professional advancement" (**Section 1**).
- The **Day Care Institution Act** (also called *Kindergartens Act*),⁸ **Act no. 64 of June 2005** is the legislative framework for education and care institutions for children under school age.

Policy Framework:

Early Childhood Education

4. **Action Plan for Equality in Early Childhood Education and Primary Education (2008- 2010)**. In the spring of 2008, The Ministry of Education and Research laid out Action Plan for Equality in Early Childhood Education and Primary Education. The action-plan proposes a number of suggestions in order to improve the balance between genders, both in the educational choices that children and teenagers make, as well as the gender balance of employees within the sector. The objective is to change the traditional understanding concerning education and job choices, and this would be directed towards both genders whether they are pupils, students or jobseekers⁹.

5. The **strategic plan Equal Education in Practice!**¹⁰ has been in effect since 2004. A revised edition was published in February 2007. One of the measures in the plan is to incorporate questions concerning prejudice, discrimination and racism into the Pupil Survey. This is now accomplished.

Bilingual and Multilingual Education

6. **Section 2.8** of the Education Act provides that Mother tongue instruction may be provided at a school other than that normally attended by the pupil. When mother tongue instruction and subject teaching in both the mother tongue and Norwegian cannot be provided by its own teaching personnel, the municipality shall as far as possible provide for other instruction adapted to the pupils' requirements.

7. Moreover, **Languages open doors, a strategy for promoting foreign languages in primary and secondary education, and training**¹¹ was launched in 2005 and was revised in

⁷ <http://www.regjeringen.no/en/doc/Laws/Acts/The-Act-relating-to-Gender-Equality-the-.html?id=454568>

⁸ <http://www.ub.uio.no/ujur/ulovdata/lov-20050617-064-eng.pdf>

⁹ National report submitted to UNESCO in 2009 within the framework of the fourth consultation of Member States on the measures taken for the implementation of the UNESCO's Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (1974) (covering the period 2005-2008), Annex 2.

¹⁰ <http://planipolis.iiep.unesco.org/upload/Norway/Norway%20Equal%20education%20in%20practice.pdf>

¹¹ <http://planipolis.iiep.unesco.org/upload/Norway/Norway%20LanguagesOpenDoors.pdf>

2007. The general objective of the Policy Plan is to improve skills in more foreign languages for pupils, apprentices and teachers in primary and secondary education and training, and an increased interest in, and motivation for, language learning.

8. The six main objectives are the following:

1. Greater diversity and breadth in foreign language teaching;
2. Improved quality in foreign language teaching;
3. Increased recruitment and improved competence for foreign language teachers;
4. Increased knowledge about the demand for foreign language competence;
5. Strengthened internationalization in foreign language teaching;
6. Increased research and development work in foreign languages.

- **Gender Equality**

9. In order to ensure gender equality in secondary education, including TVET, the Norwegian Ministry of Education and Research has launched a **National Strategy for equal opportunities and to eliminate gender disparity**. The strategy will be implemented over four years, **from 2007 to 2011**. Central aims of this strategy are: to ensure equal education in the school environment; to promote less traditional vocational education and training; and to secure a more equal gender balance among employees in kindergarten and school.¹²

Cooperation:

10. Norway is party to the 1960 UNESCO Convention against Discrimination in Education (CADE) since 1963. It reported on the measures taken for the implementation of the Convention against Discrimination in Education within the framework of the:

- Sixth Consultation of Member States (covering the period 1994-1999).
- Seventh Consultation of Member States (covering the period 2000-2005).
- Eighth Consultation of Member States (covering the period 2006-2011).

11. Norway reported within the framework of the Fourth Consultation of Member States the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (covering the period 2005-2008). It has not yet reported within the framework of the Fifth Consultation of Member States the measures taken for the implementation of the 1974 Recommendation (covering the period 2009-2012).

12. Norway reported within the framework of the First and Second Consultations (1993 and 2011) on the measures taken for the implementation of the 1976 Recommendation on the Development of Adult Education.

¹² National report submitted to UNESCO in 2007 on the implementation of the Convention against Discrimination in Education (1960) within the framework of the seventh consultation of Member States (covering period 2000-2005).

13. Norway is not party to 1989 UNESCO's Convention on Technical and Vocational Education.

Cultural rights

Freedom of creative activity, artistic freedoms, right to conduct cultural practices – cultural heritage practice

Normative and Legislative Framework:

14. The main legal tools for the protection and conservation of heritage at national level are the following: Churches Act of August 3, 1897; Protection of Nature and Environment Act of June 19, 1970; Cultural Heritage Act of June 9, 1978; Planning and Building Act of June 14, 1985; Act No. 79 of June 2001 relating to the protection of the environment in Svalbard; Act No. 100 of June 19, 2009, relating to the Management of Biological, Geological and Landscape Diversity (Nature Diversity Act); Act No. 71 of June 27, 2008, relating to Planning and the Processing of Building Applications (the Planning and Building Act). Moreover, Article 100, sixth paragraph of the Norwegian Constitution states that "It is the responsibility of the authorities of the State to create conditions that facilitate open and enlightened public discourse". It follows that the main objective for Norwegian media policy is to maintain diversity in media in order to ensure citizens' access to a diversified societal debate, news and information of high editorial standards and a wide range of cultural expressions of high artistic value. Ensuring editorial independence and a diversified media ownership are also key objectives.

Institutional framework:

15. Within the framework of the 1972 *World Heritage Convention*, there is a shared responsibility between the Governmental institutions responsible for cultural and natural heritage (Ministry of the Environment), their agencies (Directorate for Cultural Heritage, Norwegian Environment Agency), and the World Heritage Convention. At a national level, cultural and natural heritage management is organized under The Ministry of the Environment. Within this framework, national Focal Points for World Heritage, responsible for overseeing all Norwegian properties inscribed on the World Heritage List, and Site Managers, each in charge of a specific property, collaborate to inform and respond to the requests from the World Heritage Committee and its Secretariat.

Policy Measures and Cooperation

16. The Cultural Initiative I was a 15-point action plan in the field of cultural policy adopted by the majority government after the parliamentary elections in 2005. Running until 2009, the action plan included a long-term goal of allocating 1 % of the state budget to culture and the arts by 2014, and introducing a Culture Act. The Cultural Initiative II was adopted by the incumbent majority government after the parliamentary elections in 2009. It is a 17-point action plan. The government reaffirms its commitment to allocating 1 % of the state budget to culture and the arts by 2014. Other objectives set forth in the action plan include strengthening the voluntary culture sector, opposing gender discrimination and providing a framework in which the culture sector

can reflect the diversity in society, and improving the living conditions for artists. Policies are in place to give heritage a function in the life of communities. The coordination and integration of the international Conventions signed by Norway into the national policies is also adequate. The Ministry of the Environment and its institutions work closely with UNESCO. The country's cultural agenda is comprehensive, and many activities include cooperation with other countries, especially in Scandinavia.

Work with civil society:

17. Norway works in close collaboration the Nordic World Heritage Foundation, a non-profit Foundation supporting international activities within the Programme framework of UNESCO. The Foundation was established on a permanent basis in 2002 by the Government of Norway, in cooperation with the other Nordic Governments and UNESCO. The Board of Directors consists of representatives from the Nordic Governments, UNESCO and the private sector. The secretariat has four permanent staff members and its office is located in Oslo.

Freedom of opinion and expression

Constitutional and Legislative Framework:

18. The Constitution of Norway guarantees the protection of freedom of speech in Article 100 (1814).

19. Under the Penal Code 246 and 247, defamation is criminal offence punishable with a fine and imprisonment for a minimum term of six months and maximum term of two. Furthermore, under section 101 of the Penal Code, defamation against the King or the Regent carries a potential penalty of up to five years in prison.

20. A Freedom of Information Act has existed in the country since 1970, providing anyone with access to official documents held by public authorities.

Media Self-Regulation:

21. Media self-regulatory mechanisms are developed in Norway, in particular through the independent Norwegian Press Association and the Press Complaints Commission (PFU).

Safety of Journalists:

22. UNESCO recorded no killing of journalists in Norway and journalists work in a safe environment.

III. RECOMMENDATIONS

Right to education

23. Norway should be encouraged to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.

24. Norway could be encouraged to further elaborate provisions in its legislation and/or report on the justiciability of the right to education in order to increase the potential for the right to education to be respected, protected, fulfilled and monitored.

25. Norway could be encouraged to intensify its efforts to counter gender stereotypes and discriminative attitudes and to promote gender equality and equity.

26. Norway could be encouraged to take additional measures to ensure the full enjoyment of the right to education of children and students with an immigrant background and to eliminate discrimination in the access to education, in particular at the school level.

27. Norway could be encouraged to further pursue the integration of human rights education and training in school curricula.

Cultural rights

28. While the involvement of the public in cultural matters and the access to cultural activities is largely possible for all groups; accessibility and the exercise of the right to partake in cultural life need constant attention and improvement in order to be maintained consistently over time.

29. The collaboration and communication between different government agencies in charge of the identification, conservation, protection and presentation of cultural and natural heritage could be further improved.

Freedom of scientific research

30. With regard to contribution of science and technology to development, Norway is encouraged to report to UNESCO within the framework of the on-going consultations with Member States on the monitoring of the implementation and a possible revision of the 1974 Recommendation on the Status of Scientific Researchers, in particular on the measures undertaken in the country to implement such principles of the Recommendation as the obligation of state authorities to ensure that scientific researchers have the responsibility and the right to work in a spirit of intellectual freedom; to participate in the determination of the aims, content and methods of research, which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; to creativity, occupational mobility, international cooperation for furtherance of international peace, cooperation and understanding, etc.

Freedom of opinion and expression

31. Norway is encouraged to decriminalize defamation in line with international standards.