

NORWAY

CCPR

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Subject to reservations to article 10, paragraph 2 (b) and paragraph 3 "with regard to the obligation to keep accused juvenile persons and juvenile offenders segregated from adults" and to article 14, paragraphs 5 and 7 and to article 20, paragraph 1.

19 September 1995

[The Government of Norway declares that] the entry into force of an amendment to the Criminal Procedure Act, which introduces the right to have a conviction reviewed by a higher court in all cases, the reservation made by the Kingdom of Norway with respect to article 14, paragraph 5 of the Covenant shall continue to apply only in the following exceptional circumstances:

1. "Riksrett" (Court of Impeachment)

According to article 86 of the Norwegian Constitution, a special court shall be convened in criminal cases against members of the Government, the Storting (Parliament) or the Supreme Court, with no right of appeal.

2. Conviction by an appellate court

In cases where the defendant has been acquitted in the first instance, but convicted by an appellate court, the conviction may not be appealed on grounds of error in the assessment of evidence in relation to the issue of guilt. If the appellate court convicting the defendant is the Supreme Court, the conviction may not be appealed whatsoever.

Note

In a notification received by the Secretary-General on 12 December 1979, the Government of Norway withdrew the reservation formulated simultaneously in respect of article 6 (4).
(Note 33, Chapter IV.4, Multilateral Treaties Deposited with the Secretary-General)

OBJECTIONS MADE TO OTHER STATES PARTIES RESERVATIONS AND DECLARATIONS

(Ed. note: for the text targeted by the following objections, see the Reservations and Declarations of the State which is the subject of the objection)

4 October 1993

With regard to reservations to articles 6 and 7 made by the United States of America:

"1. In the view of the Government of Norway, the reservation (2) concerning capital punishment for crimes committed by persons below eighteen years of age is according to the text and history of the Covenant, incompatible with the object and purpose of article 6 of the Covenant. According to article 4 (2), no derogations from article 6 may be made, not even in times of public emergency. For these reasons the Government of Norway objects to this reservation.

2. In the view of the Government of Norway, the reservation (3) concerning article 7 of the Covenant is according to the text and interpretation of this article incompatible with the object and purpose of the Covenant. According to article 4 (2), article 7 is a non-derogable provision, even in times of public emergency. For these reasons, the Government of Norway objects to this reservation.

The Government of Norway does not consider this objection to constitute an obstacle to the entry into force of the Covenant between Norway and the United States of America."

22 July 1997

With regard to the declarations and the reservation made by Kuwait :

"In the view of the Government of Norway, a statement by which a State Party purports to limit its responsibilities by invoking general principles of internal law may create doubts about the commitment of the reserving State to the objective and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. Under well-established treaty law, a State is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. Furthermore, the Government of Norway finds the reservations made to article 8, paragraph 1 (d) and article 9 as being problematic in view of the object and purpose of the Covenant. For these reasons, the Government of Norway objects to the said reservations made by the Government of Kuwait.

The Government of Norway does not consider this objection to preclude the entry into force of the Covenant between the Kingdom of Norway and the State of Kuwait."

11 October 2001

With regard to the reservation made by Botswana upon ratification :

"The Government of Norway has examined the contents of the reservation made by the Government of the Republic of Botswana upon ratification of the International Covenant on Civil and Political Rights.

The reservation's reference to the national Constitution without further description of its contents, exempts the other States Parties to the Covenant from the possibility of assessing the effects of the reservation. In addition, as the reservation concerns two of the core provisions of the Covenant, it is the position of the Government of Norway that the reservation is contrary to the object and purpose of the Covenant. Norway therefore objects to the reservation made by the Government of Botswana.

This objection does not preclude the entry into force in its entirety of the Covenant between the Kingdom of Norway and the Republic of Botswana. The Covenant thus becomes operative between Norway and Botswana without Botswana benefitting from the said reservation."

29 June 2011

With regard to the reservations made by Pakistan upon ratification:

"The Government of Norway has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights. The Government of Norway considers that the reservations with regard to articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Covenant are so extensive as to be contrary to its object and purpose. The Government of Norway therefore objects to the reservations made by the Islamic Republic of Pakistan. This objection does not preclude the entry into force of the Covenant between the Kingdom of Norway and the Islamic Republic of Pakistan. The Covenant thus becomes operative between the Kingdom of Norway and the Islamic Republic of Pakistan without the Islamic Republic of Pakistan benefitting from the aforesaid reservations."

DECLARATION RE: ARTICLE 41

31 August 1972

"Norway recognizes the competence of the Human Rights Committee referred to in article 28 of the Covenant, to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant."