



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-ninth session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 12 (1) OF THE OPTIONAL PROTOCOL TO THE
CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF
CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY**

Concluding observations: Norway

1. The Committee considered the initial report of Norway (CRC/C/OPSA/NOR/1) at its 1037th meeting (see CRC/C/SR.1037), held on 24 June 2005, and adopted at its 1052nd meeting, held on 3 June 2005, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's initial comprehensive report, which follows the guidelines for reporting and is the first report to be submitted under the Optional Protocol. The Committee appreciates the frank and open dialogue held with the delegation.

B. Positive aspects

3. The Committee welcomes a number of measures taken by the State party to implement and strengthen the protection of the rights covered by the Optional Protocol, including the 2003-2005 Plan of Action to Combat Trafficking in Women and Children, the special Plan of Action on Children's and Young People's Use of the Internet and the Safety, Awareness, Facts and Tools (SAFT) project to disseminate knowledge about safe use of the Internet and combat sexual abuse of children and sexual exploitation of children.

4. The Committee also notes with satisfaction the incorporation of the Optional Protocol into Norwegian Law by the Human Rights Act in October 2003.

5. The Committee also notes with appreciation international and bilateral technical cooperation activities directed at combating the sale of children, child pornography and child prostitution.

C. Principal areas of concern and recommendations

1. General measures of implementation

Coordination and evaluation of the implementation of the Optional Protocol

6. The Committee takes note of the information provided on the various ministries and governmental bodies involved in implementing the Optional Protocol, but is concerned at the insufficient coordination among these bodies so as to ensure comprehensive intersectoral policies, at both central and local levels, to protect the rights covered by the Optional Protocol. The Committee also regrets the lack of mechanisms for the periodic evaluation of the implementation of the Optional Protocol.

7. The Committee encourages the State party to strengthen coordination, at both central and local levels, in the areas covered by the Optional Protocol, and to establish mechanisms for the periodic evaluation of its implementation.

National plans of action

8. While welcoming the 2003-2005 Plan of Action to Combat Trafficking in Women and Children, the Committee encourages the State party to continue its efforts under a new plan of action based on an evaluation of the current one.

Dissemination and training

9. The Committee expresses its concern at the lack of efforts to raise awareness among the public about the provisions of the Optional Protocol. It also notes with concern that it has been difficult to estimate the need for specific training courses due to a general lack of research-based information on the areas covered by the Optional Protocol.

10. The Committee recommends that the State party take measures to raise awareness among its population, including children and parents, about the provisions of the Optional Protocol.

Data collection

11. The Committee regrets the lack of disaggregated data and recent national representative studies on the issues covered by the Optional Protocol.

12. The Committee recommends that the State party ensure that research is undertaken into issues covered by the Optional Protocol, and that data, disaggregated inter alia by age, gender and minority group, are systematically collected and analysed.

Budget allocations

13. The Committee notes the limited information provided on budget allocations for the implementation of the Optional Protocol.

14. **The Committee encourages the State party to provide more complete information on the budget allocations for the implementation of the Optional Protocol in its next report.**

2. Prohibition of the sale of children, child pornography and child prostitution

Existing criminal or penal laws and regulations

15. The Committee notes with appreciation the adoption by the State party, on 4 July 2003, of a revised provision on human trafficking in the Penal Code (sect. 224), which aims at preventing, suppressing and punishing trafficking in persons, especially women and children. The Committee also takes note of the provisions of section 204 of the Penal Code which sets penalties for involvement in child pornography, defined as moving or non-moving pictures of a sexual nature involving the use of children. The Committee is concerned that the offences contained in the legislation of the State party do not cover all the acts mentioned in article 3 (1) (c) of the Optional Protocol, that is, the acts of “producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography”.

16. **The Committee recommends that the State party ensure that all children under the age of 18 are protected under the Penal Code and that this protection cover all acts and activities related to “producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography”. Furthermore, the Committee encourages the State party to separate child pornography from the general provision of pornography, in line with the recommendations of the Parliament.**

17. **The Committee encourages the State party to consider adopting specific legislation on the obligations of Internet service providers in relation to child pornography on the Internet.**

3. Protection of the rights of child victims

Measures adopted to protect the rights of and interests of child victims

18. **The Committee requests the State party to provide more detailed information on how the principle of “discretionary prosecution” (State party’s report, para. 28) has been applied in practice, including examples of relevant case law, and on any cases where children have been prosecuted for crimes committed as a consequence of being the victim of human trafficking.**

19. The Committee is concerned that expertise relating to sexually exploited children is limited in the child welfare service in the State party.

20. **The Committee recommends that the State party continue to strengthen measures to ensure that child welfare workers receive adequate training on the provisions of the Optional Protocol and to provide assistance and support in this area for vulnerable children.**

21. The Committee notes the absence of specialized services available for victims of child pornography crimes.

22. **The Committee urges the State party to ensure that adequate services are available for victims of child pornography crimes.**

4. Prevention of the sale of children, child prostitution and child pornography

Prohibition of the production and dissemination of material advertising offences

23. The Committee notes that child pornography cases are dealt with by the regional police, which lack resources and technological competence effectively to handle the large amounts of data and material on the Internet.

24. **The Committee encourages the State party to continue its efforts to strengthen the capacity of the criminal police to deal with crimes related to child pornography on the Internet. The Committee also encourages the State party to continue its efforts to inform children and their parents about the safe use of the Internet.**

5. International assistance and cooperation

Protection of victims

25. **The Committee notes that the State party is very active in initiating prevention projects in the Baltic States, and encourages the State party to continue its efforts of cooperation at the regional and international levels.**

Law enforcement

26. **The Committee notes the positive efforts made by the State party to strengthen law-enforcement policies at the European and international levels, and it encourages the State party to continue these efforts and to further strengthen and improve its bilateral cooperation with law-enforcement agencies in States which face problems in the area covered by the Optional Protocol.**

6. Training, follow-up, and dissemination

Training

27. The Committee recommends that the State party continue to strengthen systematic education and training on the provisions of the Convention for all relevant professional groups. In addition, the Committee recommends that the State party make the provisions of the Optional Protocol widely known, particularly to children, through, inter alia, school curricula.

Follow-up

28. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or state governments and parliaments, when applicable, for appropriate consideration and further action.

Dissemination

29. The Committee recommends that the initial periodic report and written replies submitted by the State party and related recommendations (concluding observations) that it adopted be made widely available, including through the Internet (but not exclusively), to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

7. Next report

30. In accordance with article 12, paragraph 2, the Committee requests the State party to include further information on the implementation of the Optional Protocol in its next (fourth) periodic report under the Convention on the Rights of the Child due, in accordance with article 44 of the Convention, on 6 February 2008.
