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European Social Charter (REVISED)

European Committee of Social Rights

Conclusions 2023

NORWAY

This text may be subject to editorial revision.

The function of the European Committee of Social Rights is to rule on the conformity of the situation in States with the European Social Charter. In respect of national reports, it adopts conclusions; in respect of collective complaints, it adopts decisions.

Information on the Charter, the Committee, the national reports as well as the Statement of interpretation on Article 17 adopted by the Committee during the supervision cycle can be found in the General Introduction to all Conclusions.

In accordance with the reporting system adopted by the Committee of Ministers at the 1196th meeting of the Ministers' Deputies on 2-3 April 2014, the report requested from the States Parties concerned the following provisions of the thematic group IV " Children, families and migrants ":

- the right of children and young persons to protection (Article 7),
- the right of employed women to protection of maternity (Article 8),
- the right of the family to social, legal and economic protection (Article 16),
- the right of mothers and children to social and economic protection (Article 17),
- the right of migrant workers and their families to protection and assistance (Article 19),
- the right of workers with family responsibilities to equal opportunity and treatment (Article 27),
- the right to housing (Article 31).

The reference period was from 1 January 2018 to 31 December 2021.

The following chapter concerns Norway, which ratified the Revised European Social Charter on 7 May 2001. The deadline for submitting the 20th report was 31 December 2022 and Norway submitted it on 22 December 2022.

The Committee recalls that Norway was asked to reply to the specific targeted questions posed under various provisions (questions included in the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter). The Committee therefore focused specifically on these aspects. It also assessed the replies to the previous conclusions of non-conformity, deferral and conformity pending receipt of information (Conclusions 2015).

In addition, the Committee recalls that no targeted questions were asked under certain provisions. If, in its previous conclusion (Conclusions 2015), the Committee concluded that the situation was in conformity, there was no examination in 2023.

The comments of the Norwegian Human Rights Institution (NHRI) and the Church City Mission ("Kirkens Bymisjon", 'CCM') on the 20th report were registered on 29 and 30 June 2023 respectively. The Government's response to these comments was registered on 28 September 2023.

Norway has not accepted the following provisions from the above-mentioned group: 7§4, 7§9, 8§2, 8§§4-5, 19§8, 27§3.

The conclusions relating to Norway concern 29 situations and are as follows:

– 18 conclusions of conformity: Articles 7§2, 7§6, 7§10, 8§1, 8§3, 16, 17§2, 19§§1-3, 19§5, 19§7, 19§9, 19§§11-12, 27§§1-2, 31§1.

– 11 conclusions of non-conformity: 7§1, 7§3, 7§5, 7§§7-8, 17§1, 19§4, 19§6, 19§10, 31§§2-3.

Conclusions and reports are available at www.coe.int/socialcharter.

Article 7 - Right of children and young persons to protection

Paragraph 1 - Prohibition of employment under the age of 15

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that for the purposes of the present report, States were asked to reply to targeted questions in relation to Article 7§1 of the Charter, as well as, where applicable, previous conclusions of non-conformity, deferrals or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the thematic group “Children, families and migrants”).

The Committee has observed that many States’ legislation is in conformity with Article 7§1 of the Charter regarding the minimum age for employment. Nevertheless, the Committee is concerned about the situation in practice. There are data that suggest that in many countries there are significant numbers of children working illegally. However, there are few official data on the extent of the problem. Therefore, as targeted questions to the States, the Committee asked for information on the measures taken by the authorities (e.g. Labour Inspectorates and social services) to detect child labour, including children working in the informal economy. It also asked for information on the number of children actually working, as well as on measures taken to identify and monitor sectors where it is strongly suspected that children are working illegally.

In its previous conclusion (Conclusions 2015), the Committee found that the situation in Norway was not in conformity with the Charter on the ground that the daily and weekly duration of light work permitted during school holidays for children under the age of 15 is excessive and therefore cannot be qualified as light work.

In particular, the Committee noted that Section 11-2(1) of the Working Environment Act, prohibits children under the age of 15 or those who are subject to compulsory education, from working more than 2 hours a day on school days and 12 hours a week in school terms and 7 hours a day / 35 hours a week during school holidays.

The Committee has previously referred to its Statement of Interpretation on the permitted duration of light work and recalls that children under the age of 15 and those who are subject to compulsory schooling are entitled to perform only “light” work. Work considered to be “light” in nature ceases to be so if it is performed for an excessive duration. States are therefore required to set out the conditions for the performance of “light work” and the maximum permitted duration of such work.

The Committee notes that the report refers to the statement of the representative of Norway at the 134th meeting of the Governmental Committee in which the representative stated that the Government takes note of the Committee’s interpretation, which is that children under the age of 15 and those who are subject to compulsory schooling should not perform light work during school holidays for more than 30 hours per week or 6 hours per day. The representative said that the Government would look into the possibility of revising the regulation regarding the employment of children to align with the Committee’s interpretation of Article 7§1.

The Committee notes that there are no new developments regarding this issue and therefore, reiterates its previous finding of non-conformity on the ground that the daily and weekly duration of light work permitted during school holidays for children under the age of 15 is excessive and therefore cannot be qualified as light work.

As regards the Committee's targeted questions, according to the report, the Norwegian National Labour Inspectorate ensures that companies comply with the requirements of the Norwegian Working Environment Act. Inspections mainly focus on those companies with the poorest working conditions, where there is least willingness to correct problems and where the Inspectorate's efforts can have the greatest effect.

On a general basis, the Norwegian Labour Inspection Authority uses a risk-based approach to its supervisory activities. This also applies to identifying possible sectors where children may be working illegally.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 7§1 of the Charter on the ground that the daily and weekly duration of working time permitted during school holidays for children under the age of 15 is excessive and therefore cannot be regarded as light.

Article 7 - Right of children and young persons to protection

Paragraph 2 - Prohibition of employment under the age of 18 for dangerous or unhealthy activities

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 7§2 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

In its previous conclusion the Committee found that the situation in Norway was in conformity with the Charter. The Committee reiterates its previous finding of conformity.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 7§2 of the Charter.

Article 7 - Right of children and young persons to protection

Paragraph 3 - Prohibition of employment of children subject to compulsory education

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 7§3 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

In its previous conclusion (Conclusion 2015) the Committee found that the situation in Norway was not in conformity with the Charter on the following grounds:

- the daily and weekly working time during school holidays for children subject to compulsory education is excessive and therefore cannot be considered as light work;
- it is possible for children who are still subject to compulsory education to deliver newspapers, before school, from 6 a.m. for up to 2 hours per day, 5 days per week;
- young persons under 18 years of age who are still subject to compulsory education are not guaranteed an uninterrupted rest period of at least two weeks during the summer holidays.

As regards the first ground of non-conformity, the Committee refers to its conclusion under Article 7§1.

As regards the 2nd ground of non-conformity the report makes reference to Norway’s response to the Committee’s conclusion at the 134th meeting of the Governmental Committee. The Representative of Norway indicated that the Committee seemed to have based its conclusion on this matter on the guidelines published by the Norwegian Labour Inspectorate, where the delivery and sale of newspapers were considered “light work”.

The Representative of Norway pointed out that the delivery of newspapers by school children in the morning seemed to be a very limited or maybe even non-existing case in Norway today. Information from big distribution firms in Norway indicate that they do not employ school children for their morning deliveries and that normally adult workers were used for the morning deliveries. The previous practice of hiring children from 13 years of age for the delivery of the afternoon issue had also ended.

The Representative of Norway also mentioned that the Labour Inspectorate was not aware of any recent cases or complaints concerning the subject of delivery of newspapers by children. Delivery of newspapers by schoolchildren in the morning is still very limited or if not almost non-existing in Norway today. However, as a result of the Committee’s conclusion of non-conformity, the Government decided to look more closely at the possibility of amending the regulation regarding the employment of children to align with the Committee’s interpretation of Article 7§3.

As regards the third ground of non-conformity, the Representative of Norway indicated that the Working Environment Act provides that persons under 18 years of age who attended school have at least four weeks of holiday a year, including at least two during the summer holidays. Unlike other employees, who only have a right to take holiday during the summer, children and young persons under the age of 18 were required to take at least two of the four holiday weeks over the course of the summer holiday. The law does not stipulate that these two weeks of holiday must be consecutive.

The Representative also said that the Government would look further into the possibility of revising the regulation regarding the employment of children to align with the Committee’s interpretation of Article 7§3 which requires two consecutive weeks free from any work during the summer holidays.

The Committee notes that there have been no changes during the reference period. Therefore, it reiterates its previous finding of non-conformity.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 7§3 of the Charter on the ground that young persons under 18 years of age who are still subject to compulsory education are not guaranteed an uninterrupted rest period of at least two weeks during the summer holidays.

Article 7 - Right of children and young persons to protection

Paragraph 5 - Fair pay

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 7§5 of the Charter, as well as, where applicable, previous conclusions of non-conformity, deferrals, or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the thematic group “Children, families and migrants”).

The Committee deferred its previous conclusion pending receipt of the information requested (Conclusions 2015). The assessment of the Committee will therefore concern the information provided in the report in response to the conclusion of deferral and to the targeted questions.

Fair remuneration for young workers and apprentices

The Committee recalls that young worker’s wage may be less than the adult starting wage, but any difference must be reasonable and the gap must close quickly. For 15/16 year-olds, a wage of 30% lower than the adult starting wage is acceptable. For 16/18 year-olds, the difference may not exceed 20%. The adult reference wage must in all cases be sufficient to comply with Article 4§1 of the Charter. If the reference wage is too low, even a young worker’s wage which respects these percentage differentials is not considered fair.

In its previous conclusion the Committee noted that there is no statutory minimum wage in Norway. The wages of young workers and/or apprentices are established by the relevant collective agreements negotiated by the social partners.

The Committee asked to clarify whether the figures for certain categories of workers provided in the report concerned the gross or the net minimum wage and, in case they concern the gross minimum wage, to provide information on the net minimum wage. In addition, it requested information on the average net wage as regards these sectors.

Furthermore, the Committee noted that the gross minimum wages agreed for seasonal agricultural workers, unskilled shipyard workers, unskilled construction workers and workers in the local and regional civil service did not come close to the gross average income. The Committee noted that within the mechanical, engineering, and shipyard industries the minimum wage for employees from 15 years of age to 17 and a half was within a range of 53–90% of the starting salary for an unskilled worker over the age of 18. It requested information on the young workers’ wages (illustrated with examples) working in the above mentioned sectors. Pending receipt of the information requested, the Committee reserved its position on this point (Conclusions 2015).

The Committee notes that as regards adults’ wages, it deferred its most recent conclusion on Article 4§1 (Conclusions 2018). It noted then that certain sectors had set minimum wages and that the lowest wages were paid in the hospitality and catering sector.

The report confirms that there is no statutory minimum wage in Norway and that minimum wages have been introduced in certain industries through general application of collective bargaining agreements. In some of these agreements there are also separate minimum wages for employees younger than 18 years.

The report provides data showing a range of a wages in various sectors for workers under 25 years of age , indicating that the youngest are probably in the lowest quartile. The Committee notes that, overall, young workers' wage constitutes between 38 and 73% of the average adult wage in relevant sectors. The young workers' wages in the sectors of machinery and of construction constitute the lowest percentage of the relevant average wages (between 38 and 64%). The highest percentage is noted for the agriculture (where, however, the nominal wages are the lowest) - 55-73%. The Committee notes that for most of young workers the wages fall

below 30% of the average adult wage. The situation is, accordingly, not in conformity with the Charter in this respect.

The report further provides detailed data on the range of apprentices allowances. The Committee notes that while in some sectors (such as i.e., science, and engineering, customer services, sales, personal care, building, mining, transport) the allowances in the upper quartile are up to 72-81% of the average wage, in other sectors (such as information and communication, health care, personal service, protective service, machinery), the allowances in the upper quartile do not exceed 38-59%. In some sectors, accordingly, the situation does not meet the requirements of Article 7§5 of the Charter in this respect.

The Committee has also previously requested information on the allowances paid to apprentices in sectors or for jobs which are not covered by collective agreements. The report states that such data is not available.

Fair remuneration in atypical jobs

For the present monitoring cycle, the Committee requested updated information on net minimum wages and allowances payable to persons under 18 years of age. In particular, it asked for information on measures taken to ensure that fair remuneration is guaranteed to young workers:

- i) in atypical jobs (part-time work, temporary work, fixed-term work, casual and seasonal work, self-employed people, independent workers and homeworkers.)
- ii) in the gig or platform economy and
- iii) having zero hours contracts.

The report states that no statistical information on wages in different types of atypical jobs is officially collected. It does not provide information on any measures taken to ensure that fair remuneration is guaranteed to young workers in atypical jobs or in the gig or platform economy and having zero hours contracts.

Due to the failure to provide the information, the Committee concludes that the situation in Norway is not in conformity with Article 7§5 of the Charter.

Enforcement

In the context of the present monitoring cycle the Committee also requested information on measures taken to ensure that this right of young persons to fair pay is effectively enforced (e.g., through Labour Inspectorates and similar enforcement authorities, trade unions).

The report does not provide the requested information.

Due to the failure to provide the information, the Committee concludes that the situation in Norway is not in conformity with Article 7§5 of the Charter.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 7§5 of the Charter on the grounds that:

- the wage paid to young workers in some sectors is not fair;
- allowances paid to apprentices at the end of the apprenticeship in some sectors are too low.

Due to the failure to provide the information listed below the Committee concludes that the situation in Norway is not in conformity with Article 7§5 of the Charter. The Committee considers that this failure to provide information amounts to a breach by Norway of their reporting obligations under Article C of the Charter.

List of questions:

- on measures taken to ensure that fair remuneration is guaranteed to young workers in atypical jobs or in the gig or platform economy and having zero hours contracts;
- on measures taken to ensure that this right of young persons to fair pay is effectively enforced.

Article 7 - Right of children and young persons to protection

Paragraph 6 - Inclusion of time spent on vocational training in the normal working time

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no questions were asked for Article 7§6 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children, families and migrants” thematic group).

The Committee recalls that Article 7§6 requires that time spent on vocational training by young people during normal working hours must be treated as part of the working day (Conclusions XV-2 (2001), Netherlands). Such training must, in principle, be done with the employer's consent and be related to the young person's work. Training time must thus be remunerated as normal working time, and there must be no obligation to make up for the time spent in training, which would effectively increase the total number of hours worked (Conclusions V (1977), Statement of Interpretation on Article 7§6). This right also applies to training followed by young people with the consent of the employer and which is related to the work carried out, but which is not necessarily financed by the latter.

In its previous conclusion, the Committee found that the situation in Norway was in conformity with Article 7§6 of the Charter, pending receipt of the information requested (Conclusions 2019).

The Committee has previously requested information on the regulations applicable to time spent on vocational training in the situation of trainees/apprentices who are not covered by collective agreements.

The report confirmed that time spent on vocational training is included in the normal working time. It further provided that under national law, apprentices and trainees are considered as full employees of the relevant company according to the Working Environment Act. Additionally, rules regarding vocational training for persons under the age of 18, are found in ‘Regulations concerning Organisation, Management and Employee Participation’ Section 12-7 (Exemption from the prohibition on work for vocational training) and 12-7A (relating to vocational training in building and construction). The employer shall ensure that young people who are put to such work are supervised by an experienced, qualified person to the extent that this is necessary. They must have a continuous off-duty period of at least 36 hours per seven days. Overtime work cannot be imposed on young persons. The employer shall organise and adapt the work to the individual person's work experience and level of maturity, and otherwise implement measures as necessary to safeguard their health, safety and development.

The Norwegian Labour Inspection Authority uses the same measures to detect any incompliance with these regulations as it uses to detect other law infringements, such as supervisory activities.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 7§6 of the Charter.

Article 7 - Right of children and young persons to protection

Paragraph 7 - Paid annual holidays

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 7§7 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children, families and migrants” thematic group).

In its previous conclusion, the Committee concluded that the situation in Norway was in conformity with Article 7§7 of the Charter, pending receipt of the information requested (Conclusions 2015).

The Committee asked for information on the activity of the Labour Inspectorate of detecting situations of breach and on the measures taken/sanctions applied in cases of non-observance by the employers of the obligation to grant at least four weeks holiday a year to young workers under 18 years of age. The report does not provide the requested information.

Due to the failure to provide requested information on the number and nature of violations detected, as well as the sanctions imposed for breach of the regulations regarding paid annual holidays of young workers under 18 years of age, the Committee concludes that the situation in Norway is not in conformity with Article 7§7 of the Charter. The Committee considers that this failure to provide information amounts to a breach by Norway of their reporting obligations under Article C of the Charter.

Conclusion

Due to the failure to provide the information listed below, the Committee concludes that the situation in Norway is not in conformity with Article 7§7 of the Charter. The Committee considers that this failure to provide information amounts to a breach by Norway of their reporting obligations under Article C of the Charter.

List of questions/Information missing:

- the number and nature of violations detected, as well as the sanctions imposed for breach of the regulations regarding paid annual holidays of young workers under 18 years of age.

Article 7 - Right of children and young persons to protection

Paragraph 8 - Prohibition of night work

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 7§8 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children, families and migrants” thematic group).

The Committee deferred its previous conclusion, pending receipt of the information requested (Conclusions 2015).

The Committee asked what the sectors were in which young workers worked at night and what the estimate number of young workers aged 15 to 18 performing night work was. In doing so, the Committee referred to data provided by the Government, to the effect that 56,000 young people aged 15 to 24 worked at night, the vast majority being aged 19 and above. The Committee had previously noted that although the Working Environment Act prohibited young persons aged 15 to 18 from working between 10 p.m. and 6 a.m., or 11 p.m. and 7 a.m., exceptions were allowed for certain occupations described in detail in Conclusions XIII-4 (1996).

The report notes that, according to official data, 24,600 workers aged 15 to 19 reported as performing night work to varying degrees, without specifying the sector or occupation concerned. In that regard, the Committee recalls that Article 7§8 of the Charter is concerned with the situation of young workers under 18 years of age. The Committee further notes that the question regarding the number of young workers in night work, the sector and the occupations concerned, has been carried over successively since Conclusions XIII-4 (1996), in the absence of sufficient clarifications from the State Party. The Committee, therefore, concludes that the situation in Norway is not in conformity with Article 7§8 of the Charter on the ground that the legal prohibition on night work does not apply to the great majority of young workers under 18 years of age.

The Committee also asked for information about the sanctions imposed on the employers for violations of the prohibition of night work of young workers. While the report provides information about the number of inspections carried out and the number of sanctions applied for violations of the prohibition concerned during the reference period, it notes that no data is collected regarding the type of the sanctions in question.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 7§8 of the Charter on the ground that the legal prohibition on night work does not apply to the great majority of young workers under 18 years of age.

Article 7 - Right of children and young persons to protection

Paragraph 10 - Special protection against physical and moral dangers

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that for the purposes of the present report, States were asked to reply to targeted questions for Article 7§10 of the Charter, as well as, where applicable, previous conclusions of non-conformity, deferrals or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the thematic group “Children, families and migrants”).

In its previous conclusion, the Committee concluded that the situation in Norway was in conformity with Article 7§10 of the Charter (Conclusions 2015). The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

Protection against sexual exploitation

In the targeted questions, the Committee asked for updated information on measures taken to strengthen the protection of children, including migrant, refugee and displaced children, from sexual exploitation and abuse (in particular, in response to the risks posed by the Covid-19 pandemic) during the reference period, including information on the incidence of such abuse and exploitation.

The report states that during the Covid-19 pandemic, emergency services such as child welfare services and the crisis centres were kept open. In December 2020, the Norwegian Directorate for Children, Youth and Family Affairs launched a campaign stating that advice to stay at home does not apply to people who are not safe at home. Moreover, efforts to combat violence and abuse were strengthened. The Escalation Plan Against Violence and Abuse (2017-2021) was adopted by the Parliament. It includes 88 measures aimed at reducing domestic violence, with particular emphasis on combatting violence and abuse affecting children and young people.

The report further states that in June 2020, the Norwegian Centre for Violence and Traumatic Stress Studies conducted a school-based study among adolescents in Norway. It showed that one in six respondents had experienced at least one form of violence or abuse during the eight weeks schools were closed in spring 2020. A survey by the Norwegian Social Research on the family counselling service during the Covid-19 pandemic in May and June 2020 showed that the situation was exacerbated by the drastic measures taken to prevent infection in families facing major challenges. The Norwegian Social Research also conducted a study on the work of the child welfare services during the pandemic; it showed that cases related to violence and abuse were generally given priority.

Protection against the misuse of information technologies

In the targeted question, the Committee asked for information on the protection of children from all forms of violence, exploitation and abuse in the digital environment, in particular sexual exploitation and abuse and solicitation for sexual purposes (grooming).

The report states that as part of the follow-up to the Escalation Plan against Violence and Abuse (2017-2020), a separate strategy to combat internet-related child abuse was launched in August 2021.

Protection from other forms of exploitation

The Committee notes from GRETA's report, third evaluation round, GRETA(2022)07, 8 June 2022, that the central guidance unit was set up in 2019 for child victims of trafficking, tasked

with improving procedures for the identification of these children, providing guidance, training and capacity building.

Covid-19

In the context of the Covid-19 pandemic, the Committee asked for information on the impact of the pandemic on the monitoring of the exploitation and abuse of children, as well as measures taken to strengthen monitoring mechanisms.

The Committee recalls that Article 7§10 of the Charter guarantees protection against sexual and other exploitation of children as well as protection against the misuse of information technology and social media (for the purposes of online bullying, child pornography, grooming, harassment, etc.), which is particularly pertinent in view of the acceleration of digitalisation and online activity brought about by the pandemic (Statement on Covid-19 and social rights, 24 March 2021).

The report states that the Norwegian Centre for Traumatic Stress Studies carried out a national survey on child abuse and neglect among children aged 12 to 16. The study showed that violence and abuse against children remained stable during the pandemic, one in four children had experienced violence or abuse, sexual assault by an adult increased from 2.9% in 2018 to 4.5% in 2020.

The report further states that in April 2020, the Government decided to set up a coordination team at directorate level to ensure that vulnerable children and adolescents were looked after during the pandemic.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 7§10 of the Charter.

Article 8 - Right of employed women to protection of maternity

Paragraph 1 - Maternity leave

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked in relation to Article 8§1 of the Charter, only a question in relation to Covid-19. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the thematic group "Children, families and migrants").

As the previous conclusion found the situation in Norway to be in conformity with the Charter (Conclusions 2015), there was no examination of the situation in 2023. Therefore, the Committee reiterates its previous conclusion.

Covid-19

In the context of the Covid-19 crisis, the Committee asked all States to provide information on whether the Covid-19 crisis had an impact on the right to paid maternity leave.

According to the report, parents working in vital functions in the society were no longer required to actively apply for postponing the parental benefit. Moreover, employed women were able to receive at least 70 per cent of their salary during the whole length of the compulsory maternity leave during the Covid-19 crisis.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 8§1 of the Charter.

Article 8 - Right of employed women to protection of maternity

Paragraph 3 - Time off for nursing mothers

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 8§3 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the thematic group Children, families and migrants”).

In its previous conclusion, the Committee concluded that the situation was in conformity with Article 8§3 of the Charter pending receipt of the information requested (Conclusions 2015). The assessment of the Committee will therefore concern the information provided by the Government in response to the question.

The Committee previously asked the next report to clarify whether women working for example two full working days twice a week are entitled to paid nursing breaks.

The report states that according to the Norwegian Working Environment Act Section 12-8, a nursing mother is entitled to request the amount of time off necessary for breastfeeding. At least 30 minutes time off may for example be taken twice daily or as a reduction in working hours by up to one hour per day. Further, women with time off for breastfeeding are, during the child's first year, entitled to paid nursing breaks for a maximum of one hour on workdays with agreed working hours of seven hours or more. Accordingly, women working for example two full working days twice a week (with a child up to 12 months old) will be entitled to one hour paid nursing break each working day.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 8§3 of the Charter.

Article 16 - Right of the family to social, legal and economic protection

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that for the current reporting cycle, States were asked to respond to several targeted questions for Article 16 of the Charter as well as, where applicable, previous conclusions of non-conformity, deferral or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the Charter's implementation in respect of the provisions relating to the "Children, family and migrants" thematic group).

In its previous conclusion (Conclusions 2015), the Committee found that the situation in Norway was not in conformity with Article 16 of the Charter on the ground that equal treatment of nationals of other States Parties regarding the payment of child benefit was not ensured due to excessive length of residence requirement.

The Committee's assessment will therefore relate to the information provided in the report in response to the conclusion of non-conformity, and to the targeted questions.

Legal protection of families

Rights and obligations, dispute settlement

- **Settlement of disputes**

In its previous conclusion (Conclusions 2015), the Committee asked for information on legal means of settling disputes between spouses, in relation to the obligation of spouses to support each other and the children born of their relationship.

In response, the report indicates that, pursuant to Section 38 of the Marriage Act, a spouse can be ordered to fulfil this obligation by a court, provided that one of the spouses takes legal action. If there are special reasons, the court may also make an interim order regarding separation, the right to maintenance or the right to use a residence or ordinary household goods in the joint household. This provision applies until a legally enforceable decision is made on the question.

The case may also be decided by the maintenance enforcement officer instead of the court if the spouses do not agree on the support obligation. Administrative decisions by the maintenance enforcement officer may be appealed to the body immediately above him or to the body designated by the Directorate of Labour and Welfare. The report adds that the parties may seek a resolution of the maintenance obligation even if they have previously come to an agreement on this issue.

Domestic violence against women

The Committee notes firstly that Norway has ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), which entered into force in Norway in November 2017.

Among the targeted questions that it raised, the Committee asked for updated information on measures taken to reduce all forms of domestic violence against women, including information on incidence and conviction rates.

In response, the report indicates that in August 2021, the Norwegian Government launched an Action plan for preventing and combating violence in relationships for the period 2021-2024. The plan aims to facilitate better coordination between agencies and sectors at all levels of the administration so that the population perceives the services provided by the police and support services as coherent and comprehensive. The Committee notes from the report that this plan has a separate section on violence and abuse in Sami communities.

In addition, an escalation plan against violence in close relationships and violence and abuse against children has been developed. It will be presented in October 2023 (outside the reference period).

The Committee observes that the report does not provide any information on incidence and conviction rates of domestic violence against women. However, the report indicates that a 2014 nationwide survey on domestic violence (outside the reference period) conducted by the Norwegian Centre for Violence and Traumatic Stress Studies showed that 8.2% of woman reported severe violence by their partner. According to the report, this means life-threatening violence including attempted strangulation, use of weapons and/or banging the victim's head against an object or wall. The lifetime prevalence rate of rape among women was 9.4 %. The Committee notes from the report that such a survey was repeated in 2022 (outside the reference period).

Social and economic protection of families

Family benefits

Equal access to family benefits

In its previous conclusion, the Committee noted that child benefit is granted to all children living in Norway regardless of nationality; a child is considered as living in Norway if he or she has resided/has been domiciled for more than 12 months. Therefore, the Committee considered that the situation was not in conformity with the Charter on the ground that equal treatment of nationals of other States Parties regarding the payment of child benefit was not ensured due to the excessive length of residence requirement (Conclusions 2015).

In a targeted question, the Committee asked whether a length of residence requirement was imposed on nationals of other States Parties lawfully resident in the country for eligibility to family benefits.

In response, the report indicates that the legal residence of the child and the person with whom the child permanently resides in Norway is a condition for receiving child benefit. According to the Immigration Act, a residence permit is required for all third- country nationals and a registration certificate for EEA/EU nationals who want to stay in Norway for longer than three months. If a residence permit/registration certificate is not available, the person in question cannot be considered to be lawfully resident in Norway. According to the report, child benefit can be granted retroactively up to three years before the calendar month in which the claim is submitted if the conditions for entitlement to benefit are met during this period.

If a residence permit for a third country-national is extended beyond one year, the person in question will be able to submit a new application for child benefit, with the possibility of receiving back payments for a maximum of three years. If, at the time of an application, it is not considered likely that the duration of the stay will be at least 12 months, the Norwegian Labour and Welfare Administration (NAV) may defer payment of child benefit until the duration of the stay has been clarified. Once it has been established that the stay will last at least 12 months, NAV can then pay child benefit from the month following the child's arrival in Norway, provided that the other conditions laid down in the Child Benefit Act are met. The Committee understands from the report that the family is entitled to child benefit if they come to Norway and stay for at least 12 months. In this case, the family will receive child benefit from the month following the arrival.

The report also states that, under the Cash-for-Care Benefit Act, cash-for-care benefit is granted to all children aged between 13 and 23 months considered to be resident in Norway, regardless of their nationality.

The Committee takes note of the very detailed information provided in the report regarding the criteria used to establish that a family intends to stay in Norway for at least 12 months, as well

as statistics on the number of third-country nationals receiving child benefit. According to the report, the Norwegian system is based on trust and if a family residing legally in Norway states that they will stay in the country for at least 12 months, the conditions for receiving child benefit are usually considered to have been met.

In view of the above, the Committee considers that the situation now is in conformity with Article 16 of the Charter on this point.

In its previous conclusion, the Committee also asked whether stateless persons and refugees were treated equally with regard to family benefits. In response, the report indicates that the nationality of the applicant and the child is not relevant for entitlement to family benefits. Both stateless persons and refugees are treated on an equal footing.

Level of family benefits

In its previous conclusion, the Committee considered that the amount of child benefit of 3% of the monthly median equivalised income was too low to represent a significant percentage. It asked whether the benefits and tax relief granted to families with children applied to all families and how much they actually amounted to for different types of family. In the meantime, it reserved its position on this issue.

In addition, among the targeted questions that it raised, the Committee asked for information about the amounts paid in family benefit as well as the median equivalised income for the reference period. It also asked whether family or child benefits were subject to a means-test and, if so, what percentage of families were covered.

The Committee points out that family benefit must be such as to provide a significant number of families with sufficient extra income. Adequacy is assessed with respect to the monthly median equivalised net income as calculated by Eurostat.

The Committee notes from Eurostat data (published on 26 July 2023) that the monthly median equivalised income stood at €3,353 in 2020.

In response, the report explains that families with children benefit from some tax relief.

Child Benefit (*barnetrygd*) is a monthly benefit. Its level varies according to the age of the child. In 2020, the amount per child and per month ranged from 1,354 NOK (€ 128 at the 31 December 2020 rate) for a child aged 0 to 5, to 1,054 NOK (€ 100) for a child aged 6 to 17. It is not means-tested and is tax-free, regardless of income.

In addition, the report mentions the Monthly Cash-for-care Benefit (*Kontantstøtte*). It is not means-tested and is tax-free, regardless of income. This benefit is provided to all children resident in Norway between the ages of 13 and 23 months. According to the MISSOC database, the amount depends on the number of weekly hours spent in a crèche.

The report mentions some other tax-exempt benefits and supports: the lump-sum grant for a parent that is not entitled to parental benefits, financial social assistance in accordance with the Social Welfare Act and certain benefits and supports for single parents in accordance with the National Insurance Act (e.g., childcare benefits and help with school fees).

The Committee notes that in 2020, basic child benefit represented the equivalent of about 2.9% (for children aged 6 to 17) to 3.8% (for children aged 0 to 5) of median equivalised income. In 2019, child benefit (for all children) represented approximately 3.5% of median equivalised income. The Committee notes from OECD data that in 2019, public spending on family benefits in Norway amounted to 3.187% of GDP, which is considerably higher than the average in OECD countries (2.109%).

On the basis of the information available and taking into account the various tax reductions, the Committee considers that the situation is in conformity with Article 16 on this point.

Measures in favour of vulnerable families

Among the targeted questions that it raised, the Committee asked what measures had been taken to ensure that vulnerable families could meet their energy needs, in order to ensure their right to adequate housing (which includes access to essential services).

In response, the report indicates that several measures have been introduced to help people cope with their energy bills. A temporary household support scheme was introduced in December 2021. It provides support to households through a deduction on their electricity bills when prices are extremely high. This scheme is part of a wider electricity support package that includes other measures such as housing assistance, increased support for students, energy efficiency initiatives, including measures aimed at reducing energy bills in municipal housing, and compensation to municipalities for the additional costs of implementing financial welfare measures.

In a targeted question, the Committee asked whether, in cases where specific temporary measures had been taken to financially support families during the covid-19 pandemic, they would or were expected to be maintained or withdrawn and, if they had been withdrawn, what effect this was expected to have on vulnerable families.

In response, the report explains that the main general social insurance schemes are the National Insurance Scheme, the Child Benefit Scheme, and the Scheme for Cash Benefit for Families with Small Children. During the pandemic, family benefit rates (child benefit, cash-for-care benefit, or parental benefit) were not increased, but additional funds were allocated to a range of measures to offset the negative impact of the pandemic on vulnerable groups. These measures include several grant schemes for NGOs and municipalities so that they can organise activities for vulnerable children and families and take action to combat domestic violence, neglect and child abuse. Additional funding was also allocated to municipalities for parental support measures. Funding of Family Counselling Services and the Alternative to Violence Foundation (a non-profit non-governmental organisation that provides treatment and professional expertise on violence with particular focus on domestic violence) was increased to strengthen their capacity. Several helplines were also bolstered during the pandemic.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 16 of the Charter.

Article 17 - Right of children and young persons to social, legal and economic protection

Paragraph 1 - Assistance, education and training

The Committee takes note of the information contained in the report submitted by Norway and in the comments by the Norwegian National Human Rights Institution.

The Committee recalls that for the purposes of the present report, States were asked to reply to targeted questions for Article 17§1 of the Charter, as well as, where applicable, previous conclusions of non-conformity, deferrals or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the thematic group “Children, families and migrants”).

The Committee also recalls that in the General Introduction to Conclusions 2019, it posed general questions under Article 17§1 and asked States to provide, in the next report, information on measures taken to reduce statelessness; to facilitate birth registration, particularly for vulnerable groups, such as Roma, asylum seekers and children in an irregular migration situation; to reduce child poverty; combat discrimination and promote equal opportunities for children from particularly vulnerable groups; and on the extent to which child participation is ensured in work directed towards combatting child poverty and social exclusion.

Previously, the Committee deferred its conclusion (Conclusions 2015). The assessment of the Committee will therefore concern the information provided by the Government in response to the conclusion of deferral, the targeted questions and the general questions.

The legal status of the child

In the general questions, the Committee asked for information on measures taken by the State to reduce statelessness (e.g., ensuring that every stateless migrant child is identified, simplifying procedures to ensure the acquisition of nationality, and taking measures to identify those children who were not registered at birth). It also asked for information on measures taken by the State to facilitate birth registration, particularly for vulnerable groups, such as Roma, asylum seekers and children in an irregular migration situation.

The report states that the Norwegian authorities strive to ensure that as few children as possible are deprived of citizenship. The report further states that Norway has ensured that the conditions for obtaining Norwegian citizenship are less stringent for stateless persons than for others. Norway is a party to the 1954 UN Convention relating to the Status of Stateless Persons, to the 1961 UN Convention on the Reduction of Statelessness, to the 1997 European Convention on Nationality of the Council of Europe, and to various other international and regional conventions related to stateless persons.

The report further states that the Directorate of Immigration provides information on the relevant regulations applicable to children born stateless in Norway on its website. It also has guidelines for registering children born in Norway. It produced leaflets in several languages for pregnant women in asylum centres and health centres.

The report also states that the National Population Register contains information on everyone that resides or has resided in Norway. When a child is born in hospital, or in the presence of a health professional, the health service sends an automatic notice to the tax authority. If no health professional is present at birth, it is the mother’s responsibility to notify the tax authority within one month from the date of birth. The Norwegian Institute of Public Health collects data about pregnancies and births for research and analysis purposes.

Child poverty

In the general questions, the Committee asked for information on measures to reduce child poverty (including non-monetary measures such as ensuring access to quality and affordable services in the areas of health, education, housing, etc.); to combat discrimination and promote equal opportunities for children from particularly vulnerable groups, such as ethnic minorities, Roma children, children with disabilities and children in care.

The report states that all Norwegian families with children under 18 receive a universal tax-free child benefit. Single parents are given a tax deduction from their ordinary income. There are also price reduction schemes for childcare and after-school programmes including a national scheme with 20 hours of free kindergarten per week for low-income families. Families with children are a priority group for start-up loans. The national grant scheme has also been strengthened; its objective is to get children and young people involved in leisure and holiday activities, part-time and summer jobs, and to improve secondary school attendance.

The report also states that the Government put forward a national strategy for children growing up in low-income families (2020-2023) which aims to improve the living conditions of those children and prevent poverty from being passed on from generation to generation. An expert group on children in poor families has been set up.

The report also states that the strategy (2020-2030) and action plan (2020-2025) for equality of people with disabilities emphasise that the best interests of the child shall be a primary consideration in all actions concerning children with disabilities. The Equality and Anti-discrimination Ombudsman works to promote equality and prevent discrimination and the Anti-discrimination Tribunal handles individual complaints on discrimination. With regard to Roma children, a school guidance programme aims to improve the learning outcomes of Roma pupils and assists those living in municipalities close to Oslo.

The Committee notes from EUROSTAT that 17.2% of children in Norway in 2021 were at risk of poverty or social exclusion, an increase in comparison with 2018, when the percentage was 15.5% (the EU average in 2021 was 24.4%).

The prevalence of child poverty in a State Party, whether defined or measured in either monetary or multidimensional terms, is an important indicator of the effectiveness of state efforts to ensure the right of children and young persons to social, legal and economic protection under Article 17 of the Charter. Consistent with its approach in relation to the conceptualisation and measurement of poverty adopted by the Committee in terms of Article 30, the Committee's consideration of child poverty for the purposes of Article 17 reflects an understanding of both income and multi-dimensional understandings of poverty (Statement of interpretation, 2013, Article 30). This understanding is reflected in the indicators and elements the Committee takes into account when assessing State Party compliance with Article 17. For the States that have not accepted Article 17, child poverty will be addressed under Article 30.

The EUROSTAT data and the EU-27 rate of children at risk of poverty or social exclusion is used as key point of reference and indicator of state compliance with Charter rights by the Committee. The Committee will also have regard to disimprovement in terms of the rate of children at risk of poverty or social exclusion in a State Party. Furthermore, the Committee also takes into account non-monetary measures adopted at reducing child poverty and social exclusion such as ensuring access to quality and affordable services in the areas of health, education and housing. When assessing State conformity with Article 17, the Committee will also take into account the extent to which child participation is ensured in work directed towards combatting child poverty and social exclusion.

Right to assistance

In the targeted question, the Committee asked for information on any measures adopted to protect and assist children in crisis situations and emergencies.

In reply, the report states that, as of August 2021, the action plan for preventing and combatting violence in close relationships includes a separate chapter on comprehensive crisis management. The aim of the measures is to ensure that policies and measures taken in times of crisis have as little adverse impact as possible on people in vulnerable situations by integrating consideration of domestic violence into emergency response measures. The Government also set up a coordination group at the directorate level which aimed to gain information about the consequences for children of the Covid-19 measures implemented.

In its comments, the Norwegian National Human Rights Institution expresses concern about the protection of unaccompanied asylum-seeking children missing from reception centres. The Government did not provide a response on this point. The Committee takes note of this situation with concern.

Rights of children in public care

In its previous conclusion, the Committee asked for statistics on the number of children placed in foster or family-type care as opposed to institutions. It also asked to be informed of the average size of an institution (Conclusions 2015).

In reply, the report states that out of the total of 29,231 children receiving assistance from the Child Welfare Services in 2021, 19,281 children received assistance in their own homes and the remaining 9,950 were placed in alternative care. There has been a reduction in the number of children placed in foster homes: in 2017, 10,345 children were in foster homes and in 2021 – 8,883 children. Of the latter, 2,621 children lived in family-type care and 5,718 lived in other foster homes, 544 were placed in emergency care. The institutions are situated in normal residential areas with no more than eight children living there at the same time.

Children in conflict with the law

The Committee has previously asked what the overall maximum permissible limit was for pre-trial detention, including extensions, and considered that if this information was not provided in the next report, there would be nothing to establish that the situation in Norway was in conformity with the Charter. It also asked for precise information about the measures taken to separate juveniles from adult prisoners in both pre-trial detention facilities and prisons and considered that if this information was not provided in the next report, there would be nothing to establish that the situation in Norway was in conformity with the Charter. The Committee also wished to be kept informed of the implementation of amendments to legal acts regarding juvenile sentences (Conclusions 2015).

The report states that there is no overall maximum permissible limit to the pre-trial detention of a minor but in general the prosecution decision shall be prepared within six weeks after the minor is charged and the trial should start within six weeks after the case is sent to the district court. The Committee considers that in order to be in conformity with the Charter, the pre-trial detention of children should not exceed six months. It appears from the Criminal Procedure Act that for children pre-trial detention must be as short as possible and should not exceed two weeks, and that upon the request from the prosecutor, it can be prolonged for two weeks at a time. In light of the information provided in the report that there is no overall permissible limit to the pre-trial detention of a minor, the Committee considers that the situation in Norway is not in conformity with Article 17§1 of the Charter on the ground that there is no maximum limit to the pre-trial detention of children.

The report also states that if it is deemed necessary to imprison a minor, they must be placed in a juvenile unit to separate them from adult offenders. The report states that, from time to time, there have been minors in prisons together with adults due to capacity problems in juvenile units but there have been separate youth teams in adult prisons.

The report states that the new non-custodial sanctions (youth punishment and youth follow-up) for young offenders were implemented in July 2014 and are executed by the Norwegian

Mediation Service. The length of the sentence can vary from six months to three years and the aim is to prevent children and young people from continuing to commit crimes. Between 2014 and September 2022, there were 450 cases of youth punishment and 3,000 cases of youth follow-up.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 17§1 of the Charter on the ground that there is no maximum limit to the pre-trial detention of children.

Article 17 - Right of children and young persons to social, legal and economic protection

Paragraph 2 - Free primary and secondary education - regular attendance at school

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that for the purposes of the present report, States were asked to reply to targeted questions for Article 17§2 of the Charter, as well as, where applicable, previous conclusions of non-conformity, deferrals or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the thematic group “Children, families and migrants”).

The Committee also recalls that in the General Introduction to Conclusions 2019, it posed general questions under Article 17§2 and asked States to provide, in the next report, information on measures taken to introduce anti-bullying policies in schools; and on measures taken to facilitate child participation across a broad range of decision-making and activities related to education.

In its previous conclusion, the Committee concluded that the situation in Norway was in conformity with Article 17§2 of the Charter (Conclusions 2015). The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions and the general questions.

The Committee notes that where the States have accepted Article 15§1 of the Charter, the right to education of children with disabilities is dealt with under that provision.

Costs associated with education

In the targeted questions, the Committee asked for information on measures taken to ensure that state allocation of resources to private education did not negatively impact on the right of all children to access free, quality public education.

The report states that children and young people have the right to free public primary and lower secondary education. Young people who have completed primary and lower secondary education, or the equivalent, are eligible for three years’ free, full-time upper secondary education and training. State allocation of resources to private education does not change these fundamental rights.

The voice of children in education

In the general questions, the Committee asked what measures have been taken by the State to facilitate child participation across a broad range of decision-making and activities related to education (including in the context of children’s specific learning environments).

The report provides some information on primary and lower secondary school curricula. The report then lists the themes chosen in the programmes and their content; for example, schools shall provide the pupils with the opportunity to participate in democratic life and learn what democracy means in practice, schools must be places where children and young people experience democracy and pupils must experience that they are heard in the day-to-day school affairs.

Anti-bullying measures

In the general questions, the Committee asked what measures have been taken to introduce anti-bullying policies in schools, i.e. measures relating to awareness raising, prevention and intervention.

The report states that the three most important measures to combat bullying in schools are as follows: the new school environment regulations that came into force on 1 August 2017; a

comprehensive competence package that strengthens employees' ability to prevent and deal with bullying in kindergartens and schools; the arrangement with bullying representatives in all counties, for children in kindergartens and schools.

Covid-19

In the context of the Covid-19 crisis, the Committee asked the States Parties to provide information on measures taken to address the effects of the Covid-19 pandemic on the education of children (including in particular disabled children, Roma and Traveller children, children with health issues and other vulnerable children).

The Committee recalls that under Article 17§2 of the Charter equal access to education must be ensured for all children during the Covid-19 crisis. In this respect, particular attention should be paid to vulnerable groups such as children from minorities, children seeking asylum, refugee children, children with disabilities, children in hospital, children in care, pregnant teenagers, children deprived of their liberty (Statement on Covid-19 and social rights, 24 March 2021).

The report states that in May 2021, the Government set up a working group to assess the consequences of the pandemic on schools. The working group delivered its report in June 2021; it states that the consequences of the pandemic on students varied greatly, depending on their geographical location and personal circumstances. Many vulnerable students who were experiencing difficulties before the pandemic were likely to suffer more negative consequences than other students. Most of the measures concern the reinforcement of existing structures in the school system.

The report also states that in order to help municipalities and counties to implement targeted measures locally, special grants were allocated between 2020 and 2022.

The report states that the Ministry of Education continues to monitor the short and long-term consequences of the pandemic on schools and day-care centres.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 17§2 of the Charter.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 1 - Assistance and information on migration

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 19§1 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children, families and migrants” thematic group).

In its previous conclusion (Conclusions 2015), Committee considered that the situation in Norway was in conformity with Article 19§1 of the Charter, pending receipt of the information requested.

The assessment of the Committee will therefore concern the information provided in the report in response to the questions raised in its previous conclusion.

Change in policy and the legal framework

In its previous conclusion, the Committee asked for information on relevant Action Plans and any measures which were being taken to ensure that discrimination against migrant workers was eradicated. (Conclusions 2015).

The report provides detailed information on the Action Plans developed by the authorities during the reference period, such as the Action Plan against Racism and Discrimination on the Grounds of Ethnicity and Religion 2020 – 2023, the Action Plan to combat Discrimination and Hatred towards Muslims 2020 – 2023, the Action Plan against Antisemitism 2021 – 2023. The report adds that a new action plan against racism and ethnic discrimination is being prepared by the Government and will be launched in 2023 (outside reference period). The plan is focused on racism and discrimination in the labour market and in other areas that particularly affect young people.

It is further reported that a major integration reform is carrying out with focus on investment in education, qualification and competence and the introduction of an Integration Act. For example, to enable immigrants to achieve a higher level of Norwegian language skills, the Social Services Act sets language training as a condition for receiving financial assistance.

The report also provides information on the measures taken by authorities, in particular by the Labour and Welfare offices (NAV), to provide integration support for migrants on the labour market, education and training. For example, as of October 2021, persons who are fully unemployed or fully laid off are eligible for education while receiving unemployment benefits.

The report indicates that, in 2021, the Government established a dedicated grant scheme against racism, discrimination, and hate speech. In order to be certified as an equal opportunity business, companies must document systematic work and procedures within seven areas of intervention.

Measures against misleading propaganda relating to emigration and immigration

In its previous conclusion, the Committee recalled that statements by public actors are capable of creating a discriminatory atmosphere. Racist misleading propaganda indirectly allowed or directly emanating from the state authorities constitutes a violation of the Charter (Centre on Housing Rights and Evictions (COHRE) v Italy, Complaint No. 58/2009, decision on the merits of 25 June 2010). The Committee stressed the importance of promoting responsible dissemination of information. It considered that in order to combat misleading propaganda, there must be effective organs to monitor discriminatory, racist or hate-inciting speech, particularly in the public sphere. The Committee asked what mechanisms exist in Norway to perform these functions (Conclusions 2015).

The report provides an overview of the relevant legal framework on discrimination (Equality and Anti-Discrimination Act) and on the duty of employers, public enterprises and public authorities to promote equality and to prevent discrimination. For example, public enterprises regardless of size, and private enterprises with more than 50 employees, shall apply a specified and systematic work method with four steps, when working proactively for equal opportunities in the enterprise. This duty also covers private enterprises with 20 to 50 employees, if requested by the employees or employee representatives. Enterprises with obligations to follow the four-step method, are obliged to report on their equality work. This report shall be given in the annual report or another document available to the general public.

The report further provides detailed information on the bodies and agencies promoting equality and non-discrimination, such as the Directorate for Children, Youth and Family Affairs which coordinates the Forum on Ethnic Discrimination, and the Equality and Anti-Discrimination Ombud (LDO). It indicates that LDO has the mandate to supervise the activity of public authorities and employers, including with regard to their obligation to report on their equality work. LDO is entitled to make follow-up visits to enterprises and may require access to the enterprises' documentation relating to the employers' equality and anti-discrimination work. In 2021, the Ombud received 257 inquiries concerning ethnic discrimination. Most of these cases concern discrimination in working life.

The report further indicates that the Anti-Discrimination Tribunal handles individual complaints about discrimination, and complaints about incomplete/lack of reporting on equality work by employers. The enforcement system consists of only one body. Appeals for the Tribunal's decisions shall be referred to the court system. The Tribunal can award compensation in discrimination cases.

In its previous conclusion, the Committee asked what other steps are being taken to combat human trafficking and other abuses of potentially vulnerable migrants (Conclusions 2015). Concerning measures taken to combat human trafficking, the Government refers to its latest report and evaluation round on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, transmitted to GRETA.

The report also refers to the new Action Plan to combat social dumping and work-related crime, which was launched by the Government 1 October 2022. The action plan was developed through dialogue with the main employer and employee federations. The action plan focuses on, among other things, strengthening cooperation with the social partners, strengthening labour rights, the prevention of worker exploitation and increased knowledge about work-related crime.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 19§1 of the Charter.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 2 - Departure, journey and reception

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 19§2 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children, families and migrants” thematic group).

In its previous conclusion (Conclusions 2015), the Committee deferred its conclusion, pending receipt of the information requested.

The assessment of the Committee will therefore concern the information provided in the report in response to the conclusion of deferral.

Immediate assistance offered to migrant workers

In its previous conclusion, the Committee recalled that reception must include not only assistance with regard to placement and integration in the workplace, but also assistance in overcoming problems, such as short-term accommodation, illness, shortage of money and adequate health measures (Conclusions IV (1975), Germany). Reception means the period of weeks which follows immediately from their arrival, during which migrant workers and their families most often find themselves in situations of particular difficulty (Conclusions IV, (1975) Statement of interpretation on Article 19§2). The Committee asked what specific steps are taken in the period following the arrival of migrants to assist them with matters such as those mentioned in the case-law of the Committee (Conclusions 2015).

The report indicates that persons who both have legal and habitual residence in Norway have full rights under the Act on Social Services in the Labour and Welfare Administration, including the right to receiving financial social assistance if needed. Financial assistance is a temporary assistance for those who are unable to financially support themselves. The act also includes the right to temporary accommodation for persons who have no place to stay the following night and are not able to find this on their own. Everyone has the right to apply for financial assistance and temporary accommodation, and to have the Labour and Welfare Office (NAV) conduct an individual assessment of their case.

The report indicates that the online information webpage “New in Norway” is currently being updated to a new platform. It also states that a commission on how to improve integration of labour immigrants started its work in August 2021. The commission reviews the competencies, employment, income and working conditions for labour immigrants over time, as well as participation in the civil society and experiences of discrimination.

The Committee also asked previously that the next report provides detailed information on the services available, in particular to migrants with temporary residence permits, upon arrival in Norway (Conclusions 2015).

The report indicates that membership of the National Insurance Scheme may be based upon residence or employment in Norway. The report clarifies that a person who is staying in Norway for a shorter period than 12 months, will not become insured under the National Insurance Scheme based solely on residence in Norway. However, if the person is occupationally active in Norway, he or she will become insured under the National Insurance Scheme based on the employment.

The report points out that for persons who claim coverage on the basis of employment, it is required that they have a legal right to work in Norway. As a general rule, all persons who are working as employees in Norway, are compulsorily insured under the National Insurance

Scheme. This includes also migrant workers with temporary residence permit. Through the membership, the migrant workers are entitled to health care in Norway.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 19§2 of the Charter.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 3 - Co-operation between social services of emigration and immigration states

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 19§3 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children, families and migrants” thematic group).

In its previous conclusion (Conclusions 2015), Committee considered that the situation in Norway was in conformity with Article 19§3 of the Charter, pending receipt of the information requested.

The assessment of the Committee will therefore concern the information provided in the report in response to the questions raised in its previous conclusion.

The Committee noted previously that there was no special regulation regarding contact or cooperation between the social services in Norway and the corresponding services in the migrant workers’ home countries. It also noted that, if necessary, contact must be made on a case-by-case basis (Conclusions 2015).

In its previous conclusion, the Committee asked under what circumstances it is envisaged that contact may be made, and who would be responsible for establishing the connections. It also requested that the next report provide evidence that such cooperation is possible and/or occurs in specific situations (Conclusions 2015).

The report indicates that the Act on Social Services in the Labour and Welfare Administration provides that the municipality shall give information, advice and guidance that can contribute to solving or preventing social problems. This service is based on the needs of the person and, if necessary, contact with corresponding services in the migrant workers’ home country must be made on a case-by-case basis.

The report further indicates that if a worker has returned to his or her home country after having worked in Norway, but he/she needs to claim unpaid wages or benefits or must deal with various issues in the country in which he/she was employed, various resources are still available, such as the Service Centre for Foreign Workers, or the Labour Inspection Authority.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 19§3 of the Charter.

Article 19 - Right of migrant workers and their families to protection and assistance

Paragraph 4 - Equality regarding employment, right to organise and accommodation

The Committee takes note of the information contained in the report submitted by Norway, the comments submitted by the Norwegian Human Rights Institution (NHRI) and the the Church City Mission ("Kirkens Bymisjon", 'CCM') respectively, and the reply to those comments submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 19§4 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the "Children, families and migrants" thematic group).

In its previous conclusion (Conclusions 2015), the Committee concluded that the situation in Norway was not in conformity with Article 19§4 of the Charter on the ground that a two-year residence requirement for eligibility for municipal housing, as applied by some municipalities, was excessive and constituted a discrimination against migrant workers and their families.

The assessment of the Committee will therefore concern the information provided in the report in response to the conclusion of non-conformity and to the questions raised in its previous conclusion.

Remuneration and other employment and working conditions

In its previous conclusion, the Committee asked that the next report provide statistical data and other evidence concerning the work of the Labour Inspection Authority, in particular in relation to the number of violations concerning the employment of migrant workers (Conclusions 2015). The report provides statistical data on the number of inspections with regard to violation of rules regarding the minimum wage divided by sectors of work such as construction, agriculture, passenger transport, accommodation, serving and catering, shipyard. Supervision has been carried out in the period 2017 – 2021.

Membership of trade unions and enjoyment of the benefits of collective bargaining

In its previous conclusion, the Committee referred to the Statement of Interpretation on Article 19§4 in the General Introduction (Conclusions 2015) and asked for information on the legal status of workers posted from abroad. It asked what legal and practical measures are taken to ensure equal treatment of posted workers in matters of employment, trade union membership and collective bargaining (Conclusions 2015).

The report indicates that the relevant national legislation regarding working conditions for posted workers is the Working Environment Act and Regulation No. 1566 of 16 December 2005 related to posted workers. The Regulation requires that national legislation regarding minimum pay, working hours and overtime pay, paid annual leave, occupational safety and health, conditions for temporary agency work and non-discrimination in work life (including the right to trade union membership and collective bargaining), apply to posted workers in the same manner as for national workers from the first day of the posting period. The Labour Inspection Authority supervises compliance with the Regulation.

Accommodation

In its previous conclusion, the Committee noted that immigrants who are registered in the National Population Register and have legal residence in Norway, are qualified for housing allowances and have the right, on equal terms with others, to be considered for the other financial housing instruments (Conclusions 2015). However, the Committee noted that there are no general guidelines established at central level, that in practice municipalities are free to decide about the length of the residence, and that most municipalities require two years of

residence in order to be assigned municipal housing. The Committee considered that the requirement of two years' residence prior to assignation of municipal housing is discriminatory as it prejudices migrants who recently arrived in Norway and require the same assistance as Norwegians. The Committee therefore considered that a two-year residence requirement is excessive and therefore not in conformity with Article 19§4 of the Charter (Conclusions 2015).

The report indicates that the municipalities have been given the primary responsibility for providing housing for disadvantaged groups. They are required by law to contribute to obtaining homes for people who are not able to ensure their own interest in the housing market. Many municipalities have guidelines as to whom should be given priority, e.g. which groups should be given priority in the allocation of social housing, and residence requirements as part of their criteria for public social housing. This applies to all applicants for municipal housing, both Norwegian citizens moving from one municipality to another and migrant workers and their families.

It is further reported that municipalities that practice residence requirements state that it is a necessary measure to limit the demand for municipal housing. The public social housing sector in Norway is relatively small (4,5–6,5 % of the rental housing in the major cities), and the municipalities are dependent on strict rules for allocating the dwellings at their disposal. A two-year restriction will for instance curb the influx of applicants to major cities.

The Committee notes that the situation which has been previously found in non-conformity with the Charter has not changed. It therefore maintains its conclusion of non-conformity on this point.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 19§4 of the Charter on the ground that a two-year residence requirement for eligibility for municipal housing, as applied by some municipalities, is excessive and constitutes discrimination against migrant workers and their families.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 5 - Equality regarding taxes and contributions

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 19§5 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children, families and migrants” thematic group).

In its previous conclusion (Conclusions 2015), Committee considered that the situation in Norway was in conformity with Article 19§5 of the Charter, pending receipt of the information requested.

The assessment of the Committee will therefore concern the information provided in the report in response to the questions raised in its previous conclusion.

In its previous conclusion, the Committee noted that, according to the national report, the situation, which it had previously considered to be in conformity with the Charter, had not changed (Conclusions 2015). The Committee requested, however, that the next report provide a full and up to date description of the legal framework regarding the taxation and contributions of migrant workers in relation to employment (Conclusions 2015).

The report provides detailed information on the rules of taxation. It states that an individual becomes a tax resident in Norway if he/she stays in Norway for more than 183 days during a twelve-month period, or for more than 270 days during a thirty six-month period. A non-resident is subject to limited tax liability for certain types of income from Norwegian sources. The limited tax liability applies to employment income from work performed in Norway, on the Norwegian continental shelf and on Norwegian ships.

The report outlines that a non-resident worker can choose between two ways of paying tax in Norway. They can either pay tax under the “Pay As You Earn” (PAYE)-scheme or under the general rules (simplified tax regime). The report describes the conditions of taxation and deductions applicable in respect of both regimes.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 19§5 of the Charter.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 6 - Family reunion

The Committee takes note of the information contained in the report submitted by Norway.

The Committee points out that no targeted questions were asked in reaction to Article 19§6 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current report cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

In its previous conclusion (Conclusions 2015), the Committee found the situation in Norway to be in conformity with the Charter and raised a number of questions.

In the present conclusion, the assessment of the Committee will therefore concern the information provided by the Government in response to the questions raised by the Committee in the previous conclusion (Conclusions 2015).

Conditions governing family reunion

In its previous conclusion (Conclusions 2015), the Committee noted that under Section 53 of the Immigration Act 2008, a spouse is entitled to renew their residence permit following the death of the sponsor, or after termination of the relationship where there is reason to assume that the spouse or a child has been abused during cohabitation. It also noted that a residence permit may also be granted where the foreign national, as a result of the breakdown of the marriage or cohabitation, will have unreasonable difficulties in his or her country of origin on account of the social or cultural conditions there. The Committee found the situation to be in conformity with the Charter, and asked whether the family member is liable to expulsion if the sponsor's residence permit is rescinded, and the sponsor is deported for reasons of national security or public interest.

In reply, the report indicates that in the case of expulsion of the sponsor, the immigration authorities will make an individual assessment of whether dependent family members fulfil the conditions for an independent residence permit. The authorities consider whether the family member should be granted a permit on “strong human considerations”.

The Committee recalls that once a migrant worker's family members have exercised the right to family reunion and have joined him or her in the territory of a State, they should have an independent right to stay in that territory (Conclusions XVI-1 (2002), Article 19§8, Netherlands). The Committee notes that under Section 41 of the 2008 Immigration Act, an applicant (i.e., family member) who has lived in a permanent and established relationship of cohabitation for at least two years with the sponsor, shall be entitled to a residence permit when the parties intend to continue their cohabitation. It also notes that Section 53 of this law, which was previously taken note of by the Committee, provides exceptions to this rule (death of the sponsor, abuse of children etc.). The Committee understands from Section 41 of the 2008 Law that family members' permits remain contingent upon the right to stay of the migrant worker for two years provided that the case does not fall under one of the exceptions under Section 53 of the Law. The Committee therefore considers that the situation is not in conformity with the Charter in this respect.

In its previous conclusion (Conclusions 2015), the Committee recalled that social benefits must not be excluded from the calculation of the income of a migrant worker who has applied for family reunion (Conclusions 2011, Statement of interpretation of Article 19§6). The Committee noted that a number of benefits, except unemployment benefit, may be included in the calculation, such as sickness benefit, educational support, and payments under the Introduction Act. The Committee also noted that conversely, payments of financial support under the Social Services in Labour and Welfare Administration Act in the year prior to application may disqualify the sponsor from family reunion. The Committee requested

confirmation that this refers to a specific category of unallocated financial support, and does not refer to national insurance payments or housing allowances.

In reply, the report indicates that payments of financial support under the Social Services Act in the year prior to an application may disqualify the sponsor from family reunification. According to the report, this does not refer to other kinds of financial support, such as payments under the National Insurance Act.

In its previous conclusion (Conclusions 2015), the Committee requested up to date information on any requirements imposed for eligibility for family reunion, including, for example, accommodation, health, or length of residence.

In reply, the report indicates that the reference person must hold a permanent residence permit or a permit that can form the basis for permanent residence. The reference person must also fulfil the income requirement, which is NOK 300,988 (approximately, € 26,106) per year pre-tax. Considering that according to the figures provided by the OECD, the average yearly wage in Norway is NOK 605,119, the Committee concludes that the situation is in conformity with Article 19§6 in this respect.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 19§6 of the Charter on the ground that family members of a migrant worker do not have independent right to stay following family reunification.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 7 - Equality regarding legal proceedings

The Committee takes note of the information contained in the report submitted by Norway.

The Committee points out that no targeted questions were asked in relation to Article 19§7 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

In the previous conclusion (Conclusions 2015), pending receipt of the information requested, the Committee found the situation in Norway to be in conformity with Article 19§7 of the Charter. In the present conclusion, the assessment of the Committee will therefore concern the information provided in response to the previous questions raised by the Committee.

In the previous conclusion (Conclusions 2015), the Committee took note of the legal provisions concerning legal aid provided by the local and central government to cover the costs of litigation. It also noted that foreigners applying for legal aid in Norway are treated the same way as Norwegians. Referring to its statement of interpretation on the rights of refugees under the Charter, the Committee asked under what conditions refugees and asylum seekers may receive legal aid.

In reply, the report states that refugees and asylum seekers may receive legal aid on the same conditions as Norwegians and foreigners in general. In addition, asylum seekers have the right to legal aid without means testing in certain cases.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 19§7 of the Charter.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 9 - Transfer of earnings and savings

The Committee takes note of the information contained in the report submitted by Norway.

The Committee points out that no targeted questions were asked in relation to Article 19§9 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

In the previous conclusion (Conclusions 2015), the Committee found the situation in Norway to be in conformity with Article 19§9 of the Charter and raised a question. The assessment of the Committee in the present conclusion will therefore concern the information provided in response to its previous question.

In the previous conclusion (Conclusions 2015), the Committee, referring to its Statement of Interpretation on Article 19§9 (Conclusions 2011), asked whether there were any restrictions on the transfer of the movable property of migrant workers.

The report indicates that there are no limits in Norwegian legislation on the right to transfer money into or out of the country. Notification of cross-border money transfer is regulated in the Currency Register Act of 28 May 2004. Banks and other financial institutions must report to the register all cross-border transactions in and out of Norway. If a transaction out of Norway exceeds NOK 100,000, the purpose of the transaction must also be registered (in categories). Cross border cash transfers of NOK 25,000 or more (or equivalent in other currencies) must be declared to the Norwegian Customs and Excise Authority, who will report this to the currency register. According to the Act on financing institutions and financial groups, regular cross-border money transfer operations may only be carried out by banks, finance companies and credit institutions, including branches of credit institutions authorised in the European Economic Area. Branches of credit institutions authorised outside the European Economic Area are required to have authorisation to carry on financing activity in Norway.

The Committee does not find any limitation or restriction on the transfer of movable property in the laws referred to in the report.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 19§9 of the Charter.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 10 - Equal treatment for the self-employed

The Committee takes note of the information contained in the report submitted by Norway.

On the basis of the information in the report the Committee notes that there continues to be no discrimination in law between migrant employees and self-employed migrants in respect of the rights guaranteed by Article 19.

However, in the case of Article 19§10, a finding of non-conformity in any of the other paragraphs of Article 19 ordinarily leads to a finding of non-conformity under that paragraph, because the same grounds for non-conformity also apply to self-employed workers. This is so where there is no discrimination or disequilibrium in treatment.

The Committee has found the situation in Norway not to be in conformity with Articles 19§4 and 19§6 of the Charter. Accordingly, for the same reasons as stated in the conclusions on the abovementioned Articles, the Committee concludes that the situation in Norway is not in conformity with Article 19§10 of the Charter.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 19§10 of the Charter as the grounds of non-conformity under Articles 19§4 and 19§6 apply also to self-employed migrants.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 11 - Teaching language of host state

The Committee takes note of the information contained in the report submitted by Norway.

The Committee points out that no targeted questions were asked in relation to Article 19§11 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

In the previous conclusion (Conclusions 2015), the Committee found the situation in Norway to be in conformity with Article 19§11 of the Charter and raised a number of questions.

In the previous conclusion (Conclusions 2015), the Committee noted that since 2005 it had been compulsory for new adult immigrants between the ages of 16 and 55 to participate in the language learning scheme if they hold permanent residence permits. The Committee also took note that residents of EEA/EFTA (European Economic Area/European Free trade Association Agreement) countries are not covered and are neither obliged to participate nor entitled to free tuition. The Committee asked whether they are able to participate in the courses as paying students, and whether financial assistance is available for those who cannot afford to pay.

In reply, the report indicates that immigrants from countries within EEA/EFTA are able to participate in the courses as paying students. They are then either paying for the language training themselves or they have an employer who is covering the costs. As of 2021, a new voucher scheme gives all immigrants, regardless of how long they have been in Norway, the opportunity to register for language training. Notably, via this new system, migrants who are otherwise not entitled to free language training, such as EEA citizens, will be able to receive language training worth up to NOK 10,000 (about EUR 1,000). The scheme aims to contribute for participants to gradually learn Norwegian at an A2/B1 level or higher.

In the previous conclusion (Conclusions 2015), the Committee took note that refugees and others granted residence permits on humanitarian grounds are provided free tuition. It asked for clarification of precisely which groups of migrants must pay for the obligatory classes, and who are entitled to free education.

In reply, the report indicates that refugees, humanitarian migrants and their families (aged 18 to 67) and family members reunited with persons who have permanent residency from countries outside the EEA/EFTA area (aged 18 to 67) have a right and obligation to Norwegian language training (free tuition). Third country labour immigrants, if eligible for permanent residence, are obliged to participate in language training and social studies, but only for 300 hours. They must pay a fee to the provider of the course. Citizens from EEA/EFTA-countries, using their right to free mobility, have neither the right nor a duty to participate in such training.

In the previous conclusion (Conclusions 2015), the Committee noted that that migrants were expected to enrol as soon as possible in education. The Committee also noted a small discrepancy in the representation of men and women on language courses persists across other years for which data is provided in the report. The Committee asked whether steps are being taken to improve enrolment figures, in particular amongst women.

In reply, the report states that in 2020, 4,942 (new) persons got a right and obligation to participate in Norwegian language training. Of these 48 % started the training within three months. 70 % had started within six months. 53 % of eligible men had started the training within three months, while 46 % of eligible women had started within three months. The municipalities hold the responsibility for starting the training as soon as possible or within three months after the person is registered in the municipality. The Directorate for Integration and Diversity (IMDi) has implemented different measures to follow up the municipalities to improve

the enrolment figures. Statistics Norway produces statistics on the participation in Norwegian Language Training and Social Studies. During 2021, 21,500 persons participated in the training, compared to 26,100 in 2020. Almost 67 per cent of the participants were women, an increase from 65 per cent in 2020.

The report also provides detailed information and statistics about the results of language and social studies tests for foreigners. It also provides that asylum seekers residing in a reception centre are offered 175 hours of Norwegian language training by the municipality, free of charge. In 2021, 76 per cent of the asylum seekers residing in reception centres received such training, compared to 51 per cent in 2020.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 19§11 of the Charter.

Article 19 - Right of migrant workers and their families to protection and assistance
Paragraph 12 - Teaching mother tongue of migrant

The Committee takes note of the information contained in the report submitted by Norway.

The Committee points out that no targeted questions were asked in relation to Article 19§12 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

In the previous conclusion (Conclusions 2015), pending receipt of the information requested, the Committee found the situation in Norway to be in conformity with Article 19§12 of the Charter. The assessment of the Committee will therefore concern the information provided in response to the previous questions.

In the previous conclusion (Conclusions 2015), the Committee noted that Sections 2 to 8 of the Education Act provide for the adapted education of children whose mother tongue is not Norwegian or Sami until they are sufficiently proficient to follow ordinary instruction. The Committee also noted that the law states that “if necessary, such students are also entitled to mother tongue instruction, bilingual subject teaching, or both”. It asked what is deemed to be meant by “necessary” in this context, and whether all who request it are given instruction in their mother tongue.

In reply, the report indicates that pupils with a mother tongue other than Norwegian or Sami have the right to mother tongue instruction under the Education Act Section 2-8 if this is deemed necessary. The mother tongue instruction comes in addition to the adapted instruction in the Norwegian language which these pupils are entitled to until they are sufficiently proficient in Norwegian to follow the normal instruction of the school. The main purpose of mother tongue instruction is to strengthen the pupils' prerequisites for mastering the Norwegian language, and thus also increasing their learning outcomes. The school shall consider whether mother tongue instruction is necessary, based on an assessment of the pupil's needs and pedagogical grounds.

The report provides also detailed information on several digital resources have been developed over several years to support schools and newly arrived children. The report also provides that the scheme Flexible education offers distance education organised by the National Centre of Multicultural Education (NAFO) and offers bilingual subject teaching online within mathematics and science (according to the Norwegian curricula) for these languages: Arabic, Somali and Tigrinya.

In the previous conclusion (Conclusions 2015), the Committee asked that the next report provide statistics concerning the number of children eligible for and receiving education in their mother tongue.

In reply, the report provides detailed statistics on the number of pupils (10,374 during the reference period) in mother tongue training, pupils in mother-tongue training and bilingual training, Pupils with only bilingual subject training and Pupils with only facilitated training in 93 foreign languages.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 19§12 of the Charter.

Article 27 - Right of workers with family responsibilities to equal opportunity and treatment

Paragraph 1 - Participation in working life

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 27§1 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

As the previous conclusion (Conclusions 2015) found the situation in Norway to be in conformity with Article 27§1 the Charter, there was no examination of the situation in 2023 on this point. Therefore, the Committee reiterates its previous conclusion.

Covid-19

In the context of the Covid-19 crisis, the Committee asked all States to provide information on whether the Covid-19 crisis had an impact on the rights of workers with family responsibilities to equal opportunities and treatment, in particular on the possibilities to work remotely and its consequences.

According to the report, the Covid-19 crisis had no impact on the rights of workers with family responsibilities.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 27§1 of the Charter.

Article 27 - Right of workers with family responsibilities to equal opportunity and treatment

Paragraph 2 - Parental leave

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that no targeted questions were asked for Article 27§ 2 of the Charter. For this reason, only States in relation to which the previous conclusion had been a conclusion of non-conformity, deferral or conformity pending receipt of information were required to provide information for this provision in the current reporting cycle (see the appendix to the letter in which the Committee requested a report on the implementation of the Charter in respect of the provisions relating to the “Children families and migrants” thematic group).

As the previous conclusion (Conclusions 2015) found the situation in Norway to be in conformity with Article 27§2 the Charter, there was no examination of the situation in 2023 on this point. Therefore, the Committee reiterates its previous conclusion.

Covid-19

In the context of the Covid-19 crisis, the Committee asked all States to provide information on whether the Covid-19 crisis had an impact on the rights of workers with family responsibilities to parental leave.

According to the report, during the Covid-19 crisis (until 31 December 2020), there were two exceptions from provisions regulating the postponing or the transfer of parental leave to the other parent. A parent who is too ill or too injured to take care of the child needs a medical certificate when applying to the Labour and Welfare Administration to postpone parental leave or transfer it to the other parent. During the Covid-19 crisis, parents were allowed to self-declare their health status. Furthermore, parents working in so-called vital functions in society (health care) could during the Covid-19 pandemic be called in to work on short notice. To guarantee that these parents would not lose their parental leave, they were not required to actively apply to the Labour and Welfare Administration in order to postpone the full-time parental leave or ensure they are granted the combination of part-time work and part-time parental leave.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 27§2 of the Charter.

Article 31 - Right to housing
Paragraph 1 - Adequate housing

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 31§1 of the Charter, as well as, where applicable, previous conclusions of non-conformity, deferrals, or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the thematic group “Children, families and migrants”).

In its previous conclusion, the Committee concluded that the situation in Norway was in conformity with Article 31§1 of the Charter (Conclusions 2015). The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

Criteria for adequate housing

In a targeted question, the Committee asked for updated information on the adequacy of housing (e.g., number of substandard dwellings, overcrowding, water, heating, sanitary facilities, electricity), on the percentage of the population living in inadequate housing, including overcrowded housing, and on the practical measures taken to improve the situation.

The report provides information from an official survey conducted in 2018, which found that 98% of the households were mostly content with their dwelling. The same survey found that, among others, 6% households experienced rot and dampness and 4% lacked access to daylight. Another study published in 2021 revealed that approximately 6% of households experienced overcrowded conditions, an indicator that remained relatively stable over the years.

The report notes that, in 2021, 82% of the population were owner-occupiers. At the same time, approximately 165,000 people were disadvantaged in the housing market, a reduction of around 10,000 people compared to 2020. A nationwide study on homelessness conducted in 2020 found a total of 3,325 homeless persons, a reduction of 15% compared to the previous mapping study carried out in 2016.

Different state agencies share responsibility in the area of housing. The Ministry of Local Government and Regional Development is responsible for national housing policies. Local authorities are dutybound to provide assistance to persons who are disadvantaged in the housing market, a category that includes those living in inadequate housing, by, among others, managing social housing. The Government adopted and is implementing the national strategy on social housing “We all need a safe place to call home 2021 - 2024”, which sets out the goals and measures for improving the housing situation of people who are disadvantaged in the housing market. The Housing Bank is responsible for implementing social housing policies, by providing local authorities with loans and grants, as well as with advice and support on social housing.

Responsibility for adequate housing

The Committee previously found the situation to be in conformity in this respect (Conclusions 2019).

Legal protection

The Committee previously found the situation to be in conformity in this respect (Conclusions 2019).

Measures in favour of vulnerable groups

In a targeted question, the Committee asked for information on the measures taken to ensure adequate housing for vulnerable groups, including refugees, asylum seekers, Roma and Travellers, in particular during the Covid-19 crisis.

The report notes that vulnerable groups equally benefit from generally available housing support measures. The state offers housing allowances and start up loans. The housing allowance is described as a means-tested, rights-based government grant for permanent residents with low income and high housing expenses. In 2021, of 160,000 households that applied, 116,000 households were declared eligible for housing allowances which amounted to a total of NOK 2.7 billion. The refusal to grant a housing allowance is subject to appeal. The report provides a detailed table with information regarding the number of persons declared eligible for a housing grant during each year of the reference period, the average amount awarded, the monthly housing expenses, the monthly income, the share of households with children, the share of owner-occupied housing and rental housing respectively, and the reasons for refusals.

Start-up loans are described as helping people who experience problems with getting a mortgage to buy or improve their home. Start-up loans are state-financed and managed by local authorities. In 2021, 7,391 households received a start-up loan, which were mostly used for buying a home (around 5,700 households), or for refinancing existing loans (around 1,000 households). Almost 60% of the borrowers were households with children.

The report describes several measures designed to support vulnerable households during the pandemic. To assist low-income households with high housing costs, the housing allowance allocation was increased by NOK 500 million for the period between April and October 2020. As a result of adjustments made to the housing allowance scheme, over 100,000 households received increased benefits in 2020, for a total of NOK 407 million.).

The Housing Bank's loan facility for 2020 was increased by NOK 5 billion. Housing Bank mortgage holders were offered repayment deferrals of up to six months, without demanding a documented reason, for a total of NOK 6 million. In 2020, local authorities approved more applications for start-up loans for the purposes of refinancing existing loans. The report notes that very few beneficiaries of start-up loans defaulted on their payments during this time.

Conclusion

The Committee concludes that the situation in Norway is in conformity with Article 31§1 of the Charter.

Article 31 - Right to housing

Paragraph 2 - Reduction of homelessness

The Committee takes note of the information contained in the report submitted by Norway, the comments submitted by the Norwegian Human Rights Institution (NHRI) and the Church City Mission (*Kirkens Bymisjon*) respectively, and the reply to those comments submitted by Norway.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 31§2 of the Charter, as well as, where applicable, previous conclusions of non-conformity, deferrals, or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the thematic group "Children, families and migrants").

In its previous conclusion, the Committee concluded that the situation in Norway was in conformity with Article 31§2 of the Charter, pending receipt of the information requested (Conclusions 2015). The assessment of the Committee will therefore concern the information provided in response to the questions raised in its previous conclusion and to the targeted questions.

Preventing homelessness

In a targeted question, the Committee asked for information on the measures taken to prevent categories of vulnerable people from becoming homeless and to reduce the number of persons in a situation of homelessness, in particular during the Covid-19 crisis. The Committee also asked for information on the overall number/rate of homeless persons.

The report provides information about the change in direction with respect to the problem of homelessness which has been implemented since the beginning of the 2000s, by replacing the staircase model, predicated on the idea that people must gradually earn their way to a suitable home, with a housing first strategy, which considers suitable housing as the basis for recovery. The report asserts that this change has resulted in a notable decrease in the number of people in a situation of homelessness from 6,259 persons nationwide in 2012 to 3,325 people in 2020. The national mapping study carried out in 2020 further indicates that of the 3,325 homeless people registered, 3.6% lacked any type of shelter (the so called 'rough sleepers'), 31% lived in temporary housing and 30% lived with friends and relatives. Furthermore, 20% of that number became homeless after having been evicted and 8% became so due to unpaid bills.

In response to a question asked by the Committee in the previous conclusion, the report notes that the "Housing for Welfare (2014-2020)" strategy document had positive results, reflected among others in the reduction of the number of persons in a situation of homelessness. The evaluation of the strategy found improved indicators with respect to the living conditions of households with children and of persons with addiction and mental health issues, as well as in terms of the performance of local authorities. The evaluation also indicated a need to strengthen user participation in the social housing area.

The current national strategy "We all need a safe place to call home (2021–2024)" includes the elimination of homelessness among its three focus areas. The strategy envisages the need to improve coordination across welfare sectors and administrative levels. For instance, the Housing Bank established a partnership with the local authorities with the highest number of homeless persons for the purposes of sharing knowledge, best practices, and developing innovative measures for reducing homelessness.

The report describes several measures designed to support vulnerable households during the pandemic. To assist low-income households with high housing costs, the housing allowance allocation was increased by 500 million Norwegian krone (NOK) for the period between April and October 2020. As a result of adjustments made to the housing allowance scheme, over

100,000 households received increased benefits in 2020, for a total of NOK 407 million. The report indicates that additional provision was made to cover the housing needs of homeless people during the pandemic, which however remained under-utilised. Local authorities took further measures to secure adequate housing for households with children.

The Housing Bank's loan facility for 2020 was increased by NOK 5 billion. Housing Bank mortgage holders were offered repayment deferrals of up to six months, without demanding a documented reason, for a total of NOK 6 million. In 2020, local authorities approved more applications for start-up loans for the purposes of refinancing existing loans. The report notes that very few beneficiaries of start-up loans defaulted on their payments during this time.

Forced eviction

In a targeted question, the Committee asked if the State Party declared a moratorium/prohibition on evictions during the pandemic, about its legal basis, its scope, or, alternatively, if any other measures were taken to limit the risk of evictions, including by supporting households who are unable to pay their bills. The Committee also asked for information on the number of evictions carried out (tenant evictions, evictions from illegal camps or shanty towns, including those affecting camps where Roma or Travellers are installed).

The report notes that no moratorium/prohibition on evictions was in place during the pandemic. However, the number of forced evictions overall decreased during the reference period, with 2,348 evictions in 2018, 2,314 in 2019, 1,804 in 2020 and 1,886 in 2021. The report notes that the Housing Bank had special measures in place to avoid the risk of evictions, such as reinforced monitoring of households that missed utility payments and make grants available for especially vulnerable households.

The report provides a detailed account of the legislative framework governing forced evictions, which the Committee has previously found to be in conformity with the Charter (Conclusions 2007, 2011, 2015).

The report also provides information on the procedures in place for recovering debt from unpaid bills for water, heating, sanitary facilities, electricity, waste collection etc. In this context, the report emphasises that disconnection or interruption of those services is an exceptional measure, as any debt can usually be secured through other, less intrusive ways. The report notes that the number of evictions for non-payment of debts decreased during the pandemic, and posits that tenants prioritised paying household bills during this time.

Right to shelter

In a targeted question, the Committee asked for information on the characteristics from a health and safety perspective, as well as on the sufficiency of emergency accommodation offered during the Covid-19 crisis. The Committee also asked for information on the right to shelter of unaccompanied foreign minors, including those irregularly present, in law and practice.

In its previous conclusion, the Committee asked if emergency accommodation/shelter was provided to persons, such as adults and children, whose asylum claims have been rejected and are in a situation of need (Conclusions 2015).

The report notes that pursuant to Section 95 of the Immigration Act, unaccompanied asylum-seeking minors above the age of 15 are accommodated in reception centres, whereas pursuant to chapter 5A of the Child Welfare Act, unaccompanied asylum-seeking minors under the age of 15 are accommodated in child welfare institutions. While asylum seekers are not required to do so, receiving benefits is conditional on them staying in a reception centre. Section 95 of the Immigration Act further requires that asylum seekers are offered accommodation from the time they submit an application for protection until there is an enforceable decision from the immigration administration. Furthermore, it follows from Section

95 of the Immigration Act that a foreigner whose application for protection has been refused can be offered accommodation pending departure.

The report provides further information about the availability and adequacy of emergency accommodation/shelters that the Committee has previously found to be in conformity with the Charter (Conclusions 2015). Notably, the report provides data on the number of households in temporary accommodation during the reference period, namely 4,282 in 2018, 4,395 in 2019, 4,502 in 2020 and 4,415 in 2021.

The Kirkens Bymisjon, in its comments, alleges that low-income European Union/European Economic Area (EU/EEA) migrants are systematically excluded from emergency accommodation and social welfare programs. The Kirkens Bymisjon notes that the members of the group in question, a sizable share of whom are Romanian Roma, are extremely vulnerable due to a combination of factors such as insecure and low-paid jobs or poor language skills, and that they often find themselves in a situation of acute homelessness. The Kirkens Bymisjon asserts that low-income EU/EEA migrants are not generally covered by official surveys on homelessness and housing conditions, or by national housing policies and strategies. Low-income EU/EEA migrants are *de facto* excluded from housing assistance and emergency housing programs through the restrictive application of eligibility criteria related to legal residence and legal domicile, that are ill-suited to their particular circumstances. The Kirkens Bymisjon further claims that municipalities interpret their legal obligations towards this group narrowly, as being limited to providing accommodation when sleeping outdoors poses a danger to life and health and then only for a limited period. The existing shelter/emergency accommodation provision in many urban centres, either in the public or non-profit sectors, does not meet actual demand. In its comments, the NHRI endorsed the claims made by the Kirkens Bymisjon as regards the housing situation of low-income EU/EEA migrants. In its reply, the Government stated that the issues raised are currently under review.

The Committee recalls that nationals of other States Parties to the Charter and to the 1961 Charter lawfully residing or working regularly are entitled to equal treatment with regard to access to housing benefits (Conclusions 2019, Italy). Furthermore, the right to affordable housing must not be subject to any kind of discrimination on any grounds mentioned by Article E of the Charter. The Committee concludes that the situation in Norway is not in conformity with Article 31§2 of the Charter on the ground that nationals of other States Parties to the Charter lawfully residing or regularly working in Norway do not enjoy equal access to housing benefits and/or shelter/temporary accommodation.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 31§2 of the Charter on the ground that nationals of other States Parties to the Charter lawfully residing or regularly working in Norway do not enjoy equal access to housing benefits and/or shelter/temporary accommodation.

Article 31 - Right to housing
Paragraph 3 - Affordable housing

The Committee takes note of the information contained in the report submitted by Norway.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 31§3 of the Charter, as well as, where applicable, previous conclusions of non-conformity, deferrals, or conformity pending receipt of information (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the thematic group “Children, families and migrants”).

In its previous conclusion, the Committee concluded that the situation in Norway was in conformity with Article 31§3 of the Charter, pending receipt of the information requested (Conclusions 2015). The assessment of the Committee will therefore concern the information provided in response to the questions raised in its previous conclusion and to the targeted questions.

Social housing

In a targeted question, the Committee asked for information on the measures taken to ensure an adequate supply of affordable housing, including with respect to the number of applications for social housing, the average waiting time for the attribution of social housing, the remedies available, and addressing the specific situation of Roma and Travellers. The Committee also asked for information as to whether and to what extent the Covid-19 crisis had an impact on adequate supply of affordable housing for persons with limited resources.

In its previous conclusion, the Committee reiterated its longstanding request for data on the demand for municipal housing and on average waiting lists for such housing (Conclusions 2015, 2011, 2005). The report notes that social housing comes within the purview of local authorities, which have their own regulations or guidelines in this respect. The report further includes a table with the number of applications for social housing introduced (ranging from 37,944 in 2018 to 37,574 in 2021), granted (ranging from 19,646 in 2018 to 18,655 in 2021) and refused (ranging from 10,979 in 2018 to 9,731 in 2021) during the reference period. However, as on previous occasions, the report notes that no data is available on the local criteria for granting social housing, the reasons for refusals, waiting time or waiting lists, due to insufficient reporting by local authorities.

The report further notes that work is ongoing on developing a digital solution for managing social housing, which should make applying for social housing easier. Once the new system is deployed in 2023, it will provide better data about the social housing stock, the profile of the applicants, waiting time and refusals, among others. Furthermore, a new draft bill published in 2022 seeks to clarify the local authorities’ responsibilities as regards social housing. The proposed law also strengthens the local authorities’ duty to gather data on the housing needs of disadvantaged individuals within their jurisdiction, and to make plans on how they should be met.

The Committee recalls that the requirement to maintain statistics is particularly important in the case of the right to housing because of the range of policy responses involved, the interaction between them and the unwanted side-effects that may occur as a result of this complexity (*International Movement ATD Fourth World (ATD) v. France*, Complaint No. 33/2006, decision on the merits of 5 December 2007, § 63). The Committee further notes that in the absence of a full set of data on relevant indicators, it is unable to fulfil its monitoring mission. Therefore, the Committee concludes that the situation in Norway is not in conformity with Article 31§1 of the Charter on the ground that no data is gathered on the average waiting time for the attribution of social housing.

The report notes that, in 2021, the Housing Bank granted loans and grants for building a total of 745 social housing units. In 2020 and 2021, the Housing Bank provided local authorities

with grants for innovative housing solutions for persons with addiction and mental health issues.

Housing benefits

In a targeted question, the Committee asked for information on housing benefits, whether in the framework of the housing benefit system, or in the framework of social assistance.

The report provides information about housing allowances and start up loans. The housing allowance is described as a means-tested, rights-based government grant for people with low income and high housing expenses, who are permanent residents. In 2021, some 160,000 households applied for, and about 116,000 households were granted a housing allowance, for a total of 2.7 billion Norwegian krone (NOK). The refusal to grant a housing allowance is subject to appeal. The report provides a detailed table with information regarding the number of persons eligible for a housing grant during each year of the reference period, the average amount awarded, the monthly housing expenses, the monthly income, the share of households with children, the share of owner-occupied housing and rental housing respectively, and the reasons for refusals.

Start-up loans are described as helping people who experience problems with getting a mortgage to buy or improve their home. Start-up loans are financed by the State and managed by local authorities. In 2021, 7,391 households received start-up loans, most of which were used for buying a home (around 5,700 households), or for refinancing existing loans (around 1,000 households). Almost 60% of the borrowers were households with children.

Conclusion

The Committee concludes that the situation in Norway is not in conformity with Article 31§3 of the Charter on the ground that no data is gathered on the average waiting time for the allocation of social housing.