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# FIFTH EVALUATION ROUND

Preventing corruption and promoting integrity in  
central governments (top executive functions) and  
law enforcement agencies

## COMPLIANCE REPORT

# NORWAY



Adopted by GRECO  
at its 92<sup>nd</sup> Plenary meeting (Strasbourg, 28 November-2 December 2022)



Group of States against Corruption  
Groupe d'États contre la corruption

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

## **INTRODUCTION**

1. The fifth GRECO evaluation round concerns “Preventing corruption and promoting integrity in central governments (persons entrusted with top executive functions, PTEFs) and law enforcement agencies (LEA)”.
2. This Compliance Report assesses the measures taken by the authorities of Norway to implement the recommendations made in the [Fifth Round Evaluation Report on Norway](#) which was adopted by GRECO at its 86<sup>th</sup> plenary meeting (26-30 October 2020) and made public on 15 January 2021, following authorisation by Norway (GrecoEval5Rep(2019)4).
3. As required by GRECO’s Rules of Procedure<sup>1</sup>, the authorities of Norway submitted a Situation Report containing information on measures taken to implement the recommendations in the Evaluation Report. That report was received on 30 May 2022 and served, together with additional information, as a basis for this compliance report.
4. GRECO selected Sweden (in respect of top executive functions in central governments) and Albania (in respect of law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed - Ms Anna Olsson for Sweden and Ms Adea Pirdeni for Albania – were assisted by the GRECO Secretariat in drawing up this report.
5. The Compliance Report examines the implementation of each individual recommendation contained in the Evaluation Report and gives an overall appraisal of the level of the member’s compliance with these recommendations. The implementation of any outstanding recommendations (partly or not implemented) will be assessed on the basis of a further Situation Report to be submitted by the authorities 18 months after this Compliance Report is adopted.

## **II. ANALYSIS**

6. GRECO addressed 14 recommendations to Norway in its Evaluation Report. Compliance with these recommendations is dealt with below.

*Preventing corruption and promoting integrity in central governments (top executive functions)*

### **Recommendation i**

7. *GRECO recommended that (i) dedicated training on ethics, conflicts of interest and corruption prevention is systematically provided to persons entrusted with top executive functions at the start of their term and on a regular basis throughout their term of office; and (ii) a system is established to ensure consistency of interpretation among those responsible for giving advice on ethical matters.*

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<sup>1</sup> The compliance procedure for the Fifth Evaluation Round is governed by GRECO’s Rules of Procedure as amended. See Rule 31 revised bis and Rule 32 revised bis.

8. The Norwegian authorities report that on appointment, ministers, State secretaries and political advisers (PTEFs) receive an email from the Office of the Prime Minister (OPM) containing information about relevant regulations pertaining to ethical conduct, including a link to the Political Leadership Handbook which was revised in 2021 (the Revised Handbook) in view of GRECO's recommendations. The [Revised Handbook](#) addresses several general issues, describes the role of members of political leadership and contains the key legal provisions and guidelines in place in respect of such officials. It also addresses relevant questions before or in connection with the accession to a political leadership position. Subsequent to the appointment of a new Government, the OPM also provides a compulsory one-day training to all PTEFs, covering, amongst other things, matters relating to the rules on impartiality, restrictions on the right to hold secondary positions, handling of gifts received during service, the rules on record keeping, archiving and public disclosure of documents and confidentiality. The current government took office on 14 October 2021 and a compulsory one-day training to ministers, state secretaries and political advisers was provided on 16 October 2021. On the day of the removal from office of the Government, the OPM sends the PTEF an e-mail referring to the Revised Handbook and issues relevant to his or her resignation, also describing, when appropriate, the possibilities for severance payment. It also contains a reminder of the quarantine regulations (post-employment restrictions).
9. GRECO notes that, as regards part (i) of the recommendation, a mandatory one-day training was provided to the current Government when it took office. As the authorities have yet to demonstrate that training is being provided to PTEFs on a regular basis, GRECO considers that this part of the recommendation has been partly implemented. Concerning part (ii) of the recommendation, the authorities have not provided any information.
10. GRECO concludes that recommendation i has been partly implemented.

#### **Recommendation ii**

11. *GRECO recommended (i) introducing rules/principles and guidance on how persons entrusted with top executive functions engage in contacts with lobbyists and other third parties seeking to influence governmental processes and decisions, and (ii) increasing the transparency on the purpose of such contacts (formal and informal), such as the identity of the person(s) with whom (or on whose behalf) the meeting(s) took place and the specific subject matter(s) of the discussion.*
12. The Norwegian authorities report that, as a rule, all correspondence, including text messages, posts in social media and similar written documents or emails, with private individuals and companies or organisations are registered in the ministry's journals if the correspondence relates to the ministry's area of responsibility or activities. Section 4.2 of the Revised Handbook on Rules on documents and information management states that the PTEF is responsible for assessing, on a case-by-case basis in view of the factual content, whether the correspondence received from third parties is connected to his/her area of responsibility. The correspondence received is connected to the PTEF's area of responsibility if it relates to the area of the PTEF's governmental responsibility

or the activities of the ministry to which the PTEF belongs. The correspondence is otherwise referred to as “the administration’s case document” and is subject to registration and archiving obligation as well as the right of access to information legislation and its possible limitations. Whenever a meeting with private individuals or companies or organisations takes place, a written summary is to be prepared in accordance with established practice. Meeting summaries may be disclosed to members of the public in accordance with the provisions of the Freedom of Information Act. The same applies to oral information which is written down or recorded.

13. GRECO notes that as regard the first part of the recommendation, section 4.2 of the Revised Handbook requires PTEFs to register and archive all correspondence (text messages, emails, social media requests, letters and alike) received from third parties, otherwise referred to as “the administration’s case document”, which is a step in the right direction. However, there are no other rules or guidance on how PTEFs should engage in contacts with lobbyists and third parties. Furthermore, compliance with the above requirements and the determination as to what may constitute “the administration’s case document” is left entirely in the hands of PTEFs, there being no administrative consequences for failing to register, archive or properly disclose “the administration’s case document”. In such circumstances, this part of the recommendation cannot be considered more than partly complied with. With regard to the second part of the recommendation, the obligation to register requests for meetings with third parties in the public system already existed at the time of the adoption of the Evaluation Report (see paragraph 66 of the Evaluation Report). While written summaries are produced on the conclusion of each meeting between PTEFs and lobbyists and other third parties, which would presumably contain information about the identity of the person(s) attending the meeting and the specific subject matter(s) discussed, they are not, for example, routinely disclosed to the public online in order to increase transparency unless a request is made under the the Freedom of Information Act. The situation is the same as it was at the time of the Evaluation Report. Consequently, GRECO does not consider that part (ii) of the recommendation has been complied with, even partly.

14. GRECO concludes that recommendation ii has been partly implemented.

### **Recommendation iii**

15. *GRECO recommended formalising the application of the rules on disqualification to ministers when they act in their capacity as members of government, similar to those applying to them in their capacity as head of a ministry.*
16. The Norwegian authorities report that on 17 June 2022 parliament passed a bill amending the Public Administration Act. The second sentence of section 10 of the Public Administration Act has been repealed and the rules on disqualification now apply to ministers when they act in their capacity as members of government (in Council of State, preparatory Councils of State and government conferences).

17. GRECO welcomes the amendments to the Public Administration Act which have given effect to the requirement of this recommendation and considers that this recommendation has been fully complied with.
18. GRECO concludes that recommendation iii has been implemented satisfactorily.

#### **Recommendation iv**

19. *GRECO recommended that (i) the standard for the retention or acceptance by persons entrusted with top executive functions of paid and unpaid secondary positions, occupations, board positions, or other paid assignments be amended to prohibit such activities unless the person has received a written authorisation based on a considered determination that the position/activity will not impede ordinary work or raise an issue of conflicts of interest, and (ii) such authorisations be made available to the public.*
20. The Norwegian authorities report that the amended section 4 of the Regulation on working conditions for the political leadership of the ministries (the Regulation), as further elaborated by section 6.2 of the Revised Handbook, states that the exercise of secondary paid or unpaid activity, including the participation in lecturing or conferences and the publication of press or research articles, is subject to the prior written authorisation by the Prime Minister for ministers or the OPM's Chief of Staff for state secretaries and political advisers, provided that it is clear that the secondary paid or unpaid activity will neither cast doubt on PTEFs' impartiality nor impede the exercise of the role of the political leadership. Particular emphasis is placed on whether the secondary position may result in conflicts of interest in relation to the PTEFs' responsibilities and duties. However, other matters of a more general nature may also mean that it is not possible to retain or accept secondary positions. The existing guidelines in the [State Personnel Handbook](#) may provide further guidance. In order to ensure transparency about the secondary positions that PTEFs are authorised to exercise, the authorisations will be published online ([www.regjeringen.no](http://www.regjeringen.no)).
21. GRECO welcomes that the exercise of secondary activity by PTEFs has been made subject to prior written authorisation by the Prime Minister or the OPM's Chief of Staff. The written authorisation is given upon the assessment of each application, regard being had to the requirements that the secondary activity will neither impede the exercise of the political leadership position nor give rise to any conflicts of interests, etc. All authorisations will be published online. In these circumstances, GRECO considers that this recommendation has been fully complied with.
22. GRECO concludes that recommendation iv has been implemented satisfactorily.

#### **Recommendation v**

23. *GRECO recommended developing general guidelines to address the conflicts of interest that can arise from former private activities when an individual comes into government service as a top executive official and when a person entrusted with top executive*

*functions is negotiating for a new position outside of government service if the negotiations occur before leaving public office.*

24. The Norwegian authorities report that section 4.3 of the Revised Handbook contains guidelines regarding disqualification from dealing with a matter, including possible conflicts of interest arising from former private activities. Among the examples of situations listed therein, for constituting grounds to assess a PTEF's competence to deal with a matter, are "previous dealings with the case in another capacity, for example with a former employer" and "own or close relative's ties to private businesses and organisations, for example past or future employment relationships". PTEFs bear the primary responsibility for assessing their own impartiality. In case of doubt, they must provide information to the administration to assess any lack of impartiality, competence and disqualification. When there is doubt as to whether a PTEF is to be disqualified, the administration/civil service may request a legal opinion from the Ministry of Justice's legal department. The handbook also describes how a matter should be handled after a PTEF has been disqualified from dealing with a matter. In addition, the "welcome email" sent to PTEFs on the day of appointment (see paragraph 8 above) also contains information about the quarantine (post-employment restrictions) that applies when leaving office. This information is also repeated in a separate email sent to PTEFs before leaving office, including a reference to section 8.2 of the Revised Handbook.
25. The authorities further submitted a summary of a report produced by a working group, which had considered whether or not there should be a disclosure obligation for ministers and secretaries of state to register former clients and the scope of assignment involving the promotion of political or business interests during the two years prior to taking up office (also see paragraph 117 of the Evaluation Report). The working group concluded that such a disclosure obligation would have little effect owing to the duty to preserve confidentiality of contracts and business relations as well as information acquired as a result of the contracts and business relations.
26. GRECO notes that section 4.3 of the Revised Handbook lists instances of relationships that will lead to disqualification from dealing with a matter, some of which were already described in the Evaluation Report (paragraphs 84-89). However, the recommendation calls for the development of guidelines, i.e. concrete and specific guidance or procedures to follow (see also paragraph 171 of the Evaluation Report), including, for example, explanatory comments and concrete examples, to address situations of conflicts of interest that may arise from the phenomenon of "revolving doors". At present, only the procedure for dealing with a conflict of interest has been laid down (i.e. PTEFs must make a decision about their own competence to deal with a matter, and, if in doubt, they can request the civil service to assess the question of competence/disqualification and ultimately seek the opinion of the Ministry of Justice's legal service). No other concrete or specific guidance for dealing with a conflict of interest has been set out in the Revised Handbook. GRECO considers that this recommendation has not been more than partly complied with.
27. GRECO concludes that recommendation v has been partly implemented.

### **Recommendations vi to viii**

28. *GRECO recommended that:*

- *(i) state secretaries and political advisers be subject to the same disclosure requirements as ministers; (ii) consideration be paid to requiring the same information for spouses and dependent family members (it being understood that such information of close relatives does not necessarily need to be made public); and (iii) disclosures be filed electronically in a manner that would eliminate the possibility of transcription errors on the part of the registrar (recommendation vi);*
- *(i) enforceable sanctions are enacted for failing to file or knowingly false statements on the disclosure reports; (ii) a formal system or systems for review of the declarations of persons entrusted with top executive functions be established, and (iii) the reports filed be used for counselling purposes regarding the application of the rules dealing with disqualification, outside activities and positions, and gifts (recommendation vii); and*
- *the standards set forth regarding conflicts of interest, incompatibilities, outside activities, gifts and relations with lobbyists and third parties be subject to credible and effective control and sanctions (recommendation viii).*

29. The Norwegian authorities report that, as regards recommendations vi and vii, a working group - jointly set up by the Office of the Prime Minister, the Ministry of Justice and Public Security and the Ministry of Local Government and Regional Development (MLGR) - is in the process of making proposals for their implementation. MLGR is responsible for the implementation of recommendations vi and vii. By contrast, no measures have been taken for the implementation of recommendation viii.

30. GRECO notes that initial work has started in respect of recommendations vi and vii. Nothing new has been reported in respect of recommendations viii.

31. GRECO concludes that recommendations vi to viii have not been implemented.

### *Preventing corruption and promoting integrity in law enforcement agencies*

#### **Recommendation ix**

32. *GRECO recommended adopting a coordinated corruption prevention and integrity policy for the police, based on systematic and comprehensive review of risk prone areas, which is coupled with a regular assessment mechanism.*

33. The Norwegian authorities report that a policy for ethics and anti-corruption has been approved by the National Police Commissioner and has been applied since 30 June 2022. It includes inter alia zero tolerance principles regarding corruption and conflicts of interest; plans for training, awareness and evaluation of the relevant guidelines; reporting principles and analysis of the whistleblowing complaints, complaints from the public and disciplinary sanctions. A registration system making available statistics on

side occupation and disciplinary sanctions is in progress within this framework, and a continued focus is targeted on risk awareness and internal control processes on risk prone areas. An annual report should become a fundament for the National Police Commissioner (NPC) to decide on follow-up measures and serve as a control mechanism. The first version of the report is expected to be published in March 2023. The National Police Department (NPD) is due to issue guidelines for training and awareness in relation to this annual report.

34. The authorities also indicate that an ethics and compliance team has been established within the National Police Department (NPD) in September 2022 and meets every month for collecting and analysing information from different sources as a basis for the annual report and for providing guidance and assistance to the local units in the field of ethics and anticorruption. It reports to the Deputy National Police Commissioner. A routine description on how to ensure learning from experience has been implemented as regards the review of cases from the Norwegian Bureau for the Investigation of Police Affairs (NBPA). All cases are sent to the team and cases of national interest for the police are sent to contact persons in the local units for follow-up. All employees within the police force are requested to fill out a survey, where 3 new questions about ethics and anticorruption have been added. The survey will be carried out every second year, which will make it possible to make comparisons and analyse the evolution.
35. GRECO notes that a policy for ethics and anti-corruption within the Police has been set up and is being implemented, taking into account a review of risk prone areas. This policy is regularly assessed, in particular through the monthly work of the ethics and compliance team and a survey sent every two years to all police employees including questions on ethics and anticorruption. This is in line with the recommendation.
36. GRECO concludes that recommendation ix has been implemented satisfactorily.

#### **Recommendation x**

37. *GRECO recommended that the implementation of the Code of Conduct is supported by a more uniform, coordinated and comprehensive approach, including by (i) further enhancing in-service training programmes and awareness raising measures on integrity and professional ethics; and (ii) providing systematic confidential counselling on these matters.*
38. The Norwegian authorities report that a process to review the Code of Conduct has been initiated and is being studied and completed by the police districts and expert units. The Code is due to be updated by March 2023, together with e-learning courses based on the updates in the Code of Conduct.
39. The authorities further indicate that the local police units have been requested by the NPD to fill out a form on actions taken in risk prone areas and training and implementation activities. The Chiefs of Police are assessed according to the fulfilment of the allocation letter. Based on the annual report presented to the NPC, focal points for follow-up in training and awareness raising are due to be selected. The NPD will develop training and education measures on ethical and practical dilemmas to be carried



out locally, and one police district is in the process of working out a video for training purposes, to be used national level.

40. GRECO takes note that the Code of Conduct and the subsequent training are under revision and is looking forward to assessing these measures when they are finalised. It also notes that police is requested locally to registering the actions taken in risk prone areas and training and implementation activities. GRECO notes that no information has been provided as regards confidential counselling. As no tangible measures have been provided so far, GRECO cannot consider that the recommendation has been implemented, even partly.
41. GRECO concludes that recommendation x has not been implemented.

#### **Recommendation xi**

42. *GRECO recommended taking additional measures to reinforce the role of integrity matters in internal recruitment processes, as well as the carrying out of integrity checks of employees in the police force at regular intervals depending on their exposure to corruption risks and the required security levels.*
43. The Norwegian authorities report that, as regards recruitment procedures, measures will be strengthened by the end of 2022 so that all candidates for entering the Police are assessed in respect of their integrity and ethics in the course of interviews. Moreover, they will be requested to confirm in writing that they have read and understood the Code of Conduct and that they understand their duty to inform about any side occupation. As regards integrity checks in the course of the career, the authorities indicate that ethics and integrity-related matters are now part of all annual staff appraisal, including as regards police leaders. Guides for annual appraisals have been provided, including as regards the appraisal interviews of police leaders. They contain questions on ethics and integrity-related matters. The respect of these measures is to be assessed through a specific question in the survey aimed at all police employees every two years (see above).
44. GRECO notes that measures have been taken and will enter into force by the end of 2022 to strengthen integrity-checks both when recruiting police staff and during their career. It notes that ethics and anti-corruption should be included and discussed in regular meetings between police leaders and their staff at the level of police units, according to a guide for appraisal to be provided and that the respect of this measure will be assessed through a regular survey aimed at all police staff. GRECO is looking forward to analysing these measures once their translation has been provided and encourage the Norwegian authorities to make them applicable and obligatory as soon as possible.
45. GRECO concludes that recommendation xi has been partly implemented.

### **Recommendation xii**

46. *GRECO recommended developing a streamlined system for authorisation and recording of secondary activities within the police, coupled with effective follow-up measures.*
47. The Norwegian authorities report that a new digital tool for applying and handling applications for secondary activities has been launched in August 2022 within the Norwegian Police, together with guidelines for application. The tool has been integrated with the archive system and makes it possible to provide reports and statistics, nationally and per unit. All employees in police positions will be requested to apply for secondary activities via this new tool - by the end of September 2022, some 800 applications had been submitted in the tool. New regulations are being developed in cooperation with the trade unions.
48. GRECO welcomes the digitalised system that has been developed for applying, authorising and recording secondary activities within the police, together with proper information and guidelines. This streamline system is in line with the recommendation.
49. GRECO concludes that recommendation xii has been implemented satisfactorily.

### **Recommendation xiii**

50. *GRECO recommended conducting dedicated training and awareness-raising activities on whistleblowing for all levels of hierarchy and chains of command in the police.*
51. The Norwegian authorities indicate that the improvement and deviance system “Synergi Life”, was upgraded during in 2021, including in respect of the possibilities to register and send alerts and notifications from mobile phones. The system is aimed at all employees within the national police force. An e-learning course has been launched to raise the awareness on the system and the new functionalities. Representatives from the NPD has visited the districts to perform training in using the upgraded system. In spring 2022 the authorities decided to review the arrangement for notifications and whistleblowing and establish an independent Ombudsman for these issues. This has been discussed with the trade unions. The parties have now agreed to focus on training and organising examination groups, evaluation of handling of notifications, an internal evaluation of the guidelines for whistleblowing and possibly developing new guidelines.
52. GRECO notes that the system which makes it possible to send and register alerts on possible wrongdoing by the police appears to be improving, so that it can function through mobile phone. It has not been made clear whether the alerts and notifications concerned by this system are aimed at police behaviours and activities. GRECO also notes that e-learning activities aimed at raising awareness within the Police have been organised, however it has not been provided with more developed information on such activities. Furthermore, GRECO notes that the authorities have discussed the establishment of an Ombudsman competent for whistleblowing, but for now chosen to focus on other activities within the Police. Although these measures seem to go to the right direction, more concrete information is missing.

53. GRECO concludes that recommendation xiii has been partly implemented.

**Recommendation xiv**

54. *GRECO recommended establishing national statistics on disciplinary measures and clearly communicating them to the public, while respecting the anonymity of the persons concerned.*

55. The Norwegian authorities report that all local units in the National Police Force will be requested to register predefined categories of disciplinary sanctions in the archive system (WebSak). This tool should make it possible to provide national statistics on disciplinary sanctions, including the outcome of the case, the reasoning, the categories of employees involved and the grounds for deciding on a disciplinary sanction.

56. GRECO notes the intentions of the authorities to register in a systematic way disciplinary sanctions against police officers through a new electronic system. It notes that no information has been provided so far as regards the publicity which should be given to such information contained in this system. The information provided is limited to intentions which have not been translated into concrete actions.

57. GRECO concludes that recommendation xiv has not been implemented.

**III. CONCLUSIONS**

58. **In the light of the foregoing, GRECO concludes that Norway has implemented satisfactorily only four of the fourteen recommendations set out in the Fifth Round Evaluation Report.** Of the remaining recommendations, five have been partly implemented and five have not been implemented.

59. More specifically, recommendations iii, iv, ix and xii have been implemented satisfactorily, recommendations i, ii, v, xi and xiii have been partly implemented and recommendations vi, vii, viii, x and xiv have not been implemented.

60. Insofar as persons entrusted with top executive functions (PTEFs) are concerned, a one-day training was provided to the current Government when it took office. The rules on disqualifications also apply to ministers when they act in their capacity as members of government. The possible exercise of secondary activities by PTEFs has been made subject to written authorisation which is to be welcomed. However, the overall measures taken are rather limited. While there is an obligation on PTEFs to register and archive all correspondence received from lobbyists and third parties, there are no other rules or guidance on how PTEFs should engage in contacts with them. The summaries of meetings conducted between PTEFs and lobbyists and third parties are not published online in order to increase transparency. The authorities still need to provide periodic training to PTEFs on ethical matters. Tangible and effective measures are needed to address other shortcomings identified in the Evaluation Report regarding revolving

doors, notably the provision of concrete and specific guidance to deal with conflicts of interest, financial declarations and the introduction of effective, proportionate and dissuasive non-criminal sanctions for breaches of ethical standards.

61. As regards to the law enforcement agencies, a policy for ethics and anti-corruption within the Police has been implemented, and an ethics and compliance team has been established for assessing the implementation of this policy. The Code of Conduct and the subsequent training are under revision. Measures are due to be applied to strengthen integrity-checks both when recruiting police staff and during their career. It is intended to register disciplinary sanctions against police officers through a new electronic system. A digitalized system has been developed for managing secondary activities within the Police. The whistleblowing system remains to be strengthened, including through proper training and awareness-raising activities aimed at all police officers.
62. In the light of the foregoing, GRECO notes that further progress will need to be made within the next 18 months to achieve an adequate level of compliance with the recommendations. In accordance with Rule 31 revised bis, paragraph 8.2, of its Rules of Procedure, GRECO calls on the head of the delegation of Norway to submit additional information regarding the implementation of the outstanding recommendations (namely recommendations i, ii, v, vi, vii, viii, x, xi, xiii and xiv) as soon as possible, however - at the latest - by 30 June 2024.
63. GRECO invites the authorities of Norway to authorise the publication of this report at their earliest convenience and make it public.