



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 2373rd meeting*

Held at the Palais des Nations, Geneva, on Monday, 17 August 2015, at 3 p.m.

Chairperson: Mr. Calí Tzay

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The meeting was called to order at 3 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (*continued*)

Combined twenty-first and twenty-second periodic reports of Norway (CERD/C/NOR/21-22; CERD/C/NOR/Q/21-22)

1. *At the invitation of the Chairperson, the delegation of Norway took places at the Committee table.*

2. **Ms. Horne** (Norway) said that her Government had recently taken steps to investigate and officially acknowledge the historic hardships of some national minorities. On International Roma Day in 2015, the Prime Minister had apologized for the Government's actions and policies before, during and after the Second World War that had had fatal consequences for Norwegian Roma during the Holocaust and had promised to make collective reparation to the Roma. The Constitution, which had been updated in 2014 to enhance the protection of human rights, now included a general prohibition of all forms of discrimination. In April 2015, the parliament had passed legislation to create a new independent national human rights institution directly under its auspices. The institution would have a broad mandate for promotion and protection and the intention was to ensure that it met the criteria for accreditation being granted A status under the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles).

3. In 2014, 223 cases of hate crime, mostly concerning racism, had been reported to the police, but underreporting was a problem. The police were encouraged to report, but additional information would always be required from civil society and the free, independent media. The Norwegian prosecuting authorities were prioritizing action to address violence based on religion, ethnicity, sexual orientation or skin colour, while the police were working to become better at identifying and investigating hate crime and to clarify the legal and practical challenges involved. A dedicated group investigating hate crime ran a programme to provide counselling to victims of hate crime. Although freedom of opinion and expression was guaranteed under the Norwegian Constitution, concerns that fear of being subjected to hate speech might make people hesitant about taking part in public debate had prompted the Government to prioritize efforts to combat the use of hate speech. The media had played a part by giving a voice to victims. In response to reports of increasing levels of anti-Semitism in Norwegian society, work had begun in June 2015 on a new action plan against anti-Semitism. The Government had supported civil society initiatives to promote intercultural understanding and in 2015 had allocated 3.5 million kroner to activities to increase knowledge about Jews and Jewish culture.

4. The main goal of the State party's integration policy was to ensure that everybody living in Norway was able to utilize his or her skills and resources and to contribute to society. Each ministry was responsible for making sure that immigrants had equal opportunities, rights and duties in its area of concern. An annual statistical overview made it possible to see the differences between immigrants and the rest of the population; the statistics were used as a basis for developing policies and measures targeted at equal opportunities, rights and duties for immigrants and their children. For an integration policy to be successful, refugees must be able to settle in a local community as soon as possible. Refugee settlement was organized based on agreements made between municipalities and the Government, through close and constructive dialogue. Positive results had been achieved: the number of persons settled in 2014 had been the highest since 1994 and 20 per cent higher than in 2013; however, 5,000 refugees were still waiting to be settled in a community.

5. Participation in the labour market and good Norwegian language skills were also vital for integration. The State party's employment situation was relatively good overall, but unemployment rates were higher among immigrants. In order to tackle that problem, various schemes had been introduced, with a particular focus on language tuition and access to occupational qualifications. Municipalities were encouraged to share their success stories and best practices. The Government planned to speed up the process of approving foreign qualifications so that immigrants could use their existing qualifications in Norway. Some challenges remained: reports indicated that even people born, raised and educated in Norway encountered discrimination in applying for jobs because of the colour of their skin or the fact that they did not have a typical Norwegian name. The issue had been raised in social dialogue with employers and workers.

6. Since reliable interpretation was vital for obtaining access to public services, a committee had been appointed to review interpreting services and had made a number of proposals, including with regard to specific legislation on interpreting, which the Government was considering. To develop legal protection against discrimination, a comprehensive equality and non-discrimination law was in the pipeline. The text would be submitted for public consultation later in 2015. A single piece of legislation covering all grounds for discrimination would make it easier for individuals to recognize that they were experiencing discrimination and to avoid discriminating against others. The Government had established a mechanism for holding an annual national dialogue with minority organizations and provided financial support for a variety of related civil society organizations and voluntary activities.

7. **Ms. Nygård** (Norway) said that the term "race" was not mentioned as grounds for discrimination in the Ethnicity Anti-Discrimination Act because the use of the term "race" in the Act could have the effect of confirming the notion that human beings could be categorized into races. However, discrimination on the grounds of an opinion or notion about a person's race was covered by the existing prohibition on ethnic discrimination. The Act was enforced by the Equality and Anti-Discrimination Ombud and Tribunal, a low-threshold alternative to court proceedings in discrimination cases that was easily accessible and free of charge. The Ombud handled cases concerning any form of discrimination in any area of society; the Tribunal considered appeals against statements made by the Ombud. The Government's previous action plan for equality and against ethnic discrimination had been positively evaluated in 2013 by the Norwegian Institute for Urban and Regional Research. Various targeted action plans were in place; whether a new, wide-ranging action plan was needed had yet to be decided. A national immigrant health strategy was being pursued by the Directorate of Health, with a particular focus on communicating effectively with target groups on issues such as diabetes and cancer. Health personnel received training in dealing with the health challenges faced by different immigrant populations and understanding their cultural backgrounds. The employment rate among immigrants, while still lower than the rate for the population as a whole, had increased slightly in 2014, as compared with 2013, though the rate among male immigrants remained unchanged.

8. **Ms. Ruud** (Norway) said that the Convention had been incorporated into Norwegian law through the Ethnicity Anti-Discrimination Act. It was, therefore, an integral part of the State party's domestic law and could be invoked directly before the courts. It did not automatically prevail in the event of a conflict with other provisions of law, because it was not incorporated through the Human Rights Act; however, it was a general principle of interpretation that Norwegian law should, as far as possible, be interpreted in accordance with the country's international obligations. The new provisions introduced into the Constitution in 2014 were based on international human rights treaties ratified by Norway and included a general provision on ensuring respect for human rights, as expressed in such treaties; the provisions had already been

invoked by the Supreme Court, though their exact scope would need to be elaborated through case law.

9. Racist organizations pursued ideas contrary to the basic values of Norwegian society and were a serious threat to minorities. They must be fought, but the Government was not convinced that banning them was the most efficient way to do so. The country's criminal law was primarily directed at specific acts committed by groups or individuals, and the Government was reluctant to attach criminal liability to the mere participation in or formation of specific organizations, which would imply that participants could be punished regardless of whether they themselves had taken part in given activities or criminal acts. That would be contrary to the principle that persons should only be held liable for their own acts. Moreover, the doctrine on aiding and abetting significantly reduced the need to criminalize participation in racist organizations, as a person who contributed to the commission of an offence could be held criminally liable. Forming a group for the purpose of committing or promoting crimes and entering into agreements to commit crimes were classified as offences under the General Civil Penal Code. The Ethnicity Anti-Discrimination Act classified acts of serious discrimination committed jointly by at least three persons as crimes. The best way to combat racist organizations was to prevent young people from becoming radicalized and to limit the appeal of such organizations to young people by exposing and countering their activities and beliefs.

10. **Mr. Megard** (Norway) said that the action plan introduced in 2009 to improve living conditions for Norwegian Roma in Oslo had been evaluated and found to have been only partially successful. The Government was assessing how to act on the evaluation: it would be necessary to consider measures in the areas of housing, children's education, participation in the labour market and living conditions. An independent expert report focusing on previous policies and measures affecting the Romani, or Tater, minority had concluded that the Romani people had been subjected to numerous violations throughout history and were still met with prejudice and ignorance in encounters with society and public bodies. Many had a pronounced distrust of the Norwegian authorities. The report was a major step forward in documenting past injustices toward the Romani people, and relevant ministries would study it closely before deciding on action, to be taken by way of follow-up.

11. The five-year plan of action on Sami languages, begun in 2009, had been extended until the end of 2016. In 2014, a committee had been given the task of evaluating how use of the Sami languages was regulated and how the regulations could be tailored to suit the current organization of the public sector. The committee was set to report in February 2016. The 2005 Finnmark Act recognized that the Sami had acquired rights to land and natural resources in Finnmark. A fundamental principle of the Act was ensuring equal rights for individuals; hence, no persons should have special rights because of their ethnicity or status. The Government had, consequently, refused the request made by the organization representing the East Sami in Neiden to re-establish a reindeer herd for the East Sami by expropriating grazing rights from other Sami reindeer herders, who also enjoyed protection of their culture and way of life under international human rights law. The Government, nonetheless, acknowledged that the East Sami culture was in a precarious position and had taken steps to support it, for example, by opening a combined museum and cultural centre.

12. **Mr. Bossuyt** (Country Rapporteur) said that he congratulated the State party on the wealth of information that it had made available to the Committee and the financial support that it had provided to non-governmental organizations (NGOs) for the preparation of alternative reports. Recalling the attacks of 22 July 2011 by Anders Behring Breivik in Oslo and at a summer camp on the island of Utøya, he asked what efforts had been made to analyse the relationship between the attacks and the increase

in racist and Islamophobic hate speech in Norwegian society. Detailed information on the policies adopted to combat the acceptance of extremist right-wing views in public debate and to enforce article 135 (a) of the General Civil Penal Code prohibiting hate speech would be particularly welcome.

13. With regard to the rights of the Sami population, he wished to know what steps had been taken to ensure that schools offered instruction in the Sami language and to improve the Sami language training programmes for teachers. Noting the amendment of the Reindeer Husbandry Act in 2013 abolishing six regional reindeer husbandry boards and the right to appeal against land-use changes, he asked what alternative policies had been adopted to recognize and preserve the Sami's traditional forms of subsistence, such as hunting and fishing. He said that he also wished to know what steps had been taken to extend the provisions of the Finnmark Act to cover all regions of the country inhabited by the Sami and to uphold their collective ownership and land-use rights. Updated information on the status of negotiations between the Governments of Norway, Sweden and Finland on a Nordic Sami convention would be useful in that regard.

14. He drew the State party's attention to the related recommendations made by the Parliamentary Ombudsman and stressed the importance of combating discrimination against vulnerable ethnic minority groups, especially victims of human trafficking, in the areas of employment, education, health care and access to justice. Acts of violence and rape should always be investigated and the perpetrators prosecuted, regardless of the residence status of the victims, and the procedures in place for the use of solitary confinement at the police detention centre in Trandum should be revised at the earliest opportunity. The State party should prohibit the use of next-of-kin and unqualified individuals, particularly children, as interpreters in medical and legal proceedings and should establish a more systematic dialogue between the Government and ethnic minorities on issues of equality and anti-discrimination.

15. Turning to sections of the report that required clarification, he said that he would like to receive a detailed account of the findings of the annual report of the Ministry of Health and Care Services on the two-year project to improve interpretation facilities for the Sami population referred to in paragraph 24. He also wished to know whether the State party intended to make Norwegian language instruction free of charge for every migrant group under the Introduction Act and to ensure access to all levels of education for children seeking asylum. Information would be welcome on the decision to no longer accommodate children in a single reception centre for unaccompanied asylum-seeking minors if they were aged between 16 and 18 and who had been refused a temporary permit. He wished to know whether free legal aid was granted, without means-testing, to private individuals who had been referred to the courts for racial and gender discrimination, whether statistics on hate crime had been improved, and whether the new appeals systems for immigration cases had been successful. He also wished to know whether the State party intended to reintroduce East Sami reindeer herding and ensure that everyone, including persons residing illegally in the country, had equal access to services adapted to individual needs, as referred to in paragraph 112 of the report. Lastly, he would be glad to know whether there were plans to introduce a social studies test for Norwegian citizenship and which category of economically active persons had limited or no access to subsistence benefits under the National Insurance Act or the Labour Market Act.

16. **Mr. Kemal**, after commending the State party for its positive approach to immigration, asked what action had been taken to tackle the emergence of anti-migrant discourse in politics and the national media. Noting the significant progress made by the Oslo police force in combating hate speech and racially motivated crime, he asked whether the Government intended to extend such good practices to all police

forces and public institutions. Information on whether the State party intended to incorporate the Convention into domestic legislation would also be welcome. With regard to employment, he wished to know what efforts had been made to ensure that second-generation migrants had equal access to the labour market. Lastly, he asked what measures had been taken to address the unsanitary conditions in refugee detention centres across the country and prevent vulnerable children from going missing from them.

17. **Mr. Avtonomov** said that the Russian Federation had not taken part in the negotiations on a Nordic Sami convention. He would, therefore, like to know what measures would be incorporated into the draft convention's provisions to ensure respect for the rights of the Sami people living in the Russian Kola Peninsula. Clarification of whether the language spoken by the Sami people in that region had been included in the European Charter for Regional or Minority Languages would also be useful. In addition, he requested further information on the outcome of the evaluation of the Directorate of Integration and Diversity.

18. Lastly, he asked whether the judgement handed down by the Supreme Court in the racial discrimination case referred to in paragraph 82 of the report had been made available to all national courts and integrated into domestic jurisprudence.

19. **Mr. Kut**, noting that the term "race" was not included as a ground for discrimination in the Anti-Discrimination Act, said that he would welcome information on the practical steps taken by the State party to tackle right-wing extremist groups and prevent the use of racial hate speech. Had the Government considered conducting national anti-racism campaigns or preparing a white paper on racism and racial discrimination? In that connection, he requested additional information on the outcome of the evaluation of the national equality and anti-discrimination action plan. He also wished to know what measures had been introduced to address the current migrant crisis affecting both Norway and the European Union and to tackle the problem of the negative portrayal of migrants in the media.

20. **Ms. Crickley** said that the steps taken by the State party to combat anti-Semitism could inform its efforts to promote the integration of minorities and eliminate racial discrimination. It was important that the dialogue with civil society on such issues should underscore the need for all groups, including the Sami and other minorities, to participate and be respected.

21. The situation of women from minority groups was of concern. She welcomed the Government white paper on gender equality as well as its holistic and multidimensional approach to gender equality, including the specific challenges for women from a minority background. She noted, however, that more than 60 per cent of women in shelters were women from minority communities and such women were often victims of forced marriage or female genital mutilation. Efforts to combat discriminatory attitudes and practices could lead to the stigmatization of minority women, who were also often quite dependent on their partners. She wondered what concrete measures were envisaged in the white paper to meet the needs of such women. More information would also be welcome on efforts to meet the needs of the immigrant and minority lesbian, gay, bisexual and transgender (LGBT) community.

22. Noting the exemplary approach to policing adopted by the Oslo police, she said that she wondered if that model would be introduced countrywide. She wished to have more information on the efforts to meet the educational, employment, health and housing needs of the Roma and travelling communities described in the report (paras. 54-57). She underscored the need for human rights and anti-discrimination education in the school system and for public awareness-raising campaigns. The Committee had

information according to which not all political parties and leaders had shown leadership in denouncing discrimination; it was essential that public figures should strongly and unequivocally condemn discrimination.

23. **Mr. Diaconu** said that he had noted the many positive aspects of the State party's report but that, according to information received from civil society groups, much more needed to be done to combat racial discrimination. He said he regretted the State party's position that no ethnic data would be gathered other than on country of birth and nationality, including for the Sami and recognized national minorities, and stressed the need for comprehensive data on minority and ethnic groups, covering more than just their numbers or the percentage of the population that they contributed. Such data would help the Committee to understand the real situation with regard to racial discrimination in the State party and would also help the latter develop targeted policies and measures to eliminate discrimination.

24. Turning to the new Anti-Discrimination Act, he said that he was puzzled by the statement in paragraph 14 of the report that the Act applied to all spheres of society except for family life and personal relationships and would welcome clarification of what that meant in the context of discrimination and the application of the Act. He noted that the State party had launched a second moderate quota programme for non-Western immigrants in 12 State enterprises but enquired as to whether any information was available on the results of the first such programme run in 2008-2009. He welcomed the State party's assertion that companies were expected to safeguard social, environmental and human rights considerations and that State-owned companies must respect human rights but he said that he wondered whether there were any mechanisms to ensure that those expectations were met and whether there had been any studies to verify compliance with human rights obligations.

25. Turning to the issue of Sami rights, he requested more information on the situation of salmon fishing in Nord-Troms and Finnmark, in particular whether new measures had been agreed and implemented as planned in 2015. He also wished to know to what extent the Sami's right to fish had been recognized and whether fishing rights had to be shared by the Sami and other parties and in what proportion. With regard to the need to re-establish Skolt Sami traditional reindeer husbandry rights in Neiden, he wondered whether museum displays at the East Sami Museum in Neiden constituted an adequate response. He was concerned that, while the report stated that the State party had implemented a range of measures to help the Sami retain their cultural identity, including their language, there was no specific mention of their right to their traditional lands and resources, which were essential for the protection of an indigenous people's cultural identity.

26. Recalling article 6 of the Convention, he requested the State party to provide more statistics on judicial cases involving racial discrimination, for example prosecutions of hate crimes and hate speech and in particular the results of prosecutions, the number of guilty verdicts and the sentences imposed. He wished to know whether hate crimes involving colour or ethnicity were prosecuted. He said that he wondered whether the exemplary approach adopted by the Oslo police could be replicated countrywide. The State party could not ignore racial and ethnic factors; the fact was that those who wished to discriminate did so on the basis of the racial and ethnic differences between themselves and those they targeted. That was an especially important aspect for the Committee, which, after all, was tasked with ensuring the elimination of racial discrimination.

27. **Mr. Murillo Martínez** said that he wondered if any further results could be expected from the dialogue between the State party and the East Sami with regard to re-establishing traditional reindeer husbandry rights. He was concerned at the fact that, according to information provided by civil society sources, unemployment rates

among migrant populations and minorities were significantly higher than among the general population; he wondered whether the delegation would like to comment. He also would be glad for information about the results of the 2008-2009 quota programme in State enterprises.

28. Paragraphs 42 and 43 of the report indicated that the Action Plans against Forced Marriage and Female Genital Mutilation (2008-2011) had been successful, but the Committee had received reports from NGOs stating that the Plans had in fact been counterproductive; would the delegation care to comment? The head of the delegation, in her opening remarks, had referred to a plan to offer collective reparation to the Roma community; more information on that plan would be welcome, and he wondered whether the State party was considering extending such offers to the indigenous minorities. With regard to hate speech, he said that he deplored the growing number of websites devoted to hate speech and discrimination on the Internet and asked what measures the State party envisaged taking to counter racist propaganda on the Internet.

29. **Mr. Vázquez** expressed concern at municipal measures introduced to ban begging and sleeping in the streets, which amounted to criminalizing poverty and homelessness. If, in the implementation of such measures and related laws, including the Anti-Discrimination Act, certain groups, for example the Roma, were particularly targeted, that in itself constituted discrimination. Unfortunately, it was often the poor and ethnic groups who were the victims of differential treatment that amounted to discrimination. With regard to combating hate speech, he drew the delegation's attention to the Committee's general recommendation No. 35 and to the importance of statements by high-level public officials formally rejecting hate speech and condemning hateful ideas for the promotion of a culture of tolerance and respect. He said that he wondered whether any public awareness campaigns on tolerance were envisaged and whether, when granting permits and subsidies to civil society organizations, the State party applied criteria that included respect for human rights.

30. He expressed concern at plans to increase the waiting period before a spouse could receive a residency permit from three to five years in cases of family reunification. While there would be an exception for victims of domestic violence, he had information according to which it was often difficult for victims to prove claims of violence or have them accepted; he cited the case of a woman who was threatened by her spouse with a chainsaw but whose claim of being at risk of violence had not been accepted by the court. He also expressed concern at the assimilative approach that the State party seemed to be adopting with the Roma; he had information indicating that Roma children removed from their families were placed in non-Roma families and, during visits or meetings, did not have the right to speak with their birth parents in Romani.

31. The Convention had been incorporated into the domestic legal system in the context of the Anti-Discrimination Act, but, as a result, had a lesser status than some other international instruments. He said that he wondered what that would imply in practice, for example whether a more recent law might take precedence over Convention-related provisions. He would like to hear examples of cases where the courts had applied the provisions of the Convention. Noting information from civil society groups according to which migrants and minority groups had significantly higher unemployment rates than the general population, he said that he would welcome more complete and disaggregated statistics. He was concerned that only private enterprises with more than 50 employees were requested to report on their implementation of the Anti-Discrimination Act and that there was no penalty for failure to do so.

32. He had received reports indicating that few cases of discrimination went to court, owing in large part to the cost and work involved in a court case and the fact that

discrimination-related cases had a low priority for legal aid. He would welcome more information on that situation and on the initiative to make legal aid free of charge for cases approved by the Equality and Anti-Discrimination Tribunal.

33. **Ms. January-Bardill** said she was concerned that the State party's generic approach to discrimination might not be adequate, in particular with regard to visible minorities of African or Asian descent. She wondered what more could be done to increase awareness of the need to eliminate discrimination against and accept those who were visibly different.

34. She said that she welcomed the extension of the pilot programme to assign quotas for the hiring of non-Western immigrants by 12 State enterprises but wished for information on the results of the programme; had it been effective and why was it extended? She asked whether the special guide for State enterprises on implementing anti-discrimination legislation and the guidelines encouraging diversity issued in 2010 had yielded positive results and what measures and criteria had been included in the guide and guidelines. She asked whether similar measures had been adopted for the private sector, whether the Directorate of Integration and Diversity (IMDi) had any statistics in that regard and whether such efforts had changed the employment profile of the State party.

35. **Mr. Khalaf** asked what the justification was for not giving primacy to international law under the State party's dualist system. He wondered whether there was any intention to incorporate the provisions of the Convention into domestic law.

36. **The Chairperson**, speaking in his capacity as a member of the Committee, asked which aspects of the pilot project on the quota system for hiring persons of a non-Western immigrant background had been successful, which goals remained to be met and why.

37. Given that Norway had actively participated in drafting the United Nations Declaration on the Rights of Indigenous Peoples and that it was a party to the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), the delineation of specific territories for the enjoyment of Sami rights was worrisome. He would appreciate the State party's assurances that those rights were extended to reindeer herders, who travelled widely to seek new grazing territory for their herds. The ancestral practices of the Sami should not be forgotten. In that regard, the Committee had been informed that duck-hunting rights in the spring had been denied and, as a result, relations between the Sami and the Norwegian State had soured. He asked what was being done to rectify that situation, particularly given the active role that Norway had played in peacebuilding in several countries to overcome violence against indigenous groups. He welcomed the State party's efforts to ensure that major multinational enterprises operating in Norway respected indigenous territory and asked whether anything was being done to share those good practices with authorities in other countries.

38. **Mr. Lindgren Alves** asked how many cases of hate speech had been tried and perpetrators punished in Norway. He wondered whether there was any evidence that neo-Nazism was on the rise in Norway, or had Anders Breivik been an isolated case? He wished to know how racial discrimination was condemned in Norway, since the term "race" had been replaced by the words "ethnicity, descent, skin colour" in Norwegian legislation.

39. **Mr. Avtonomov** requested details of the measures being taken to protect and promote the Kven language and culture, since the Committee had been informed that school tuition was not provided in the Kven language. He said that he wished to know whether many migrants in Norway were involved in domestic work and whether the State party intended to ratify the ILO Domestic Workers Convention, 2011 (No. 189).

The meeting was suspended at 5.35 p.m. and resumed at 5.40 p.m.

40. **Mr. Megard** (Norway) said that the Action Plan for Sami Languages was intended to optimize and increase the use of the three Sami languages regularly used in Norway. Since the East Sami (Skolt Sami) language was not in daily use in Norway, it was not included in the Action Plan. A collaborative project between Norway, Finland and the Russian Federation was, however, under way to promote the Skolt Sami culture across borders, the aim being to strengthen and revitalize the Skolt Sami language by providing entry-level language instruction and increasing knowledge of and interest in the language in Norway, Finland and the Russian Federation. Government funds had been allocated annually since 2010 for the continuation of the project. Skolt Sami language teaching materials were available in Norwegian and Russian, in digital form. The East Sami Museum was planning to offer language courses, in cooperation with the Sami Knowledge Centre in Lovozero, Russian Federation. A Skolt Sami digital dictionary had been published jointly by the University of Tromsø and the East Sami Museum. Skolt Sami herding had not been provided for, since it would involve the expropriation of grazing rights from other Sami reindeer herders. The Government had decided not to follow that course of action.

41. Six minorities were eligible for recognition on the basis of the size of their population and their long-standing ties with Norway, but the Sami parliament had opted for the Sami not to be labelled a national minority. The draft Nordic Sami convention intended to affirm the rights of the Sami in Norway, Sweden and Finland. Despite some pauses in the negotiations, progress was being made and it was hoped that the process would conclude within the 2015 deadline. With regard to the inclusion of the Sami living in the Russian Federation, the main obstacle was the fact that the Sami in the countries covered by the convention must be represented by a Sami parliament. Such an institution did not yet exist in the Russian Federation.

42. **Ms. Ruud** (Norway) said that the Norwegian legal aid scheme had been set up to guarantee legal assistance to those who did not have the financial means to pursue matters independently. Cases of discrimination were not listed as priority cases in legislation on legal aid. Discrimination could, however, be an important element in cases that were prioritized, such as those relating to housing or employment matters. Legal aid could also be granted in exceptional circumstances, if the applicant fulfilled certain financial criteria and the case was considered to be particularly pressing. Legal aid could, therefore, be granted in some cases when the Equality and Anti-Discrimination Ombud or the Anti-Discrimination Tribunal recommended that a case should be brought before the courts.

43. The Norwegian police had been registering hate crimes since 2006, and national statistics were presented annually by the police directorate. The number of cases had varied only slightly over the past five years, ranging from around 210 to 230 cases per year. The majority of those cases were related to ethnicity; the second most common grounds for hate crimes were sexual orientation and the third religion. National statistics did not include information on the number of prosecutions, convictions, cases dismissed or reasons for dismissal. Work was ongoing among the police to clarify legal and statistical challenges with regard to hate crimes.

44. A new criminal code would enter into force in October 2015, which would be followed by improvements in the registration routines for criminal cases, including hate crimes. Oslo police district already published comprehensive statistics, including information on the follow-up given to cases. A considerable proportion of the country's hate crimes were registered in Oslo.

45. While statistics could be a helpful tool for improving the work of the police, caution should be exercised when using them to draw conclusions. Hidden figures posed a challenge with regard to all crimes. Several surveys had shown a significantly higher number of hate crimes than those registered in national statistics. Since hate crimes were defined by the motive of the perpetrator rather than by the objective facts of the case, a crime would only be reported as a hate crime if the correct box was ticked. Many cases, therefore, went unreported or were not registered as hate crimes as such. Efforts were being made to overcome those problems through awareness-raising and education among the police. Difficulties could arise in drawing conclusions from statistics: an increase in the number of complaints registered might not necessarily indicate an increase in the number of hate crimes committed but could be the result of increased reporting of hate crimes as a result of awareness-raising efforts, or an increased focus on hate crimes within the police. It was hoped that some of the difficulties with regard to statistics and their use would be overcome with the entry into force of the new criminal code.

46. **Ms. Horne** (Norway) said in response to criticism regarding the funding of the Human Rights Service that the Government did its utmost to ensure that a multitude of voices were heard in the integration debate. The Human Rights Service focused on issues such as forced marriage, female genital mutilation, “honour”-related violence and the radicalization of youth. The Service had received government funding for several years and there were no plans to reduce that funding. The Ministry of Children, Equality and Social Inclusion provided grants to organizations addressing the situation of migrants. Any criticism that those organizations might have of government policy was perfectly natural, since a multiplicity of opinions was the key to true democracy. Turning to the question on intersectionality, she said that it would be an integral aspect of the forthcoming white paper on gender equality and would be taken into account when the new action plan for LGBT persons was drafted.

The meeting rose at 6 p.m.