

## NORWEGIAN NGO-FORUM FOR HUMAN RIGHTS

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### Stakeholder report from the Norwegian NGO-Forum for Human Rights in relation to the UPR 3<sup>rd</sup> cycle review of Norway in 2019

The report reflects main concerns of the organizations listed below in relation to the UPR 3<sup>rd</sup> cycle of Norway.

- [Amnesty International Norway](#)
- [The Human Rights Committee of the Norwegian Bar Association](#)
- [JURK: Legal aid for women](#)
- [Jussbuss: student run free legal aid clinic based in Oslo, Norway](#)
- [Norwegian Organization for Asylum Seekers \(NOAS\)](#)
- [The Norwegian Centre Against Racism](#)
- [The Norwegian Humanist Association](#)
- [The Norwegian Helsinki Committee](#)
- [The Human Rights Committee of the Norwegian Psychological Association](#)

The organizations are members of the Norwegian NGO-Forum for Human Rights, a network of 41 organizations. The Forum aims to influence national authorities and international organizations to prioritize policies that strengthen human rights. Much of its work is directed at the UN Human Rights Council, and UN Treaty Bodies.

One organization, which is not a member of the NGO-Forum, [Fri: Association for sexual and gender diversity](#), also contributed to the report.

The report has been endorsed by the following additional members of the NGO-Forum:

- [The Human Rights Academy](#)
- [The United Nations Association of Norway \(UNA Norway\)](#)

The report builds on previous alternative reports by the NGO-Forum to the UN Human Rights Committee and the UN Committee against Torture, as well as reporting in previous UPR cycle reviews of Norway. The reports are available at the Forum's website: [ngoforum.no](http://ngoforum.no).

This report has been edited by Gunnar M. Ekelove-Slydal, Deputy Secretary General of the Norwegian Helsinki Committee. The listed organizations have contributed different parts based on their respective policies and mandates. As such they are responsible for those parts only. All contributing organizations have, however, had possibility to comment on the whole report. Some parts are the result of several organizations contributing.

The report does not intend to be a comprehensive statement of human rights problems in Norway. The fact that an issue is not addressed in the report does not mean that it is not a relevant human rights concern.

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## Framework

### 1. Withdraw reservations and interpretation

1. Norway has made reservations to the International Covenant on Civil and Political Rights (ICCPR) and declarations of interpretation to the Convention on the Rights of People with Disabilities (CRPD).

2. Norway's reservation to ICCPR art. 10 2(b) and 3 allows for Norway to place juveniles in ordinary prisons. The number of juveniles in prisons are, however, very low. Two special units for juvenile offenders have been established with good results. It is therefore feasible in the short term for the Government to abolish the practice of placing juveniles together with adult inmates.

3. Norway has declared that it interprets Article 12 of the CRPD to allow for "the withdrawal of legal capacity or support in exercising legal capacity, and/or compulsory guardianship, in cases where such measures are necessary, as a last resort and subject to safeguards". This interpretation may not follow the shift from "the substitute decision-making paradigm to one that is based on supported decision making", as the Committee on the Rights of Persons with Disabilities interprets the CRPD to introduce.<sup>1</sup>

- Consider withdrawing reservations to ICCPR art. 10 2(b) and 3 and interpretation of CRPD Article 12.

### 2. Ratify optional protocols

4. The government decided in 2016 that Norway should not ratify the optional protocols on procedures for individual complaints under the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD).<sup>2</sup> It stated that there is considerable uncertainty about the consequences ratification "might have for Norwegian policy and whether it would result in political issues being transferred to the legal domain. The new complaints procedures differ from those under other conventions to which Norway is a party. This is because they include broad objectives that are difficult to define in concrete terms and are therefore not as suited for international individual complaints procedures".

5. Norwegian civil society organizations and the National Human Rights Institution have argued that Norway should ratify the protocols. Human rights are indivisible and interconnected. To argue that some human rights are not suited for individual complaints is to create artificial divisions among categories of rights. Some of the rights in questions have been incorporated into Norwegian legislation and violations can be complained to Norwegian courts.

- Ratify optional protocols on procedures for individual complaints under ICESCR, CRC and CRPD.

### **3. Freedom of religion or belief in the Constitutional and legal framework**

6. The Constitution was amended in 2012 and 2014 to accommodate a renewed state-church relation and adopt a human rights catalogue.<sup>3</sup> There are, however, reasons for concern as Articles 2, 4 and 16 emphasize Christian values, demand that the king shall adhere to the Evangelical-Lutheran faith and state that the Evangelical-Lutheran church is an established church in a privileged position compared to other belief communities. The articles can lead to discrimination and undermine the long-standing tradition of equal treatment, as well as restrain the Church of Norway's right to autonomy.

- The right to freedom of religion or belief should be included in the human rights chapter of the Constitution and ensure de facto equal treatment of all religious and life stance communities. The Constitution Article 2, 4 and 16 should be amended to ensure non-discrimination and equality.

## **Specific rights**

### **4. Incorporation of the Convention against torture into domestic law**

7. The Human Rights Act incorporates several UN and Council of Europe human rights conventions into domestic law.<sup>4</sup> The incorporated conventions prevail over any other statutory provision. The Convention against Torture is, however, not incorporated into domestic law at any level. This should be done, as a Supreme Court judgment clarifies that, the Constitution Article 92, which states that “the authorities of the State shall respect and ensure the human rights as they are expressed in this Constitution and in the treaties concerning human rights that are binding for Norway”, is not a clause that incorporates human rights conventions into Norwegian law. It only obliges authorities to enforce human rights conventions at the level they are implemented in Norwegian law.<sup>5</sup>

- Implement the Convention against Torture in the Human Rights Act.

### **5. Non-refoulement**

8. In a few cases documented by Amnesty International, the Norwegian Helsinki Committee and lawyers it became known that asylum seekers to whom Norway had declined to provide protection had been tortured or ill-treated upon return to their country of origin.<sup>6</sup> The cases have led to a growing concern among human rights organisations and lawyers that Norway takes excessive risks in

its rejections of asylum applications of persons coming from countries known to have a “consistent pattern of gross, flagrant or mass violations of human rights”.

- Put in place stronger safeguards to ensure that asylum seekers are not returned to countries where they may be at risk of torture or other ill-treatment.

## **6. Widespread use of solitary confinement<sup>7</sup>**

9. Norway’s Parliamentary Ombudsman established a dedicated national preventive mechanism (NPM) at its office in 2014. It has over the past years criticized Norway for widespread use of solitary confinement/isolation in police cells, prisons, mental health care institutions and in the police immigration detention center (Trandum). A common denominator of the criticisms is that there is in many cases not a need for solitary confinement. Individual assessment is, however, not carried out systematically.

- Introduce individual assessment of the need for solitary confinement as an absolute requirement in all cases.

## **7. Solitary confinement in police cells**

10. All persons detained by the police in Norway are as a matter of routine kept in solitary confinement. The police detention cell is a bare concrete strip cell, often with no daylight and no possibilities for mental stimuli. In most of cases there is no need for solitary confinement, i.e. in cases where the prisoner is only detained to prevent new crimes or to prevent the prisoner from absconding. The use of solitary confinement is rather a matter of adherence to tradition, which has been addressed by Norwegian courts.

- Amend legislation to ensure that the police and public prosecutor always assess the need for solitary confinement when placing someone in police detention. There should be an absolute time-limit for placement of maximum 48 hours in the code of penal procedure.

## **8. Solitary confinement during pre-trial detention**

11. Norway makes extensive use of pre-trial solitary confinement under the pretext of protecting evidence. Studies indicate that police applications for restrictions, like solitary confinement, are often poorly reasoned and phrased in a stereotypical manner. Annually, 11-16 % of pretrial detainees are subject to solitary confinement/complete isolation. As an example, in 2016 426 persons were subjected to pretrial solitary confinement. This was 14 times higher than the number in Denmark, even if the population in Denmark is 10 % larger than in Norway. The drastic reduction of the use of solitary confinement in Denmark has not sparked misgivings from the police or public prosecutors.

- Amend the legal framework to give detailed instructions to effectively regulate judges<sup>1</sup>

discretion on the use of solitary confinement. The legislation should give clear and principled indications that solitary confinement should only be used when it is, “strictly necessary” and only “in exceptional circumstances” and when it is “absolutely essential for the administration of justice”.

## 9. Solitary confinement in prison

12. *De facto* isolation in Norwegian prisons continues to exist. The Execution of Sentences Act Article 37 (1) allows individuals to be put in isolation due to potential “order and security” concerns. It is, however, often unclear to the prisoners why they have been isolated. The use of solitary confinement is imposed in an inconsistent manner, making it impossible for the prisoner to predict their legal standing in the matter of solitary confinement. Decisions are not always documented. Documentation from case work reveal that inmates in 2015 and 2016 were held in *de facto* solitary confinement without being registered in the correctional facilities aggregate statistical system KOMPIS.

- Put in place further measures to reduce the use of solitary confinement in prisons. Give the correctional services adequate resources to ensure that inmates are not being excluded from company due to building and/or staff conditions.
- Use of solitary confinement should be based on formal and written decisions. Prisoners should be informed about their rights.
- Include the use of *de facto* solitary confinement in prisons in the statistics system KOMPIS.

## 10. Prisoners with psycho-social disabilities

13. Studies found that only 8% of Norwegian prisoners had no form of psycho-social disabilities.<sup>8</sup> A 2016 report published by the trade union of prison staff reported an increase in mentally ill inmates. For the past number of years, media has reported extensively about mentally ill prisoners, which led to the Correctional Services issuing a report in 2016, aimed at improving the situation of mentally ill prisoners.

14. A guideline from the Norwegian Health Directorate on health and care-services in prisons provides new knowledge on the number and scope of isolation of persons with psycho-social disabilities. There are no official statistics correlating isolation/solitary confinement and psychosocial disabilities.

- Map the number of prisoners with psycho-social disabilities subjected to solitary confinement/isolation.
- Ensure that prisoners receive adequate mental health care and are not subject to isolation.

## 11. Use of coercive measures in psychiatric healthcare

15. Norway's NPM has criticized the use of involuntary forms of treatment in mental health care institutions.<sup>9</sup> Use of coercive measures were insufficiently registered. There is a large variation in the use of coercive measures in mental healthcare throughout the country. This may imply randomness in the decision-making process and/or that individual and local preferences have too much influence.

- Investigate the reasons for varied practices on use of coercive measures and secure equal interpretation of the laws regulating mental healthcare.
- Best-practices of hospitals with low use of coercive measures should be documented and disseminated to reduce the use of such measures in other hospitals.

## 12. ECT given without informed consent

16. A recurrent concern in Norwegian mental health services is the use of electroconvulsive therapy (ECT) without informed consent. According to the Norwegian mental healthcare law, all use of ECT should be based on informed consent by patients. Despite this, ECT is given by force and towards patients who lack the ability to give informed consent. These actions are justified as “emergency measures”. The mental healthcare law does not grant patients, who are given ECT without consent, the same legal safeguards as those who are being subject to other forms of coercion. There is no statistics regarding the practice and no transparency as to the use of ECT without informed consent.

- Ensure that ECT is never given without informed consent, and that the use of ECT without consent is fully reflected in the statistics.

## 13. Legal aid

17. The present legal aid scheme does not provide effective protection of civil and political rights.<sup>10</sup> Norway has made little progress in the wake of previous criticism from UN treaty bodies concerning the Legal Aid Act. Means-tested legal aid fails to consider the actual financial circumstances of the applicants as well as the actual cost of the legal services sought.

18. In certain types of cases, such as concerning isolation in prison, expulsion due to criminal offences or aid to demand unpaid wages, legal aid is not easily available. In cases regarding human rights violations, legal aid is generally not available at the pre-trial stage for domestic courts and in the application stage for international human right bodies.

19. Though the legal aid scheme is currently under review, there is a concern that such a review will not result in strengthening the scheme.

- Provide for free legal aid in any case where the interests of justice so require.

- The assessment of a person’s ability to pay for legal aid should be based on the actual financial ability of the individual. Means testing should reflect the actual circumstances of the applicants and cost of the legal service being sought.

## Groups

### 14. Violence against women

20. Gender-based violence against women in Norway, including rape and sexual violence, remains a serious violation of women’s rights. A national prevalence study documents that almost every tenth woman (9.4%) has been subject to rape at least once in her lifetime.<sup>11</sup> Nearly half (49%) experienced rape before the age of 18. Only one out of ten women reported the rape to the police. Nothing indicates that the prevalence of rape has decreased over time, as younger women do not report fewer incidents of rape before the age of 18 compared to older women.

21. Around 80% of the reported rape cases are dismissed by the police and never reach the courts. Weaknesses in police investigations contribute to a low level of prosecution in rape cases. Every third rape case that goes to court ends with acquittal.

22. Despite recommendations made by UN treaty bodies to Norwegian authorities, the definition of rape in the Penal Code is still not centered on the lack of consent.

- Urgently adopt a legal definition of rape in the Penal Code which places the absence of consent at its center.
- Train judges, prosecutors and lawyers about gender-based violence, including rape and other sexual violence.
- Strengthen the investigative capacity of police and prosecutors in all forms of gender-based violence.

### 15. Support to women breaking out of violent relationships

23. Women who are breaking out of violent relationships often experience difficulties. There is, however, no comprehensive programs in place providing adequate support. Support available vary greatly according to where the woman lives as support capacities vary in municipalities.<sup>12</sup> There are also variations when it comes to shelters for women victims of violence, both in terms of services and protection provided and the number of available shelter places.

24. Reverse attack alarm systems are rarely used, even though this is one of the best protection measures that exist, since they move the burden from the victims of violence to the perpetrator.<sup>13</sup>

- Include a gender-sensitive approach in legislation, programs and policies concerning domestic violence.
- Develop comprehensive measures of support to women who break out of violent relationships, including economic support schemes.
- Provide sufficient funding to shelters for victims of domestic violence and provide sufficient numbers of shelters in municipalities.
- Enhance the use of reverse attack alarm systems.

## **16. Residence permit of persons breaking out of violent relationship**

25. According to section 53 of the Immigration Act, a foreign national who has been admitted residence permit on family reunification grounds, may be eligible to get a new residence permit on an independent basis if “cohabitation has ceased, and there is reason to assume that the foreign national or any children have been abused during the cohabitation relationship.”<sup>14</sup> The provision is, however, interpreted strictly, leading to women choosing to remain in violent relationships of fear of losing residence permit.

26. Reports from shelters indicates that women of immigrant background are overrepresented among residents. The strict interpretation of the right to residence on independent basis thus represents an impairment on the rule of law of immigrant women in Norway.

- Lower the threshold to obtain a residence permit on independent basis for women who break out of violent relationship.

## **17. Land rights of indigenous people**

27. The Finnmark Commission has finalized reports on five fields and the work continues in the central Sami areas.<sup>15</sup> So far, the Commission has not identified any ownership rights or rights of usage to land as such for the Sami people living in any of the fields. There has, however, been identified collective, non-exclusive, usage rights to specific natural resources for the Sami people that lives in the actual fields. The right to administer these resources remains, however, with the Finnmark Estate, i.e. the owner of the land in Finnmark.

- The Finnmark Commission should take into due consideration that, in many of the fields under investigation, the land has been used almost exclusively by the Sami people in time immemorial.

## **18. Violence and sexual abuse in the Sami communities**

28. A report on violence and abuse in Sami communities by the National Human Rights Institution found that 49% of all Sami women had experienced violence or sexual abuse, which is much higher occurrences of violence than in the majority population.<sup>16</sup>

- Implement an action plan against violence and abuse in Sami communities with concrete and measurable actions.

## **19. Consultation with minorities**

29. The recognised national minorities in Norway – Jews, Forest Finns, Kven, Rom and Romani/Tater – and the Sami indigenous people suffered from assimilation policies well into the post-war period. As part of current policies, which aim to respect minority and indigenous rights, there are formal and informal consultations between authorities and the groups. Representatives of the groups, however, complain that government consultations concerning decisions and policies with consequences on the lives of members of the groups are often insufficient.<sup>17</sup>

30. There are indications that schemes for awarding appropriate financial compensation of past abuses have failed to provide equal treatment of applicants.

- To overcome distrust due to past assimilation policies, the government and local authorities should engage in enhanced dialogue and consultation with members of national minorities and Sami communities.
- As a priority measure, the Government should ensure that a national scheme for awarding appropriate financial compensation of past abuses against persons belonging to national minorities is set up, in close consultation with the persons concerned.

## **20. Commissions of enquiry on national minorities**

31. The Norwegian government established in 2011 a “truth commission” to examine consequences of past assimilation policies towards Romani/Tater. Its conclusions and recommendations were presented in 2015. The Parliament has decided to establish a similar commission to examine past human rights abuses and their consequences towards Kven and Sami people.<sup>18</sup>

- Ensure follow-up on the recommendations of the Tater/Romani commission in close consultation with the group.
- Provide adequate support and follow-up to the Kven and Sami commission in close consultation with the groups.

## 21. Rights of LGBTI people

32. New legislation has strengthened the rights of LGBTI people. Studies show that negative attitudes are decreasing. However, LGBTI people still experience discrimination. Transgender people experience transphobia, suffer from poor mental health and the number of suicide attempts is high. Regarding intersex children, there are still no guidelines for what is considered medically necessary treatment. There is generally a need for knowledge regarding LGBTI in institutions such as schools, the police and the public health services.

- Take steps to ensure that intersex children, when it is not medically necessary, are not treated hormonally or surgically until they are old enough to decide for themselves if any such treatment is desired.
- Secure access to desired gender confirming treatment for transgender people.
- Increase knowledge concerning LGBTI in institutions such as schools, the police and public health care services.

## 22. Ethnic profiling

33. The Norwegian Centre against Racism documented in 2017 that a significant percentage of youth with immigrant background had experienced «random controls», or stop and search, by the police. This practice influenced negatively their relations with authorities in general and with the police.<sup>19</sup>

34. This method is used both by the criminal police and the immigration police. There are indications that target figures for out-transport of foreigners without legal stay permit is a strong driver for this practice when it comes to the immigration police. The main groups being targeted are men who look like they come from Afghanistan, Middle East or East Africa (suspected of being asylum seekers or drug dealers), or black women (suspected of being in prostitution).

35. As the number of asylum seekers dropped from more than 30 000 in 2015 to less than 4 000 in 2017, the targets for out-transport was not reduced accordingly. The Oslo police and the Police Directorate have therefore been critical to the high target figures and the pressure it puts on police staff. The Oslo Police has developed code of conduct for practicing stop and search in a non-discriminatory way.

36. Research conducted in other countries show that ethnic profiling as method for policing is inefficient. There is no reason to think that this is different in Norway, but so far there is no action taken to document neither practice nor efficiency.

- The targets for expulsions should be lowered to a more realistic level, in consultations with the Police Directorate and the Police Districts.

- The practice of ethnic profiling should be documented, and the efficiency assessed.
- The effect of ethnic profiling on groups targeted should be researched.
- The Oslo Police code of conduct for stop and search should be part of curriculum in police college education as well as in mandatory training for police on the street level.

## **23. Hate crimes**

37. While the Oslo Police district is prioritizing hate crime, other police districts, including districts where hate speech and hate crime incidents have taken place, have failed to do so.

38. In 2014 Oslo Police District established a special investigation unit for hate crimes to increase competence, improve investigation and provide guidance to other police districts. The unit has been instrumental in more hate crime incidents being brought to court and follow-up of perpetrators.

39. The existence of the hate crime unit is however not secure. In the framework of the 2017 Police reform, the unit's special designation to hate crime was suggested withdrawn. This proposal was dropped only due to civil society protest. The unit is also understaffed, leading to backlog of cases.

40. A legal problem remains in that articles concerning hate crime in the Penal Code do not include gender, gender identity and gender expression among the grounds of discrimination. A proposal aimed at amending these articles is under consultation.

- The government must ensure that all police districts prioritize hate crime.
- The capacity of the police to fight hate crime must be strengthened.
- The hate crime unit in Oslo should be strengthened and made permanent. Its capacity to investigate and to give guidance to other police districts must be strengthened.
- Gender, gender identity and gender expressions as grounds of discrimination must be included in Penal Code articles protecting against hate crime.

## **24. Discrimination on the tenancy market**

41. According to legal aid organizations, clients with foreign origin experience discrimination when entering the tenancy market. Ethnic Norwegian tenants are often preferred by landlords and rental companies. Immigrants are often unaware of their rights on the tenancy market and struggle to navigate complex conflict resolution and welfare mechanisms that the Norwegian state offers. Language barriers inhibit both the acquisition of relevant tenancy rights information and the ability to negotiate terms of tenancy contracts. As a result, foreigners frequently must accept residences with critically low standards and/or rental contracts with unfavorable, and even illegal, conditions.

- Put in place measures to relieve the challenges that persons of foreign origin experience on the tenancy market, including by informing them about their rights and the possibilities to complain about discrimination in the tenancy market to the Equality and Anti-discrimination Ombud.

## **25. Treatment of torture survivors; investigation of torture cases**

42. Norwegian authorities do not implement the UN Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul protocol) systematically. Forensic evidence is not gathered in a systematic way, nor are medico-legal reports required or commissioned in cases where there are claims or indications of torture or ill-treatment. Therefore, Norway risks violating the principle of non-refoulement, is unable to identify the full medical and psychological individual rehabilitation needs and weakens prospects of torture victims seeking redress.

- Norway should ensure systematic training of health personnel in the Istanbul protocol, and funding for health professionals to provide sufficient treatment of torture survivors.
- A system should be developed to ensure that forensic doctors and psychologists are available to document cases of torture.

## **26. Trandum Police Immigration Detention Centre**

43. The Trandum detention centre is designed for short-term detention before deportation, with a capacity of 211.<sup>20</sup> Most detainees stay less than 24 hours. A few, however are kept for weeks, months and even years, i.a. because of lack of identity papers.<sup>21</sup> The institution is neither designed nor equipped to accommodate detainees for stays of more than one or two days.

44. The use of security cells often implies isolation for shorter or longer periods. Security cells have been used for suicidal persons.<sup>22</sup> All detainees are locked into their rooms at 21:00 and remain locked in until the next morning. In addition, there are two lock-ins during the day, each of about 45 minutes, during the changing of the guard force.

45. The Health Service Unit is run by the police. This is unfortunate and embodies both a conflict of loyalty and of interest. The police should not be responsible both for keeping people in detention and forcibly sending them out of the country, as well as for employing the personnel that evaluates the health of persons to be deported and whether they are “fit for flight”.

- Measures should be put in place to avoid that persons are kept in Trandum for prolonged periods as the institution is designed and equipped only for stays of one or two days.

- Security cells should not be used to place suicidal or otherwise vulnerable persons. Under no circumstance should vulnerable minors be placed in security cells.
- Provide clear regulations regarding use of the Security Department, complete isolation of mentally ill and regarding locking the inmates in their rooms.
- The Health Service Unit at Trandum National Police Immigration Detention Centre should not be run by the police, but by an organization independent of the police.

## 27. Cessation of refugee status

46. Norway's practice regarding cessation violates the UN Refugee Convention, the European Convention on Human Rights (ECHR) and the Norwegian Immigration Act. For refugee status to cease, the conditions that led to the person being recognized as a refugee must have ceased. In addition, the refugee's country of origin must be able to protect the refugee. In a principle decision by the Immigration Appeals Board of July 2017, the majority stated that cessation may take place even if protection is only provided by non-state actors. The decision is in violation of the Immigration Act and the Refugee Convention and does not apply the binding interpretation rules of the 1969 Vienna Convention on the Law of Treaties. The decision also violates Article 8 of the ECHR by not considering whether cessation is a proportional intervention in the refugee's private and family life.<sup>23</sup>

47. Norwegian authorities have started assessing cases of 1,600 Somali refugees. Those who lose refugee status risk being returned to Mogadishu. UNHCR has stated in a letter to the Norwegian authorities that cessation of refugee status for persons from southern and central Somalia is in violation of the UN Refugee Convention. The security situation in these areas has not been sufficiently improved for cessation to take place.

48. According to Norwegian authorities, the internal flight alternative shall be used in cases where the refugee's place of origin is still considered unsafe. This contravenes the UN Refugee Convention because the use of cessation in such situations indicates that the changes are insufficiently significant and lasting.

- Norwegian authorities must change the current practice of cessation of refugee status, so that it is in line with the UN Refugee Convention and human rights.

## 28. Statelessness

49. Government instructions provides for applications for citizenship from stateless applicants who are born in Norway to be “processed in accordance with international conventions by which Norway

is bound". Such instructions, however, have insufficient legal standing as they can be changed or removed quickly by the Government.

50. During recent years, there has been considerable political debate about an intensified practice by Norwegian immigration authorities of revoking citizenship from persons who gained citizenship by application. If citizenship was gained based on long-term residence permits, that were obtained by presenting false information about identity, the reason for seeking residence in Norway or other essential factors, the citizenship can be revoked according to the Norwegian Citizenship Act Article 26.<sup>24</sup>

51. Cases exposed in the media about persons having resided in Norway for more than 15 years, having their citizenship revoked, caused criticism from human rights groups and legal experts. The practice had severe consequences for children and even grandchildren of citizens who had their citizenship revoked, because their citizenship was also therefore revoked.

- Put in place legislation which ensures that applications for citizenship from stateless applicants, who are born in Norway, are processed in accordance with binding international law.
- Limit the practice of revoking Norwegian citizenship by requiring that revocation can only be decided by a court and by introducing a time limit.
- Introduce legislative guarantees that ensure children are not made stateless due to mistakes made by their parents.

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<sup>1</sup> For more information on Norwegian jurisprudence and debate on legal capacity of persons with disabilities, see Norway's National Human Rights Institution, "Supplementary information from the Norwegian National Human Rights Institution to the UN Committee on the Rights of Persons with Disabilities in relation to the 10th pre-session discussion of Norway on 24 September 2018", page 4, <https://bit.ly/2NmnwnL>

<sup>2</sup> White paper on UN complaints procedures, <https://bit.ly/2lz6ulr>

<sup>3</sup> For more information, see NGO-Forum's 2018 submission to the UN Human Rights Committee, pages 3-5, <https://bit.ly/2Qs7fPL>

<sup>4</sup> The Human Rights Act is available at: <https://bit.ly/2DRlwEw>

<sup>5</sup> For more information and references, see NGO-Forum's 2018 submission to the UN Committee against Torture, page 3, <https://bit.ly/2QsfMSW>

<sup>6</sup> For presentation of cases and references, see Op. Cit., pages 18-20.

<sup>7</sup> For more information and references on issues in sections 6-10, Op. Cit., pages 4-10.

<sup>8</sup> For more information and references, Op. Cit., page 10.

<sup>9</sup> For more information and references, Op. Cit., page 13-14.

<sup>10</sup> For more information and references, see NGO-Forum's 2018 submission to the UN Human Rights Committee, pages 8-9, <https://bit.ly/2Qs7fPL>

<sup>11</sup> For more information and references, see NGO-Forum's 2018 submission to the UN Committee against Torture, pages 12-13, <https://bit.ly/2QsfMSW>

<sup>12</sup> <https://bit.ly/2xZ0zBW>

<sup>13</sup> <https://bit.ly/2NlbVVF>

<sup>14</sup> <https://bit.ly/2lyejaS>

<sup>15</sup> <https://bit.ly/2ICBNeU>

<sup>16</sup> <https://bit.ly/2RkTHad>

<sup>17</sup> For more information and references, see NGO-Forum's 2018 submission to the UN Committee against Torture, page 17, <https://bit.ly/2Qs7fPL>

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<sup>18</sup> <https://bit.ly/2IB3h4K>

<sup>19</sup> <https://bit.ly/2O2InS4>

<sup>20</sup> <https://bit.ly/2zQ3NZZ>

<sup>21</sup> <https://bit.ly/2Rpn0Zo>

<sup>22</sup> NPM report 2017, <https://bit.ly/2IzQ1gD>

<sup>23</sup> For more detailed argumentation, see: <https://bit.ly/2zPcRhB>

<sup>24</sup> For more information and references, see NGO-Forum's 2018 submission to the UN Human Rights Committee, pages 16-17.