

Kidz have rights!

Children's shadow report to the UN Committee on the Rights of the Child

am included when we play games. Better roads to school. That
ay! Take children seriously. That children have someone caring
ons. Less STRESS. That I have a name. That no one beats me. To
ool for those who need it. To have more strict regulations against
ess expensive spare time activities. Better child welfare services.
nce regulations in high school. Prioritize mental health. More
More information about loneliness and depression. Support to
icipate more in decisions about school. Homework-free school.



What is the Children's Report to the UN?

In the autumn of 2016, Norway delivered its fifth and sixth report to the UN Committee on the Rights of the Child on how the state of Norway works to ensure children's rights and implement the UN Convention on the Rights of the Child. The report, "Kidz have rights!" is children and young civil society in Norway shadow report to the UN Committee. It is one of two reports that the Forum for the Convention on the Rights of the Child have made to supplement the state's report on the fulfillment of the Convention in Norway. The work on the report has been done in cooperation with the Ombudsman for Children in Norway. The report was finalized and sent to the UN Committee on the Rights of the Child in June 2017.

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What is the content of the report?

”Kidz have rights!” consists of three parts and is based on information from both research reports and our own survey. Children and youth mentioned in the report are all children as defined by the Convention on the Rights of the Child Article 1, i.e. everyone in Norway under 18 years of age.

Part 1

Part 1 outlines important violations of children’s rights in concurrence with UNs Convention on the Rights of the Child. It consists of six separate chapters with focus on different groups of rights. Every chapter delineates both violations of rights as well as suggestions on how these can be ameliorated in the future. Part 1 of the report is based on information from research reports where children have directly participated and we estimate that more than 480 children and youth have expressed their opinions through the reports. The members of the Jebb Committee have chosen the violations we have found most pressing and important to discuss from these reports. In conclusion, the committee has chosen to highlight three violations of the convention we are particularly concerned about and three measures that represent a positive development for children and youth rights in Norway today.

Part 2

Part 2 focuses on the knowledge, know-how and opinions children and youth have about their own rights. The content is based on the results of a survey made and completed by the committee and coordinators during the winter of 2017 about what Norwegian children know about their rights, from where and from whom they have learned about their rights and what rights they think are most important in their own lives. The survey was conducted in kindergartens, primary schools, secondary schools and high schools, and include the opinions of 758 children and youth from all regions of Norway.

Part 3

Part 3 focuses on the right to be heard and to participate in decision-making. Article 12 is a fundamental principle of the Convention on the Rights of the Child, and have consequently been a key topic for the Jebb Committee. The content of part 1 and part 2 show how important this right is for children and that more efforts should be made to fulfill it. Part 3 focuses on how children and youth as a group is heard and their possibilities for participation in the three important areas; student participation in school and school democracy, participation in and the quality of children and youth councils, as well as the possibility of youth to participate in democratic process and elections. Lastly, part 3 includes a critique on the stance of Norway on the third optional protocol - the communication procedure and complaint mechanism for children to the UN.

Who has written the report?

When a report on children's rights is written, it is rarely authored by children themselves. Forum for the Convention on the Rights of the Child, together with the Ombudsman, wanted to change that with this report. "Kidz have rights!" was created by an editorial committee consisting of seven youths from 13 to 17 years old. The youth were democratically elected through an open call and application process in the spring of 2016, and represent a wide range of young voices from all over the country. The editorial committee has chosen the name the Jebb Committee. The members are:



Iver Daaland Aase
Trondheim



Erle Harsvik
Kristiansund



Rauand Ismail
Skedsmo



Solrun Nyborg
Tromsø



Hayden G. Mybostad
Molde



Magnus Thun
Drammen



Marianne Knudsen
Trondheim

The members have jointly decided on the framework, content and focus of the report, conducted the independent survey on children's rights at all participating schools and written part 1 of the report. The writing of the report has been carried out both individually and through joint work sessions.

The Jebb committee have had assistance underway from a working group comprised of members from the Forum for the Convention on the Rights of the Child. Members of the group are the National Youth Club Organisation, The Organisation Adults for Children, The Ombudsman for Children, Norwegian People's Aid, UngOrg, Save the Children, LNU - The Norwegian Children's and Youth Council, and Press. The group undertook the preliminary work to make an independent children's report and the election of an editorial committee. They have also assisted the Jebb Committee after their creation with gathering important facts and information. Coordinators of the report are Karoline Steen Nylander (Press) and Cecilie Prebensen (LNU). They have coordinated the work of the Jebb Committee and the survey on children's rights in all participating schools, as well as carried out the survey on children's rights in all participating kindergartens. They have also summarized part 2, obtained the contributions to part 3 and contributed to the design of the report. The School Student Union of Norway, The Central Youth Council of Oslo and Press have together with LNU been responsible for the contributions to part 3 of the report.

Thank you!

Thank you to the kindergarden children and students contributing to this report.

Brundalen barneskole
Blussuvoll ungdomsskole
Atlanten ungdomsskole
Dalabrekka barneskole
Bergmo ungdomsskole
Gyllenborg barneskole
Sommerlyst ungdomsskole
Kristen videregående skole
Kongsbakken videregående skole
Lambertseter ungdomsskole
Tæruddalen ungdomsskole
Brakanes barne- og ungdomsskole
Svolvær barneskole
Svolvær ungdomsskole
Gulskogen barne- og ungdomsskole
Drammen videregående skole

Bekkestua Kanvas-barnehage i Bærum
Bjerkealleen Kanvas-barnehage i Oslo
Gjekstad Kanvas-barnehage i Sandefjord
Glitne Kanvas-barnehage i Tønsberg
Midtbygda Kanvas-barnehage i Røyken
Oslvikåsen Kanvas-barnehage i Laksevåg
Våkleivbrotet Kanvas-barnehage i Fyllingsdalen
Østensjø Kanvas-barnehage på Østensjø

We especially want to thank the children in kindergarden for their drawings used to illustrate the report.

We want to thank Leif-Erik Sørensen for designing the report, and Håvard Skogsbø for help with editing. The report would not have been the same without your help.



PART 1: VIOLATIONS OF THE CONVENTION OF THE RIGHTS OF THE CHILD



Text from drawing: "That adults take care of me"

The Convention on the Rights of the child clearly stipulates the conditions and rights necessary for child welfare and a good childhood.¹ Violations of children's rights reduce the quality of life, curtails physical and psychological development and give fewer opportunities for meaningful participation in society for children. Adhering to the provisions of the Convention is important not only because children are a vulnerable group in society, but also because children are often discriminated against by virtue of being children. Children are subject to the authority and decisions of adults and have fewer opportunities to be heard both in matters pertaining to themselves and to common decisions in society. Everyone under the age of 18 is dependent on authorities, parents or guardians respecting their rights, making good decisions on their behalf and taking their opinions seriously when making decisions.

By signing and ratifying the Convention on the Rights of the Child, Norway shows that our society is committed to fulfilling children's rights. In recent years, children themselves have also clearly expressed that Norway is a good place to grow up.² At the same time, it is paramount to take seriously that many children experience violations of their rights or do not get their rights fulfilled.

This part of the report focuses on violations that children experience in Norway as well as areas where fulfillment of rights must improve. It is divided into six chapters, each of which describe a group of rights in concurrence with the guidelines from the UN Committee. For each group, the Jebb Committee has described what the violation consists of, which articles of the convention that are broken, and recommendations to ensure the violation do not occur in the future. The content is based on information from 19 reports directly involving children and youth and research reports from independent institutions in Norway. An estimated 480 children and youth have participated and expressed their views on different subjects that concern them through the reports. The work of the Jebb Committee's has consisted of selecting the topics they have found most important and compiling and presenting information on those subjects. In conclusion, the committee has highlighted three areas we are particularly worried about and three areas that represents a positive development for children in Norway.

Article 2 on non-discrimination, Article 3 on the best interests of the child, Article 6 on the right to life and development, and Article 12 on the right to be heard are not only important provisions of the Convention, but also important principles for interpreting the other articles of the Convention. In the following chapters, the committee has chosen to not describe violations of these articles on their own, but rather incorporate them in the descriptions of violations of other rights. Article 12 is also the main focus of Part 3.

Text from drawing: "The most important thing for my wellbeing is to play with my friends"



1 UN Association of Norway, FN's Barnekonvensjon, 1989
2 NOVA, Ungdata - National report 2016, p. 2

CHAPTER 1:

CIVIL RIGHTS AND FREEDOMS

Stress and social pressure

“Truth be told, I’m exhausted.”³

The last few years there has been an emphasis on how Norwegian children and youth experience everyday stress and social pressure. There has been considerable media attention about the issue, and research shows that children and youth struggle with not feeling like they are good enough.⁴ Stress and social pressure can be seen as challenging to children regardless of whether those expectations are mentioned by the people around them. The feeling and experience of a pressure to perform at school, in spare time activities, at home and among friends and family could be very damaging to the the child’s mental health.⁵

“There are tests, presentations and assignments to hand in all the time, and the demands we are met with are higher than ever. Also, I’m ill. Mononucleosis has ruined my everyday life. But still going strong.”⁶

Young people themselves voice that they are unable to cope with the everyday stress and pressures. Also, many express a lack of time, and the difficulty of balancing school, spare time activities, friends and family. During the project and report “Life skills in school” the responses from almost 200 students highlighted that the pressure to perform well and on managing their time were challenges they were struggling with in their lives.⁷ Many students feel that there is too much to do at school with homework and oral presentations as well as the need to constantly perform well.⁸ This pressure arises from a wish to be perfect in all areas of life at the same time. You need to have good grades, be good in sports, have a lot of friends and be popular on social media.⁹ To counter this trend, it is important to implement the learning of coping strategies and life skill tools into the school curriculum. This to enable youth to better master life’s adversities and lower the experience of pressure put on them.¹⁰

In addition to the quest for excellence in their endeavours and constraints on time, youth also experience significant pressure in relation to their appearance and on the having the perfect body. In 2014, 85% of Norwegian girls and 30% of boys said that they experienced pressure related to their body image, often blaming advertising.¹¹ We know far too little about when, where and how body image pressure occurs, but we can say with certainty that youth care

3 Aftenposten “Sorry for being a loser. Sorry!”, 28.10.2015

4 NOVA, Ungdata “mental health problems”, 2015 and 2016

5 NOVA, “Mental health issues among youth - trends in time and social explanations”, 2016

6 Aftenposten “Sorry for being a loser. Sorry!”, 28.10.2015

7 LNU, Life skills in school, 2017

8 LNU, Life skills in school, 2017

9 LNU, Life skills in school, 2017

10 LNU, Life skills in school, 2017

11 National Institute for Consumer Research, Retouched advertising and body image, 2014

about how they look. Children are exposed to thousands of messages from advertising campaigns every day. This creates an image of a reality that does not reflect the diversity in society. Advertising tell children how they should look from a very early age. One-dimensional ideals, outdated gender roles and extreme sexualisation of advertising and popular culture give children a negative view of their own body and behaviour. Pressure on conforming to a certain body image from an early age can also develop into mental health problems, and sometimes even illnesses, such as eating disorders.¹²

“I have ambitions. I want to be a lawyer or psychologist when I grow up, but right now I’m not sure I can do it. I’m only 15 years old, but I am already exhausted.”¹³



Text from drawing: “Children should have a good feeling in their heart”

Violations of children’s rights:

- Article 3 on the best interests of the child
- Article 6 on life and optimal development
- Article 17 on mass media
- Article 24 on health of the child

Recommendations:

- The school, parents and guardians need to take children seriously when they worry about lacking time to perform well in and outside of school
- Learning of life skills has to be integrated into the norwegian school curriculum¹⁴
- More research on what can be effective political measures to prevent negative body images
- Better school health care services with access to a school psychologists
- Clearly mark retouched advertising

12 NOVA, “Mental health issues among youth - trends in time and social explanations”, 2016

13 Aftenposten, “I am only 15 years, but I am exhausted already”, 4.11.2015

14 LNU, Life skills in school, 2017

LGBTI+

Children in Norway that break with conventional norms concerning gender roles, sexual orientation and gender identities can be particularly vulnerable. As a group they are identified as LGBTI+ children. LGBTI+ children report that they face many challenges in their everyday lives. Some are structural in nature, while others arise when meeting critical attitudes and their opinions are disregarded. In Norwegian schools, quality information about identity, sexuality and gender are also not sufficiently prevalent in relevant subjects.¹⁵

”Where do I get information? Not from school. I had to replace the teacher in a sexual health class because the teacher did not know anything about queer people.”¹⁶

The sexual health education in Norwegian schools is often negative on issues that do not follow traditional patterns. Being in a vulnerable phase of life, children may find the teaching discriminatory if they cannot relate to what they are being taught.

Children who identify as trans or ”non-binary” find it very challenging when they are not provided adequate facilities to meet their needs in the public arena. Should they attend the boys or girls team in soccer? Which toilet should they use? Which locker room is appropriate at school? Many experience harassment and bullying, and the children often feel unable to fulfill expectations in regard to gender, identity and sexuality.

”First, there needs to be more information on what it means to be LGBTI. Because if no one knows, they will not realise what I am, and then you cannot change anything.”¹⁷

In addition to hostile attitudes and failings within the school system, we observe an adverse development in the treatment of intersex-children. When a child is born with atypical gender characteristics (intersex), they are often unable to make a decision about their own body. Children born with differing gender characteristics from typical ”male” or ”female” bodies are immediately ”corrected” through surgery.¹⁸ This is medically unnecessary, and an irreversible incision that is a severe violation of the rights of the child.

Many children with a different gender identity than the one registered from birth (trans) want medical treatment to make their body match their identity. According to Norwegian medical laws on Patient and User rights the legal age for consent for medical procedures is 16 years. However, if the youth’s choice to receive treatment is disregarded by parents or guardians, when the child turns 16, it is too late for puberty-delaying treatment.¹⁹ Children who experience a dissonance between gender identity and legal sex given at birth (gender dysphoria) are quite likely to struggle with mental and social problems.²⁰

15 Save the Children, Rights of LGBTQ children in Norway, 2016

16 Save the Children, Rights of LGBTQ children in Norway, 2016

17 Save the Children, Rights of LGBTQ children in Norway, 2016

18 Save the Children, Rights of LGBTQ children in Norway, 2016

19 Save the Children, Rights of LGBTQ children in Norway, 2016

20 Save the Children, Rights of LGBTQ children in Norway, 2016

In 2016 the Norwegian Government launched an action plan against discrimination on the basis of sexual orientation, gender identity and gender expression.²¹ They suggested a new law on equality and non-discrimination that will significantly strengthen the rights of individuals identifying as LHBTTI+. The law also includes measures to make school education more focused on equality and non-discrimination.²² These are all efforts that may strengthen the rights of LGBTTI+ children in the longer run, however there is still a long way to go. The lack of knowledge and accessible information contribute to stereotyping, prejudice, bullying, discrimination and harassment among adults and children in general.²³ Also, some groups are not getting as much attention as others, such as people who identify as asexual.

”A lot of the information out there is focused on homosexuality and it exclude other groups, such as asexuals. For us there are extremely few arenas.”²⁴

Violation of children’s rights:

- Article 2 on non-discrimination
- Article 3 on the best interest of the child
- Article 6 on the right to life and development is violated through denying LGBTTI+ the physical treatment they need based on restricted regulations
- Article 12 on the right to be heard is violated when children are kept out of decisions about their own life
- Article 13 on receiving information
- Article 29 d) is violated due to school health services and education being unqualified to give children adequate information on what it means to not follow traditional norms of gender, sexuality and identity

Recommendations:

- The Norwegian government must take responsibility for increasing knowledge and ensuring training and special education on LGBTTI+ issues for everyone working with children
- That the school health services take over classes of sexual health
- Ensure knowledge of LGBTTI+ children in all health clinics
- Conduct a progress study on the possibility of external overruling in cases where children wishes to change the legal sex without parents consent
- Give children under 16 the opportunity to change their legal gender through a declaration, also without the consent of the parents

21 The government, Implementation plan against discrimination caused by sexual orientation, gender and gender expressions 2017-2020, 2016

22 The Government, New Common Law on Equality and Discrimination, 2017

23 Save the Children, Rights of LGBTQ children in Norway, 2016

24 Save the Children, Rights of LGBTQ children in Norway, 2016

CHAPTER 2:

VIOLENCE AGAINST CHILDREN

Every day many children are exposed to psychological, physical and sexual violence. This violence can occur at home, in kindergarten, at school or during spare time activities. Arenas where children spend most of their time, and where they should feel safe. When children are exposed to violence or abuse it has large consequences, and many suffer from trauma and injuries that last their entire lifetime.²⁵

Norway has 11 state-run Children's Houses around the country, offering support to children who have witnessed, or been the victim of violence or abuse.²⁶ The houses were established after a successful pilot project in 2006, and is a cross-sectional and collocation effort specifically made for children and youth, delivering services to all police districts in their region.²⁷ However, the Children's Houses lack adequate resources to maintain deadlines for questioning and inquiries, which reduces the opportunities and the quality for interrogations and prosecutions. The same applies to following up the children outside of the questioning itself.²⁸ The Government is planning to increase the support to the Children's Houses, which is necessary to be able to provide services to all Norwegian children who needs this support.²⁹

Physical violence from parents

One in five Norwegian youths say they have experienced physical violence from at least one parent during their childhood.³⁰ Between 2007 and 2015, 6% of the youth said that they had been subjected to severe physical violence from adults in their family.³¹ The numbers did not decrease during this period, despite the increased focus on the issue in the same time period. Today, the number of children in Norway is higher than in 2007, which means that the number of children that experience domestic violence has increased.

*"Adults shield themselves against painful knowledge through overlooking it, or by not looking."*³²

Indirect violence against children

When a child witnesses domestic violence it is also viewed as violence against the child as well. In Norway 8% of children have witnessed violence between their parents.³³ In 2007 the Institute on Norwegian Social Research (NOVA) reported that children who have witnessed violence between parents are 14 times more likely to be exposed to violence themselves, from the parent instigating the violence as well as the victim. The same survey conducted in 2015 show that the numbers remain more or less the same.³⁴

25 The Government, White Paper 15 (2012-2013) "Preventing domestic violence", 2013

26 The States Childrens House, www.statensbarnehus.no, 2017

27 National Police Directorate, Annual report on Children's Houses, 2015

28 National Police Directorate, Annual report on Children's Houses, 2015

29 The Government, The National Budget "Better capacity in the State Children's Houses", 2015

30 NOVA/ Mossige og Stefansen, "Violence and abuse towards children and youth", 2015

31 NOVA/ Mossige og Stefansen, "Violence and abuse towards children and youth", 2015

32 Save the Children, "If you do not ask, I will not tell", 2015

33 Bufdir, Children exposed to domestic violence, 2015

34 NOVA by Mossige og Stefansen, "Violence and abuse towards children and youth-Scope and development 2007-2015", 2016

Sexual violence against children

Most of the children reporting sexual violations throughout their childhood are girls. 29% of girls and 7% of boys have experienced at least one sexual violation throughout their childhood, while 16% of girls and 6% boys have experience severe sexual violations.³⁵ The same report show that girls are six times more likely to be exposed to severe sexual violations, and that children in households with poor economic conditions and heavy alcohol consumption are more at risk to severe sexual violence.³⁶

Violence against children in School

One issue that has received little attention in Norway is violence against children from adults in school. In a survey conducted among students in Norway, 7-8% of students experiencing abuse in school claimed that they had been subjected to violence by an adult.³⁷ The report showed that 574 cases where children have experienced threats and violence from a teacher.³⁸ We know little about how this abuse affects children.



Text from drawing: "That others are nice to me"

35 NOVA by Mossige og Stefansen, "Violence and abuse towards children and youth-Scope and development 2007-2015", 2016

36 NOVA by Mossige og Stefansen, "Violence and abuse towards children and youth-Scope and development 2007-2015", 2016

37 Norwegian directorate of Education and Training, The annual student survey 2015, 2016

38 Norwegian Broadcasting (NRK), "574 children felt harassed by teachers", 12.01.17

Psychological violence

Adults who through their childhood have been subjected to violence, reports that neglect and psychological violence cause the highest levels of depression and anxiety.³⁹ The psychological violence is thus equally if not more dangerous than physical violence. Psychological violence is perpetrated towards many children, yet preventative measures are mostly directed towards physical violence. One reason for this may be because psychological violence is harder to spot, and more difficult to deal with. Nevertheless, there is still cause for concern.

15% of girls and 11% of boys in Norway has experienced psychological violence.⁴⁰

10% of girls and 9% of boys in Norway have felt unloved.⁴¹

Violence against vulnerable groups of children

Research shows that people with disabilities are exposed to abuse to a larger extent than others, whether the abuse is physical, psychological or emotional.⁴² In addition to the increased risk, emergency preparedness for children with disabilities is often lacking or weaker when normal. Only 7 of 47 shelters around Norway are universally designed and accessible for children with disabilities.⁴³ Also, disabled children are less likely to be believed in cases concerning violence and abuse, compared to other children. To be exposed to violence, physical, psychological or sexual abuse is another strain on a child that already face significant adversities.

Violations of children's rights:

- Article 6 on the right to life
- Article 18 on the responsibility of parents
- Article 19 on the protection against abuse
- Article 27 on the quality of life
- Article 28 on education. When children are exposed to violence at school it gets hard to learn, and more students have trouble concentrating
- Article 31 on playing and spare time. Children suffering from domestic abuse do not feel safe at home
- Article 34 on sexual exploitation
- Article 36 on other exploitation

39 Norwegian Centre for Violence and Traumatic Stress Studies (NKVTS), Report 1/2014

40 Norwegian Centre for Violence and Traumatic Stress Studies (NKVTS), Report 1/2014

41 Norwegian Centre for Violence and Traumatic Stress Studies (NKVTS), Report 1/2014

42 NOVA, "Social service offered to disabled children exposed to violence and abuse", 2014

43 NOVA, "Social service offered to disabled children exposed to violence and abuse", 2014

Recommendations:

- Continue to spread information on how damaging violence during childhood is to children's development and mental health
- Adults who work with children should have more training in how to uncover physical and psychological violence. Knowledge on specific characteristics and challenges in families with minority background should be incorporated
- More preventative services, such as training, school health service and health stations
- Increase financing in the annual budget to end violence towards children
- Earmark funds to the state-run children's houses and to the establishment of new houses in different parts of the country
- Map out the occurrence of violence and sexual abuse against disabled groups and introduce a systematic registration of them by child services, the police and the children's house
- Increase a capacity of the children's houses to a higher degree than suggested in the annual budget in order to adjust for the new deadlines for inquiries/questioning



Text from drawing: "That no one beats me"

CHAPTER 3:

FAMILY AND ALTERNATIVE CARE

Law on care centers for unaccompanied refugee children

Unaccompanied minors seeking asylum in Norway are in an extremely vulnerable situation and have a strong need for extra care and attention. Previously, the immigration authorities were responsible for all refugee children, but in 2007 the responsibility for unaccompanied minors younger than 15 years of age was transferred to the Office for Children, Youth and Family Affairs (Bufetat). This happened through an amendment of chapter 5A in the Law on Child Welfare Services. At the time this amendment was made, the stated goal was to also transfer the responsibility of the unaccompanied minors between 15 and 18 years of age to Bufetat.⁴⁴ After Norway's reported on the state of children's rights in Norway in 2008, the UN committee on the Rights of the Child recommended that Norway "Expand, as planned, the responsibility of the Child Welfare Services to encompass children aged 15, 16 and 17."⁴⁵

During the autumn of 2016 the government put forward a proposal recommending that the care centres for unaccompanied minors no longer should be under the jurisdiction of the Law on Child Welfare Services.⁴⁶ In effect this means that the immigration authorities again would be responsible for the care of all unaccompanied refugee children. In other words, the government proposed to reverse their own policies in direct opposition to what the UN recommended. The proposal was withdrawn after a hearing and not sent to parliament, but the Jebb Committee is nonetheless concerned that this proposal might be brought up again at a later date.

Violations of children's rights:

- Article 1 on the age of majority: All people under the age of 18 are children and should be treated as children
- Article 2 on non-discrimination: unaccompanied minors seeking asylum / refugee children are discriminated against on the basis of age, ethnicity, and refugee status
- Article 3 on the best interests of child: It is in the best interest of the children to receive adequate care by competent staff
- Article 4 on the responsibility of the state
- Article 12 on the right to be heard
- Article 20 on children without care from their family
- Article 22 on refugee children

Recommendations:

- The government should not propose or introduce changes that exclude unaccompanied refugee children from protection through the Law on Child Welfare Services
- There should be a transfer of responsibility of care so that the Child Welfare Services are responsible for all unaccompanied children who apply for asylum
- Ensure that children are heard when devising new laws pertaining to refugee children

44 Bufdir, unaccompanied children seeking asylum, 2015

45 UN committee on the rights of the child, general comment, 2010

46 The Norwegian government, proposal for a new law of reception centers, 2016

Children in the care of the Child Welfare Services

The Child Welfare Services are responsible for ensuring that children who do not receive adequate care or receive no care from their parents have their needs met and rights fulfilled. However, the Child Welfare Services do not currently function optimally, and both routines and practices can improve to better ensure that the best interests and welfare of children. Reports regarding the Child Welfare Services from the Office of the Auditor General of Norway point out that the number of staff and level of competence in institutions maintained by the Child Welfare Services is not satisfactory.⁴⁷ Furthermore, the Norwegian Board of Health Supervision has uncovered major shortcomings on how children in care of foster families are supervised. In their report from 2015, the Board reported of infractions and necessary improvements concerning the follow-up of children in 71 out of 94 Child Welfare Services in 123 municipalities.⁴⁸ The violations pertain to lack of visitations to the foster home, lack of advice and counsel for parents, and substandard assessments and documentation.



“The Child Welfare Services do many good things, but there are many things that should improve. I had to move every year, 9 times, - often without consent or explanation. Important elements in my life were just forgotten. Examples are enrolment in school and application for citizenship.”⁴⁹

The Norwegian Board of Health Supervision also found that children’s opportunities for participation were insufficient.⁵⁰ Several children who are or have been in the care of the Child Welfare Services feel that they to a large extent are not heard, do not receive the information they need to participate in decisions and are not given sufficient insight into their own case.

“In the Child Welfare Services I felt that I had to let others make decisions about my future while I stood there powerless. That I had to go to extremes to be heard, misbehave to be seen...”⁵¹

A whitepaper for a new law on child welfare services was put forward in 2016.⁵² The goal of the new law is to improve the rule of law for children and create a more streamlined and comprehensible law. A proposal for a new law has been called for by many, and it is positive that the authorities examines how the current law can be improved. At the same time, it is

47 http://kommunal-rapport.no/artikkel/riksrevisjonen_mangelfull_bemanning_i_barne_vernet

48 <https://www.helsetilsynet.no/no/Toppmeny/Presse/Nyhetsarkiv/Oppfolgingen-av-fosterhjemme>

49 County Governor of Oslo/Akershus and KoRus- The ID project, Youth’s competence on their own life, 2015

50 County Governor of Oslo/Akershus and KoRus- The ID project, Youth’s competence on their own life, 2015

51 County Governor of Oslo/Akershus and KoRus- The ID project, Youth’s competence on their own life, 2015

52 The Government of Norway, New child welfare service law- ensuring the right to care and protection, 2016

crucial that the government is willing to listen during this process, and involve both children with experience from the child welfare services and their supporting stakeholders. Children must have a seat at the table, especially in decisions regarding laws that pertain to them.

The right to codetermination

“Have conversations with me, don’t just talk to me. Listen as much as you talk.”⁵³

Employees in the Child Welfare Services report that it often can be difficult to fulfill the child’s right to be heard and express their opinion in their own case. Often there is not enough time to give the child the opportunity to express their opinion. Other times the problem is a lack in knowledge in how to talk to children.⁵⁴ A third challenge in fulfilling the child’s right to be heard is parents who do not give their consent. This may be because they don’t want to burden the child or because they are afraid of what the child might say to the Child Welfare Services.⁵⁵ Children themselves report that it is difficult to voice their opinions to employees in the Child Welfare Services and that they feel that they are not listened to. This applies both to the processing of the child’s case⁵⁶ as well as on the level of everyday life in an institution.⁵⁷

“Case workers talk over your head. I get talked about in the third person when I am present, and I am often not included in communication that is about me.”⁵⁸

Use of force

“I don’t think it’s okay that they put me in a police hold.”⁵⁹

Every time force is used against a child a protocol describing the event is recorded. The numbers of such protocols have increased over the last few years.⁶⁰ Some children in Child Welfare institutions are often subjected to the use of force, while others never have that experience. According to the Ombudsman for Children the most common types of force that are used most frequently are force during acute or dangerous situations, the taking of urine samples and searches of rooms and belongings.⁶¹ It is difficult to know the reason for the increase in the frequency of protocols on the use of force. It can be due to a change in routines, increased knowledge about the conditions for the use of force and the requirements for documentation, or an actual increase in the use of force.

“To be put on the ground, which makes me annoyed, prison, being forced to do something you don’t want to do, locked up.”⁶²

53 County Governor of Oslo/Akershus and KoRus- The ID project, Youth’s competence on own everyday life, 2015

54 Oslo and Akershus University College, The child welfare services struggle with talking to children, 2013

55 Oslo and Akershus University College, The child welfare services struggle with talking to children, 2013

56 The County Governor of Oslo/Akershus and KoRus- The ID project, Youth’s competence on own everyday life, 2015

57 The Ombudsman for Children, “Limitless care”, 2015

58 The County Governor of Oslo/Akershus and KoRus- The ID project, Youth’s competence on own everyday life, 2015

59 The Ombudsman for Children, “Limitless care”, 2015

60 The County Governors, numbers from the County Governors annual reports

61 The Ombudsman for Children, “Limitless care”, 2015

62 The Ombudsman for Children, “Limitless care”, 2015

Confidentiality and access to the child's case

According to the Norwegian Directorate for Children, Youth and Family Affairs (Bufdir), employees in the Child Welfare Services are subject to a stricter code of confidentiality than employees in the school system (the Law on Child Welfare Services §6-7). However the Child Welfare Services can disseminate information to other public agencies when this is necessary for the purpose of promoting the efficiency of the Child Welfare Services (the Law on Child Welfare Services §6-7, third paragraph).⁶³ Confidentiality is meant to ensure that the child can speak freely about their own experiences without fearing the consequences. Unfortunately, confidentiality often poses challenges, and children report of incidents where the provision has been broken. This causes the children to feel unsafe, and weakens their right to privacy. Also, many children develop trust issues from experiencing that employees in the Child Welfare Services violates confidentiality.⁶⁴

Violations of children's rights:

- Article 3 on the best interests of the child
- Article 12 on the right to be heard
- Article 13 on receiving and giving information
- Article 16 on the right to privacy
- Article 20 on children without care from their family

Recommendations:

- Children in foster families should be followed up more closely
- Improve routines to minimize the use of force in institutions
- Short processing time of welfare cases
- A stricter practice regarding confidentiality and protecting sensitive information
- Ensure that children are always heard and have the opportunity to participate in decisions regarding their own cases in the Child Welfare system

A MAN HAR EN VOISEN Å
FORTÆLLE TING TIL



Text from drawing: "That you have a grown up you can tell everything to"

63 Bufdir, "Confidentiality and consent", 2016

64 Forandringsfabrikken, "New Child Welfare Law", 2016

Separations and breakups

Family Counselling Services offer mediation to families when couples decide to divorce or separate. If the family has a child who is younger than 16 years old, the parents are legally required to partake in at least one hour of mediation, but there is no requirement for the child to be present. The percentage of children who are present for mediation is low.⁶⁵ This is problematic, as children should be present and talk to the mediator, so that they are not excluded from the process. When only parents meet for mediation for only one hour, it can be difficult to determine what is in the child's best interests, as the conflict between the parents can often remove focus from the child.

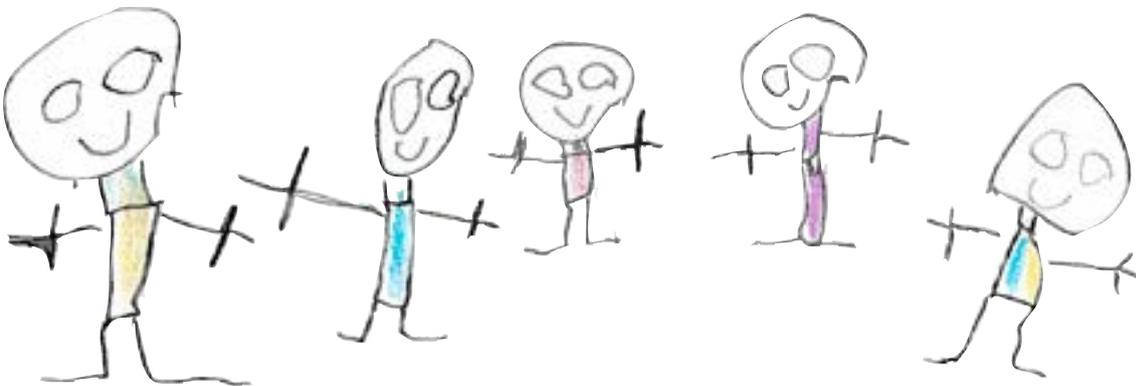
Children experience uncertainty and instability connected to child custody cases. Particularly when cases are tried in court, it can cause them hardship and the child to feel that their loyalty is being split between two parents. Children are also especially vulnerable in circumstances such as court cases, where they have to relate to several authorities at once.⁶⁶

Violations of children's rights:

- Article 12 specifies that the child should be heard in judicial and administrative proceedings. It can be difficult for the child to be heard when they do not participate in mediation with the family counselling services
- Article 3 on the best interest of the child: The child is not heard, and their best interests may therefore easily be misjudged

Recommendations:

- Children should have their own appointment with the family counselling services related to the mediation process
- The child should have access to a follow-up appointment after some time to discuss the agreement on custody and visitation
- Professionals conducting conversations with children must have formal training in how to talk to children



65 Bufdir, "Children and parents break up", 2010-2016

66 Bufdir, "Children's right to be heard", 2016

Child poverty

The number of poor children in Norway is currently increasing. In 2015, 10 % of children in Norway were living in poverty.⁶⁷ This is an increase from 8 % in 2012.⁶⁸ Growing up in poor families has consequences for each individual child. Many children face challenges at home which also affect them in school, which should be an arena free from such problems.

Some children experience that their parents spend money on themselves rather than on them. Several parents spend the support from NAV, meant to go towards the fundamental needs of the family, on alcohol and drugs.⁶⁹ This may give rise to some children feeling the responsibility to add to the family's income.⁷⁰ As other families, poor families are faced with various expenses, among them the cost of transportation and spare time activities. Without a car or money for public transportation it is difficult to travel to see friends and family or participate in activities outside of school. If the family lives in a larger city, the distances are also longer, and it is easy to become isolated at home without money for transportation.⁷¹ Spare time activities are also expensive. While many families receive support for such activities it does not help much when they cannot afford a car or public transportation to get to where the activity takes place.

”I have to spend my money on supporting my family. It should be the other way around. The money is not always spent how they should be. It goes to drugs and alcohol, not food and clothes.”⁷²

In some school activities, it is occasionally necessary that each student pay a sum. For some children from low-income families this can be a major obstacle, because they are already tight on money. As school should be free, it can cause unease for children to have to ask their parents for money for school, and shame as well as embarrassment not to be able to afford it. Lacking money for activities organized by the school can lead to children being excluded.⁷³ Other challenges these children face in school, are lacking school equipment or food, and the pressure to have the right clothes.

“The family start worrying about each other and maybe think that it was wrong to have children because they don't have a good life.”⁷⁴

The government has introduced a national strategy to combat child poverty⁷⁵, but the implementation of measures to reduce the number of poor children remain. The government has included some feedback from children in the development of the new action plan against child poverty, but we encourage to research to a greater extent what measures are effective in combating child poverty.

67 Bufdir, Annual Report on Children's Welfare, 2017

68 Bufdir, municipal statistics, 2015

69 Voksne for barn, "Money and my life", 2015

70 Voksne for barn, "Money and my life", 2015

71 Voksne for barn, "Money and my life", 2015

72 Voksne for barn, "Money and my life", 2015

73 Voksne for barn, "Money and my life", 2015

74 Save the Children, "How does it feel to grow up in a poor family in Norway?", 2015

75 The Government, Strategy to end child poverty, 2015-2019

Violations of children's rights:

- Article 2 on non-discrimination is violated. These children are discriminated against on the basis of clothing, living situation and property
- Article 3 on the best interests of the child is violated by some parents spending money on narcotics when the children need food and other necessities
- Article 6 and article 27 on the standard of living is about the child having an optimal development. Physical and mental health problems as a consequence of poverty and associated stress decrease the child's quality of living
- Article 12 on the right to be heard is violated when children want to tell about their experiences, but are not listened to

Recommendations:

- Follow up families who receive financial support more closely to ensure that the money is spent responsibly and equitably
- Free lunch in schools
- Take active measures to reduce clothing-related pressure and bullying
- Have free equipment available for all school activities, to ensure that participation is accessible to all children regardless of what equipment they own
- Introduce a free start package with school supplies for all children when they start school
- Increased focus on bullying in school
- Introduce a special youth-NAV that lower impediments for young people to ask for help and advice when looking for work or career counselling
- Access to spare time activities in the immediate vicinity of all places where children live
- An implementation plan for the Declaration on Children's Spare Time Activities, that ensures every child at least one free activity



CHAPTER 4:

DIASBILITY, HEALTH AND WELLNESS

”I want to be respected for who I am! Not be treated differently or like I am worth less just because I have some extra challenges.”

76



Universal design

Many disabled children are kept from participating in society because of a lack of physical accessibility, lack of financial and human resources, as well as lacking information. There are currently few requirements for universal design of public information and communication.⁷⁷ This means that children who need information about health services, child welfare services, school, etc. cannot access this information from appropriate websites or other forms of communication, and also have difficulties expressing their opinions in matters regarding them.

*”I don’t want to be invisible, I want to be visible. I am a person. I am not my hearing impairment. It is a part of me, but it does not define me.”*⁷⁸

Today children are entitled to personal assistance in the form of practical help and training, organized as user controlled personal assistance (BPA).⁷⁹ BPA is a way to organize the services that give all persons with disabilities the opportunity to live as actively and independently as possible. Whether the child receives enough hours of assistance vary between municipalities. In one municipality a child might receive enough hours of assistance to have help going to the bathroom, participate in spare time activities, spend time with friends and family, eat, go to the movies and get involved in organisations, while in another municipality the child would have to choose between the most essential tasks in life.

76 Adults for children, “Youth about learning, facilitation and accept in school”, 2014

77 Unge funksjonshemmede, FFO and SAFO “Alternative report to the UN committee on the rights of persons with disabilities”, 2015

78 Voksne for barn, “Youth about learning, facilitation and accept in school”, 2014

79 Norwegian association of Disabled, “User controlled personal assistance”, 2014

Express their opinion and be heard

“I wish they could accept that they don’t know what’s best for me, not constantly question my opinions. I know best, it is not like they are inside my head.”⁸⁰

Children with disabilities rarely participate in municipal decision-making processes. 85% of 127 municipalities consulted in a survey reported having a youth councils, even though such forums for the participation of children and youth are not legally required. However, only six municipalities had included representatives from organisations for disabled people in the youth council.⁸¹ Many town halls and buildings used for municipal council meetings are not universally designed and therefore not accessible. Likewise, case documents are not made available for the blind and visually impaired.

There is little research into the fulfilment of the right to be heard and participate in decisions for disabled children, but there is reason to believe that it is fulfilled to an even lesser extent than for other children. Disabled children are for example rarely included in decisions concerning them in the Specialist Health Services and in the school sector.

Violations of children’s rights:

- Article 2 on non-discrimination
- Article 6 on the right to life and development. Children with disabilities experience that they do not get to develop according to their abilities
- Article 12 on the right to be heard
- Article 13 on receiving and giving information
- Article 23 on children with disabilities
- Article 26 on social services
- Article 29 on the objective of the education
- Article 31 on play and spare time

Recommendations:

- Autonomy and participation in society must be ensured better in a separate BPA regulation
- Guaranteed BPA hours specifically for participation in society
- Public plans and strategies for participation in sports, culture and other activities must include disabled children, this also applies to public information and IT
- Disabled children and youth must receive education adapted to their physical and mental abilities to the same degree as their peers, as well as necessary adaptations to make it accessible
- The requirements for universal design of residences must be expanded and not weakened

⁸⁰ Voksne for barn, “Youth about learning, facilitation and accept in school”, 2014

⁸¹ NIBR by Monkerud, “organizing municipalities”, 2016

CHAPTER 5:

EDUCATION, SPARE TIME AND CULTURAL ACTIVITIES

Education

Bullying

Several Norwegian children say bullying is a big problem at schools, despite bullying being high on the political agenda.⁸² Many children have been victims of serious violence and sexual abuse from fellow students. They also highlight being victims of psychological abuse over time. Bullying happens based on reasons like clothing, family, behaviour, social status, physical appearance and more. Bullying has huge consequences for the victim's mental health and victims of bullying are at risk of getting problems later in life.⁸³

”It doesn't hurt to get a beating, but it's the psychological abuse that really hurts. Your life gets ruined. Your life is taken away from you – that is deprivation of liberty. It's called bullying.”⁸⁴

Elevundersøkelsen – the annual student review 2016 showed that 6.3% of all students are bullied by fellow students and by adults, at school or online. This happens minimum 2-3 times a month.⁸⁵ Half of all students say they have been called names, received hurtful comments or been teased in a hurtful way. Nearly 50% share experiences of exclusion and being victims of gossip. Approximately 25% have experienced physical bullying like being pushed, punched or kicked.

When a child find themselves in a situation where they are being bullied, and ask for help from a teacher or someone else they trust, many students say they are met with a negative response, are ignored, underestimated, waved off or talked down to.⁸⁶ Children and youth who are bullied have a considerably larger risk of developing psychological issues. Examples are depression, anxiety, low self-esteem, loneliness, suicidal and psychotic symptoms and physical problems like tummy aches, headaches and trouble sleeping.⁸⁷

Text from drawing: “To be included in play”



82 The Ombudsman for Children, “I want to dream positive dreams”, 2014

83 The Public Health Department, Facts about bullying, 2016

84 The Ombudsman for Children, “I want to dream positive dreams”, 2014

85 The Norwegian Directorate for Education and Training, The annual student survey, 2016

86 The Ombudsman for Children, “I want to dream positive dreams”, 2014

87 The Public Health Department, Facts about bullying, 2016

Violations of children's rights:

- Article 2, on non-discrimination
- Article 3, on what is best for children
- Article 12, on the right to be heard
- Article 19, on psychological violence and protection
- Article 24, on achieving the highest possible health standards
- Article 29, on the goal of education

Recommendations:

- Schools should have regular, organised conversations with students, where students can report if they are being bullied
- Schools need to employ school psychologists
- The schools must implement measures to ensure the children's wellbeing
- All teachers must be educated on how to handle bullying

Fraværsgrrensa – absence regulations

In 2016 the Norwegian government introduced a regulation on student's absence from high schools. The goal of this regulation is to ensure children and youth have clear guidelines when it comes to undocumented absence from school. With 10% non-approved absence, or more, a student will fail the respective class.⁸⁸ This was meant to work as a preventative action for students who don't attend or ditch school.

The absence regulation has been discussed for some time. Some students believe this is a negative action⁸⁹, while others view it as positive.⁹⁰ It is worrying that this decision was made and implemented without any inclusion or investigation of children and their thoughts on this regulation. This is a process that affects children, but their opinion has not been heard.

Violations of children's rights:

- Article 12 on having your opinion heard, is severely violated

Recommendations:

- Always have inclusive processes, where the students are invited to participate and be heard in cases that affect them.

88 The Norwegian Directorate for Education and Training, Absence regulations 3-2016, 2017
89 Willmann, "five reasons to not implement the absence restrictions", Aftenposten Si D, 6.4.2016
90 Stolpestad, "From a student supporting the absence regulations", Aftenposten Si D, 9.9.2016

Facilitation and accept at school

In the Norwegian school, several students report that fellow students and teachers intentionally talk negatively about vulnerable student groups that require extra attention and supervision. Examples are students with disabilities, learning disabilities, difficulty concentrating or mental health problems. Conditions in primary schools, secondary schools and high schools are so that students with extra needs, are not given the same opportunities than students that don't need special attention.

“Listen more to students than teachers.”⁹¹

Absence from school among children with disabilities are high.⁹² They experience degrading treatment and their ability to perform are often underestimated. Physical obstacles and lack of facilitation and universal design stops children from participating at school. 77% of all Norwegian primary schools have barriers that stops children with disabilities attending equally.⁹³ As the children get older, there seems to be an increased segregation between children with and without disabilities, both at school and after-school activities. At high schools, special education mainly happens outside of ordinary classrooms.

Deafblind, deaf and hearing impaired students right to be taught in sign language, are seldom practiced. The communication between school and deaf and hearing impaired parents, are negatively affected by poor translation services.⁹⁴ Students with concentration difficulties often find class boring and monotonous. Many express a wish to engage and participate during class, and benefit more from school. Several students report they don't have this space at their school and that there is no facilitation for their education.⁹⁵

“It is important to achieve, but based on your own level and abilities, and not like we are all exactly the same. I feel it is extra important that a person with ADHD have the same expectations as someone without ADHD, but it should be based on what you can achieve.”⁹⁶

Some students with need for extra attention, say they often have to repeat their diagnosis again and again. The schools are not good enough at informing all teachers of what is going on at school. Thus, students have to explain repeatedly to different teachers. This is very tiresome for most children.⁹⁷

“See me as a person, not as a diagnosis of a disease. I'm not a problem child, but a child with problems.”⁹⁸

91 The ombudsman for children, “I want to dream positive dreams”, 2014

92 NOVA, “How much left?”, 2013

93 Norwegian Association of Disabled, “Mapping the conditions of disabled people”, 2015

94 Adults for Children, “Youths experience with learning, facilitating and accept in school”, 2014

95 Adults for Children, “Youths experience with learning, facilitating and accept in school”, 2014

96 Adults for Children, “Youths experience with learning, facilitating and accept in school”, 2014

97 Adults for Children, “Youths experience with learning, facilitating and accept in school”, 2014

98 Adults for Children, “Youths experience with learning, facilitating and accept in school”, 2014

Violations of children's rights:

- Article 2, on non-discrimination
- Article 6, on the right to ideal development
- Article 12, on the right to be heard

Recommendations:

- Secure children's right to be heard in processes that affect them
- Secure good health service at schools
- Better facilitation and universal design for students that require it

Spare time and cultural activities

In May 2015 the Norwegian government presented fritidserklæringen - a declaration on free activities for youth. Fritidserklæringen is a strategy which goal is to offer all Norwegian children the possibility to participate in one free activity in their spare time.⁹⁹ 20-26% of children does not have the option or choose not to participate in organised activities in their spare time. The percentage is higher in families with lower income, and it's a fair assumption that for some families, the money situation trumps the children's participation in spare time activities. In addition, it is the local municipalities that organise activities like this, and so what is offered depends on where you live. The statement on spare time is a step in the right direction, but the actual measures to reach the goals have not been devised or implemented. It is still too expensive to participate in organised spare time activities.

Violations of children's rights:

- Article 31, on play and spare time. All children should have the opportunity and funds to participate in spare time activities

Recommendations:

- All children should get the necessary support to attend at least one free spare time activity. All children should have the opportunity and be able to afford to participate in organised, spare time activities



Indigenous and national minorities

In Norway, the Sami people have status as an indigenous minority, while Kven people, Forest Finns, Romani and Rom people have status as national minorities. All groups have the right to maintain their own language, religion and way of living, and they have the right to maintain their own culture and identity.¹⁰⁰ Presently, these rights are violated on a daily basis.

It is now 30 years since the law forbidding discrimination of Sami people was implemented.¹⁰¹ Yet, Norwegian Sami children and youth are still victims of hate and bullying on grounds of their ethnicity. Old attitudes from the period when the Sami people were victims of Norwegian assimilation policies are still present in society today. A reason for why Sami people still experience discrimination, may be the lack of knowledge in Norway of the assimilation policies that were undertaken from mid 19th century until mid 20th century.

During first half of 2017, the government discussed whether or not to establish a truth commission to investigate the effect of the assimilation policies on the Sami population. It has been discussed whether this is a part of history we need to put behind us to be able to move on. However, establishing a truth commission is important, so that Sami children are able to get to know their background and identity. It is also important that we have a state that knows it's history and takes it seriously, rather than trying to forget it.

In the report “Sami numbers tell” from 2016, it becomes clear that Sami people experience discrimination four times more frequently compared to Norwegians, often based on ethnicity.¹⁰² There has also been other, more serious breaches of rights, especially against children. In a hearing at parliament 15th May 2017, it came to light that Sami youth also is victims of physical violence because of their ethnicity.¹⁰³

In addition to discrimination and bullying, there are examples of structural discrimination of Sami people, for example when official publications are not translated to Sami.¹⁰⁴ Other examples is the lack of education and educational aids in Sami language at school.¹⁰⁵

Discrimination against national minorities are not documented as extensively as for the indigenous minority, and research has mainly been concentrated around past abuse and injustice.¹⁰⁶ It will be essential to create strong research on these issues to be able to identify discrimination and challenge stereotypes against national minorities.

- **School is where most Sami people have experienced discrimination. It is reported that it is usually fellow students who bully.**¹⁰⁷
- **The proportion who is bullied and offended, is higher in Sami areas than in the rest of the country.**¹⁰⁸

100 Institute for Social Research, Discrimination of Sami people, national minorities and immigrants, 2015

101 Law on The Sami Parliament and other judiciary systems for Sami people

102 The Government, “Sami numbers tell”, 2016

103 The youth organization Noereh, statement on an open hearing in the Parliament's Committee of Control and Constitution

104 Klassekampen, “Reacts on discrimination”, 2016

105 Norwegian broadcast (NRK), “open hearing on assimilation of Sami people, 2017

106 Institute for Social Research, Discrimination of Sami people, national minorities and immigrants, 2015

107 The Government, “Sami numbers tell”, 2016

108 The Djupedal committee, the Annual Student Survey, 2014/2015

Violations of children's rights:

- Article 2 on discrimination
- Article 8 on identity
- Article 12 on the right to be heard
- Article 17 on information. Sami children should have access to all necessary information in their own language

Recommendations:

- Establish a truth commission to investigate the assimilation of Sami people, so Sami children have easy access to information about their history and identity
- Sufficient education and educational aids in the Sami language
- That public documents should be easily accessible in Sami and Kven languages
- Funding for research on discrimination of national minorities



Children with immigrant background

Many children in Norway has a background from another country, or has parents from another country. These children often experience discrimination because of their background and cultural identity.¹⁰⁹ Immigrants have few specific rights in Norway, but everyone has the right to not be discriminated, no matter their ethnicity, religion, language and nationality.

”It sucks that some people exaggerate with humour – they say bad things about how you look, your background or what religion you adhere to.”¹¹⁰

Children with an immigrant background often meet challenges at school and at work. Research shows that teachers often do not know how to communicate with children with an immigrant background.¹¹¹ Reports show that discrimination and hate crime also happens in public spaces, on the street and youth clubs.¹¹² Minorities are often presented negatively in media, and immigrants who participate in public dialogue are more at risk to receive negative and uncomfortable comments.¹¹³ Research also shows that discrimination of immigrants, and Norwegian children with immigrant parents happens in most parts of society. A new poll from 2016 show that 36% of immigrants find it harder to be a Muslim in Norway today, than ten years ago.¹¹⁴ The police report an increase in hate crime against young people with a different background than ethnic Norwegians. In 2014 there were 28 police reports, in 2015 there were 70 police reports and in 2016 there were 108 police reports on hate crime based on ethnicity in Oslo.¹¹⁵

Violations children’s rights:

- Article 2, on discrimination

Recommendations:

- Improve education of teachers on issues of discrimination and how they can collaborate with students to work against discrimination in school and youth clubs
- Create clear definitions of what hateful speech is, and set clear limits on what kind of statements and comments that should not be allowed. Punish hate crime
- Punish discrimination at work and during recruitment processes

109 Institute for Social Research, Discrimination of Sami people, national minorities and immigrants, 2015

110 LNU, Life skills in school, 2017

111 Institute for Social Research, Discrimination of Sami people, national minorities and immigrants, 2015

112 Institute for Social Research, Discrimination of Sami people, national minorities and immigrants, 2015

113 Institute for Social Research, Discrimination of Sami people, national minorities and immigrants, 2015

114 Dagbladet, 36% muslims find it more difficult to live in Norway today, 2017

115 Oslo Police Department, Reported actions of Hate Crime, 2017

CHAPTER 6:

SPECIAL PROTECTION MEASURES

Refugee children

In 2014 and 2015 Norway experienced an increase in the number of refugees seeking asylum. Many of the refugees were unaccompanied children or families with several children. Even though the total number of refugees has increased, there was a dramatic decrease in 2016 as a consequence of stricter border control in several European countries.¹¹⁶ This led to a far more manageable situation in 2017, and it can be expected that the Norwegian government will maintain the standards they have committed to in the immediate future.

Unaccompanied, asylum seeking children

Living conditions

“Earlier I used to think that we are all going together, to the same country and everything will be fine. But every day we hear bad news [about Norwegian refugee policy] that makes me unsafe and worried.”¹¹⁷

“We want to eat healthy food.”¹¹⁸

The living condition of refugee children's vary depending on where the child lives. In some cases, the food offered at asylum centres is so poor, it has serious health consequences for the children. In some centers where the Norwegian Directorate of Immigration (UDI) has the responsibility of care, the children do not have a single room to spend time alone. In addition, the requirements of staff regarding academic background or experience with caring for children in a vulnerable position is lower in the centers UDI manage than in the care centers of the Child Welfare Services.¹¹⁹ One of the most serious issues is the mental health of children with refugee status. It has been concluded that this group suffer from mental health issues more often than Norwegian children in general.¹²⁰

“We have experienced so much before we arrived here. Since we arrived, we have not experienced anything good: our family is not here, and there are no activities.”¹²¹

116 Norwegian Refugee Council, German border control affects Norway, 2016

117 Save the Children, Hear it from the children, 2016

118 Save the Children, Hear it from the children, 2016

119 NTNU social research department, Living conditions for children in the phase of seeking asylum, 2015

120 NTNU social research department, Living conditions for children in the phase of seeking asylum, 2015

121 Save the Children, Hear it from the children, 2016

Refugee children themselves described that the situation in the asylum centers vary greatly from centre to centre. What activities the children have access to depends on what centre they live in. Some centers for unaccompanied children have prioritized offering activities of high quality and variety, to shorten the wait. Other centres do not offer any customised activities at all. With a decreasing number of refugees, there should be enough capacity to ensure that unaccompanied minors are offered customised and a good range of activities. When it comes to diet and nutrition, there should be a standard agreement to make sure all children get the food they need. To establish cafeterias in asylum centers could be an option.

Violations on children's rights:

- Article 3, on the best interest of the child
- Article 6, on the right to life and development
- Article 24, on the highest attainable standard of health
- Article 27, on an adequate standard of living

Recommendations:

- Establish cafeterias in centers for unaccompanied refugee children
- Highly skilled staff in all centers where unaccompanied refugee children live
- The same demands for staffing in all centers regardless of the unaccompanied childrens age. The demands should be equal to Norwegian residential care for children
- A broad and varied offer of spare time activities

Age assessments

“When I was interviewed, they [The Norwegian Directorate for Immigration, UDI] were not so exact. For example they never asked about my parents. They only said: Are they around 50? I said: Yes, and then they wrote that down.”¹²²

Age assessments are completed in cases where the age of a child is uncertain and can affect the application process. Age assessments have been carried out by a private practice on behalf of the Norwegian Directorate of Immigration (UDI). The leading doctor in this practice have been criticized for the uncertain and inaccurate methods used to determine the age of children. UDI still choose to base their judgement and proceedings on this single private practitioner. This has probably caused many of unaccompanied minors to have their age revised upwards; often to over 18 years. By doing this the children no longer have the right to live in Norway based on the stronger humanitarian considerations being under 18 provides. In the process of an age assessment there are also too much weight put on the physical examination, and the psychosocial considerations are often forgotten. In 2017 the forensic department of the Public Health Department will take over the age assessments together with Oslo University Hospital. They will look at the possibility to try out new models of age assessment.¹²³ This is a positive development, but the opinion of children themselves must not be forgotten on this important issue.

122 Save the Children, Hear it from the children, 2016

123 FHI, medical age assessment as basis of UDIs age determination, 2016

Violations on children's rights

- Article 1, on the definition of a child's age
- Article 3, on the best interest of the child
- Article 12, on participation and the right to be heard
- Article 13, on the right to receive and give information

Recommendations:

- New methods of age assessments
- An overall assessment where not only the physical examination is investigated, but also a psychosocial review, that counts just as much

Use of temporary residential permits and deportation

The Norwegian government has in the past couple of years increased the use of temporary residence permits for unaccompanied children between 16 and 18 years of age seeking asylum. They have also promoted a proposal to use these temporary permits for children younger than 16 years.¹²⁴ This will result in a practice where very young children would settle down and grow up in Norway, to then be deported when they turn 18. The proposal did not pass in parliament, but it is worrying that the government has the opinion that this is a reasonable proposition.

“Are you still thinking about running away?”

– Not that much anymore

Why less now?

– Because I think more of suicide. I believe this is my last battle. It is my last fortress and I cannot leave it. I just want to defend it with everything I've got.”¹²⁵

The increase in use of temporary residence permits for unaccompanied children between 16 and 18 years, is now close to 10%. Since 2008 the proportion of unaccompanied children with temporary permits have been stable somewhere between one and three percent. The Norwegian Directorate of Immigration's own numbers show that the same number have increased to 14% in 2016. The same figures for the first four months of 2017 shows that 43% of all unaccompanied refugee children got a temporary residence permit. Many of the children with these permits disappear from asylum centers¹²⁶, and are vulnerable to prostitution and other types of human trafficking.¹²⁷

124 Save the Children, thousands of children affected by the government's proposal, 2016

125 Norwegian broadcast (NRK) P3, “Rejected”, 2017

126 NRK, 143 children disappeared, 2017

127 Proseneteret, “Suspicion and gut feelings”, 2017

*“If I have to go back to Afghanistan I would say “can you kill me instead?” I do not want to go back.”*¹²⁸

Countries and regions around the world are stated as safe or unsafe by The Norwegian Country of Origin Information Centre (Landinfo). Their statements are used to form policies in the Government. Their definitions of what countries are safe to deport minor refugees to are controversial. Afghanistan is a good example of this. The country is suffering conflict that has become worse. Taliban has grown stronger in several regions and Daesh has entered the conflict. It is alarming that children denied asylum in Norway are sent back to areas in Afghanistan, even though the situation is unstable and insecure in many regions.

Violations on children’s rights

- Article 3, on the best interests of the child
- Article 12, on the right to be heard
- Article 19, on protection against violence and abuse
- Article 20, on special protection for children deprived of a family environment
- Article 22, on appropriate protection and humanitarian assistance for refugee children
- Article 24, on the highest attainable standard of health
- Article 29, on the content of education
- Article 31, on rest and sparetime activities
- Article 34, on protection against sexual exploitation and abuse

Recommendations:

- Repeal the opportunity to give unaccompanied refugee children temporary residence permits
- Reinstate the reasonability requirement in the consideration of applications for unaccompanied minors between 16 and 18 years of age



128 VG, 326 children only allowed to stay in the country till they turn 18, 2017

Refugee children with families

Internment of children

Extensive use of internment of children is nothing new in Norway. For many years children have been imprisoned because they are facing a deportation, often forced. Since 2013 there have been between 100 and 300 children in internment annually.

The government has expressed that this practice is “academically rooted, legal and responsible.”¹²⁹ In 2013, 96 % of the children at Trandum Immigration Detention Center was imprisoned for one week or more. In 2014 the number was 98%. This practice is not in the best interest of the child in any way, and lead to massive mental health issues. Use of fetter has been discussed as an alternative to internment, but this will not change the fact that these children get their freedom taken away. Regulations on matters of immigration detention are unclear and opens for different interpretations of when a child can be put in internment.¹³⁰

Violations on children’s rights:

- Article 3, on the best interest of the child
- Article 13, on the right to seek and receive information
- Article 22, on appropriate protection and humanitarian assistance for refugee children
- Article 37, on torture, inhuman and degrading treatment

Recommendations:

- New measures to secure the rights of children and families that are to be deported. Imprisonment and detention should not be part of new measures

Norwegian language lessons

In 2015 the government proposed to reduce the number of Norwegian language lessons offered for immigrants and refugees in asylum centers, from 250 hours to 175 hours. To be able to offer Norwegian lessons to all asylum seekers, the number of hours offered has been reduced.¹³¹ Many of those affected, are parents with children. To cut one of the most important measures of integration can lead to Norwegian not being a language that the children and their families can use at home. This slows or stops the process of integration in society.

129 Amnesty Norway and Save the Children, children in detention after the Norwegian Immigration Act, 2016

130 Save the Children and Norwegian Organization of Asylum seekers (NOAS), “I haven’t done anything wrong”- children and parents experience of forced deportation, 2017

131 The norwegian government, Renewal of the integration policies and higher demands for Norwegian language courses, 2015

Financial aid

In the National budget of 2017 there was a proposal to set a limit for monetary support to refugee families. This is normally regulated by the number of children in the family. The new proposal states that the maximum each family could get would be 10.000 norwegian kroner per month.¹³² This is a strange proposal that does not take the family's size into account. This can make the situation of large families very difficult, and the children would be the ones affected by the restrictions.

Violations on children's rights:

- Article 2, on non-discrimination
- Article 26, on social security
- Article 29, on the content in education

Recommendations:

- 250 hours of Norwegian language lessons for all persons in asylum centres
- Fair economic support for asylum seeking families. The support must be relative to the number of family members, and be sufficient for the needs of the family



Text from drawing: "That my whole family feels well"

PART 1

CONCLUDING COMMENTS

All violations of children's rights affect their quality of life and their opportunity to have a good life. Consequently, it is very difficult to choose what are the most urgent of all violations of children's rights in Norway. Nonetheless, the Jebb committee has decided to put forth three measures we find to be positive advancements towards fulfilling children's rights, as well as three infractions of child rights that we find the most worrying in Norway today.

Positive trends

Even though this report highlights subjects where we observe violations or adverse developments regarding child rights, there are also many improvements. We have chosen three measures that we consider most important to ensure a Norway where no children get their rights broken.

- A new §104 in the Norwegian Constitution was introduced in 2014 reaffirming that the best interest of the child should always be a primary consideration. It also states that in all actions and decisions that affects children, they have the right to express their opinions and be heard.¹³³ This change is important because it adds legal weight to have the best interest of the child as a primary consideration in the document that is our highest source of law.
- The declaration on spare time activities was signed in 2016 and is a measure to secure article 31 in the Convention on the rights of the child. The goal of this declaration is to ensure that all children have the right and access to at least one free spare time activity.¹³⁴
- In the national budget negotiations of 2016 and 2017 civil society experienced a breakthrough on the matter of school health care, as part of the yearly funds to all municipalities got earmarked specifically for this purpose.¹³⁵ This measure has been requested for a long time because it is documented that the service is far too dependent on where children live. Funding for health care were also increased in the budget. With the earmarked and increased funds we hope for improved numbers of staff in the school health service.



133 The Norwegian Constitution

134 The government, The declaration on leisure, 2016

135 The government, the national budget, 2016 and 2017

Text from drawing: "We play a little, then we say boo"

Negative trends

Most children in Norway have a good life and only report minor violations of their rights. Despite an overall good situation, there are still some negative trends and developments that are cause for concern. We want to highlight three key issues that concerns us the most.

- The life of refugee children is neither sound nor acceptable. These children experience adversities that no child should live through. Among other things, the government has not followed the recommendations from the UN and proposed to reduce the Child Welfare System's responsibility for the care of unaccompanied minors.¹³⁶ Several children are also exposed to internment and detention before being deported. This has proved to have a huge impact on the children's mental health. Age assessments are unfair and inaccurate. Norway has a lot to improve before fulfilling the rights of vulnerable refugee children.
- The percentage of children that report severe violence from adults in the family has not decreased the last ten years.¹³⁷ The numbers for serious sexual violations and abuse are also unchanged. The number of children living in Norway is increasing, and consequently, there is an increasing number of children experiencing different kinds of violence or abuse. We also consider it a grave concern that vulnerable groups of children are more often subjected to violence and sexual abuse.
- Too many children report that they are affected by pressure and stress in their everyday life. It is a problem that there is a total absence of measures proposed from the government to reduce this and prevent mental disorders among children and youth.

We hope the UN committee on the Right of the Child will devote special attention to these subjects in their recommendations to the state party



136 The Ministry of Children and Equality, New law on care centers for unaccompanied refugee children, 2016
137 Mossige and Stefansen, Violence and abuse against children- development 2007-2015, 2016

PART 2: WHAT DO CHILDREN KNOW ABOUT THEIR RIGHTS?



Barn ma bo et hus

Text from drawing: "Children should live in a house"

BACKGROUND AND FRAMEWORK FOR THE SURVEY ON CHILDREN'S RIGHTS

After working with the first part of the report the Jebb Committee was left with two important questions:

1. **What do children know about their rights?** The committee was curious if anyone had told children in school and kindergarten about the Convention on the Rights of the Child, and if so where and by whom?
2. **What rights do children think are the most important in their own lives?** The committee wanted to know more about what children and youth think are the most important rights in their own lives and what are important improvements

To demand your rights, you need to know your rights. However, the Jebb committee found little information on the level of knowledge children have about their own rights. The committee therefore decided to make their own survey on the topic and carry out consultations with school students in primary school, secondary school and high school, as well as consultations with 5 and 6 year olds in kindergarten. The committee drafted the questions for the survey and completed the consultations in all participating schools. The coordinators of the committee and working group assisted with framing the survey questions¹³⁸, completing the consultations in kindergartens and summarising the results.

Who participated?

The consultations were completed in 4th grade in primary schools, 8th grade in secondary schools and 1st grade in high schools. 659 students from 18 schools from 9 counties participated. The schools were contacted by e-mail and phone, and the Jebb Committee focused on geographical as well as urban vs rural representation.

To recruit kindergartens to participate in the survey the working group contacted the Kanvas Kindergarten group. Kanvas is a foundation with a network of kindergartens all over the country. 99 five and six year-olds from 8 kindergartens from 6 different counties participated.

The Jebb committee want to give a big thank you to all the children that participated in the survey and all the adults that made it possible!

138 The survey questions were designed and quality assured in collaboration with Aina Landsverk Hagen from the Labor Research Institute at Oslo and Akershus University College.

How was the consultations completed?

The members of the Jebb Committee executed the consultations at all participating schools. The students that took part were given the questionnaire together in class, but were instructed to complete it individually. The Committee members ensured that all classes consulted got the same information prior to answering the questionnaire by following a set manuscript made in advance. All members responsible for the consultations were mindful to not give information or examples during the introduction that could influence the answers from the students.

In the kindergartens, employees or management executed the consultations. The questionnaire was completed one-on-one as an interview and the grown-up wrote down the answer on the child's behalf. Similarly to the consultations in the schools, everyone who executed the consultations followed a simple manuscript to ensure that the interviews were done in a similar manner and the children were given the same information.

What questions were asked?

The questionnaire was split into three parts. The first part was identical irrespective of age, while part two and three were different depending on the children being in school or kindergarten. This to adapt the questions for children in kindergarten. While the first part of the questionnaire attempted to ascertain the knowledge of children's rights of the respondents, the second part asked what three rights they thought were the most important in their own life. In the third part, the students were asked to give one piece of advice to the Prime Minister that would make life better for children in Norway, while the children in kindergarten were asked to make a drawing about what they thought is absolutely most important for the welfare of children.



AT JEG FÅR LUFT

RESULTS

Questions and answers from part one

All children participating in the consultations answered the following questions:

- **Have anyone told you about children's rights? Yes / No (circle the answer)**
- **If yes; Where and from whom?**

We summarized the answers per age group:

Class and age	No. of children	Yes	No
Kindergarden, 5 and 6 year olds	99	32,3%	66,7%
4th grade, 9 and 10 year olds	214	86,9%	13,1%
8th grade, 13 and 14 year olds	334	81,1%	18,9%
1st grade, 16 and 17 year olds	111	72,5%	27,5%

Students attending primary and secondary school showed a high level of knowledge on children's rights with more than 80% average of positive answers. The fourth graders had the best results of all with 87% of the students having heard about children's rights. Answering where and by whom they had been told about children's rights, close to 2/3 had learned about it in school from their teachers, while 1/3 had heard about it from their parents at home. Among the eight graders the results were quite similar. 61% had learned about children's rights at school from their teachers, while 24% had learned about it at home from parents or siblings. Other sources of knowledge about rights ranged from children's programs on TV, to the internet, to posters, to friends and other acquaintances.

Among the students in 1st grade of High School there were fewer positive answers regarding knowledge about children's rights than among the younger students. 72.5% answered yes and 27.5% answered no. Among the students answering in the positive, 71% had heard about the topic at school from teachers, 13% from the UN and UN Association of Norway, 8% from internet, 6% at home from parents and 6% from different organisations. We are unsure about why the percentage of positive answers is lower than for the younger age groups. It may be due to the way we phrased the question, recent changes in school curriculum, or that the students no longer remember former teachings. Also, there was a lower number of respondents participating in the survey from High Schools that might reduce the representativity of the answers from this group.

Among the five and six year olds in kindergarden, 1/3 answered that they know about children's rights, while 2/3 answered that they had no knowledge of the subject. Almost 72% of the children that answered yes had learned about it in kindergarden, while the remaining had learned about the topic at home from mum, dad or grandma.

Questions and answers from part 2 from kindergartens

In the second part of the survey i kindergartens, we asked the children to give three proposals that they think are the most important things for children to have a good life. The children were asked the questions individually by employees at the kindergarten. We received 269 answers in all from the 99 children that took part.

More than one third of the answers were focused on relations between children. To have friends, someone to play with and not be alone comprised 13.6% of the answers. The remaining 22% articulated the importance of being kind to each other, to not bicker and fight, to be included in play, to say nice things to each other, and last, but not least, to not fart on each other.

”It is important that not only two can play together, but also three .”

The second largest category, with 20% of the answers, were about care and nurture, feeling safe and family. To have parents that show care and help you, that you can go to when afraid, and that you can play with, was mentioned in more than 7% of the answers. To feel safe and have a good home was also mentioned in 7% of the answers, while the remaining answers, 4.5%, were concerned with feeling well and being happy. In different ways, all answers reflected the need and importance for care and nurture in everyday life.

”That I have someone to go to if I don’t feel ok. To have a grown-up that I can talk to.”

Furthermore, 14% of the answers highlighted the importance of play, games and activities. To have toys, to make pranks and laugh, to climb trees, to tell jokes and generally have fun were all answers about what is most important for children. Another category with 11.5% of the answers were concerned with the need for proper nutrition, food and drink. Another 5.2% of the answers were about the importance of good health, or in other words - to not be sick, to have a calm and harmonious body, fresh air and no exhaust fumes in your mouth, and eating healthy stuff.

”To play together and have toys. That is important for children to have a good life.”

After asking what the children in kindergarten thought was important for children to have a good life in general we also asked - “What is absolutely most important for you to have a good life?”. The children gave the answer verbally, but was also asked to make a drawing describing the answer. The answers to this question and the one prior were almost identical. 27% answered that to have friend and someone to play with, 29% answered to have a family, to be cared for and feel safe, and 19% answered to play, to run and to have fun. 8% answered to have enough food and drink.

”The most important thing for me to have a good life is to have a barbie and my family.”

Kindergarten kids top 5

1. To have friends and someone to play with. To be included in fun and games, and to be nice to each other
2. To have a family that cares for you, to be safe and to be happy in everyday life
3. To play, run, laugh and have fun!
4. Sufficient food and drink
5. To feel well in your body, to not be ill, to have fresh air and to eat healthy stuff



Text from drawing: "That someone asks me to join the game"

Questions and answers from part 2 from students

In the second part of the survey all students were asked the question “What are the 3 most important rights you have in your life?”. Prior to answering the survey the students were given a short introduction about what a right is. The introduction was without specific examples to not influence the answers from the students. The Jebb Committee received a total of 1983 answers from the 659 students that participated! About half of the answers were from the students in 8th grade, one third from the students in 4th grade and the remaining from 1st grade in High School.

The 4th graders answered that the three rights that are most important are to have food and drink, to go to school, and to have a home/place to live. This is also the rights that the 8th graders and 1st graders answered were most important, but, as shown in the table below, in a different order of importance.

Class and age	Food and drink	A home/place to live	School
4th grade, 9 and 10 year olds	22,5%	12,2%	21%
8th grade, 13 and 14 year olds	12,7%	10,9%	23,2%
1st grade, 16 and 17 year olds	13,9%	17,4%	27,7%

After the 3 rights that were cited as most important, there were certain group of rights that were repeated most often. These did however vary between the different age groups.

In 4th grade 7.4% of the answers underlined that to play, have fun, draw, play games, paint etc. is an important right. This was closely followed by the right to be heard, to voice your opinion and to be included in decision-making with 6% of the the answers. The last topic that ranked high on the list of answers were the right to a family, to receive and give care, and to feel safe. More than 5% of the answers detailed how care and feeling safe was important, while another 4.8% described the importance of having a family and parents. Many of the answers in the last two groups were related to having a safe home and these answers are consequently combined in one category in the top 5 list.

”I have the right to a family that does not hurt me”

4th graders top 5

1. The right to enough food and drink
2. The right to go to school
3. The right to a home and to feel safe. To have a family that cares for you
4. To play, draw and have fun!
5. The right to be heard, to voice my opinion and to participate in decision-making

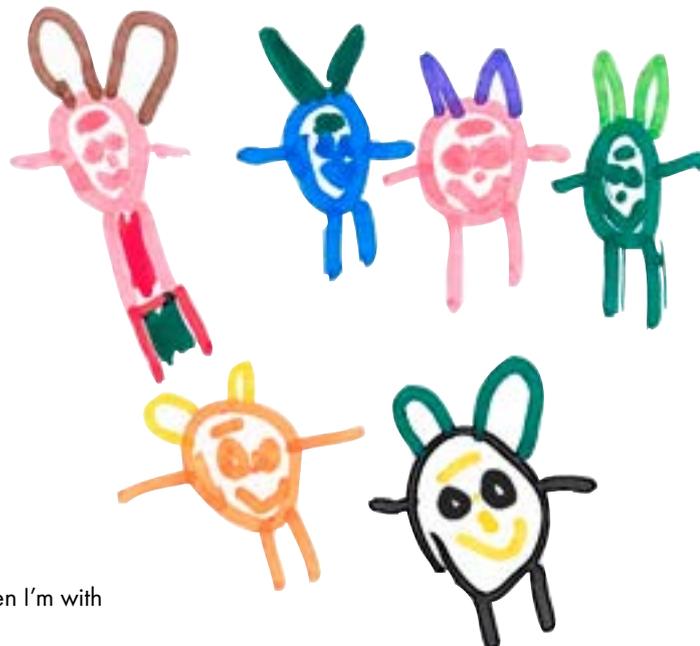
In 8th grade a large part of the answers were about the right to participate. 19% of the answers described the right to voice your opinion, to have your own opinions, to be heard, to decide for yourself, to say no, democracy and voting, and to partake in decisions concerning oneself. In addition, around 5% of the responses were about the right to free speech and to write what you like. Otherwise, 7% of the answers were concerned with the right to family, care and to feel safe. Also among the 8th graders the answers can be related to topic of having a safe home and place to stay. Lastly, the right to non-discrimination as in equality, equity and respect no matter your background or economic status was mentioned in 4.2% of the answers.

”I have the right to be treated equally to others. To not be discriminated against regardless where you come from, illness or your appearance”

8th graders top 5

1. The right to go to school
2. The right to have a home and be safe. To have family (and friends) that cares for you
3. The right to enough food and drink
- 4a. The right to be heard, to voice your opinion, to participate in decision-making and in democracy
- 4b. The right to free speech and to write what you like without punishment
5. The right to equality, equity and respect regardless of background and economic status

NÅR JEG ER MED FAMILJEN MÅN
HAR JEG DET BRA



Text from drawing: "When I'm with my family I feel good"

In 1st grade in high school the right to participate in decision-making and the right to free speech ranked high. 10.9% of the answers detailed the right to be heard, to make decision about your own life, to make decisions on your own, to have your own opinions and to vote in democratic elections and more. A further 10% of answers described the right to free speech as well as having diverging opinions. There were also many concerned with the right to care and to feel safe, and 6.5% of the answers were about the right to a good and safe childhood, to be nurtured and cared for, and the right to be loved.

”I have the right to make my own choices and my own decisions”

1st graders in high school top 5

1. The right to go to school
2. The right to a home and to be safe. To have family (and friends) that cares for you
3. The right to enough food and drink
4. The right to be heard, to have your own life, to make your own decisions and to participate in democracy
5. The right to free speech and to express your opinions freely

Text from drawing: “To have my mom, my dad and my dog”



Å HA MAMMA, PAPPA OG HUNDEN MIN

Questions and answers from part 3

In the third part of the survey the students were asked to give one recommendation to the Prime Minister that would improve the lives of children in Norway, while the children in kindergarten were asked to make a drawing about what they think is absolutely most important for them to have a good life.

The Committee collected 497 recommendations from students to the Prime Minister and 97 drawings from children in kindergarten about what is most important. It was an impossible task to summarise all the recommendations from the students and not lose the content of each. Every single one is therefore included! You can find them in a separate booklet attached to the back cover of the report. The drawings from the children in kindergarten are used as illustrations throughout the report. The statements attached to each drawing is however summarised as part of the results from part two of the survey on page 46.

Have a look in the booklet on the back cover before you read any further!

Text from drawing: "That I go to kindergarten and have a lot of friends, and have a name"

" AT JEG GÅR
BARNHAGEN OG HAR
MANGE VENNER, OG AT
JEG HAR ET NAVN "



CONCLUDING COMMENTS

Based on the survey, we can conclude that children and youth in Norway in general have good knowledge about children's rights. An average of more than 80% of positive answers is a very good result. Furthermore, it was a very interesting find that the respondents that answered that they had not heard about children's rights in part one of the survey still had very good answers in part two about what rights are important in their own lives. This was also the case among the children that answered the survey in kindergarten. All children, except one, that answered that they had not heard about children's rights still had many good thoughts and opinions about what is important for the wellbeing of children and for themselves.

Article 42 of the Convention on the Right of the Child states that Norway is required to make the content of the convention known for both children and adults. According to our survey, the state of Norway seem to succeed in this endeavour. However, the survey tells us little about the depth of knowledge that the students and children in kindergarten have. As pointed out initially; To demand your rights, you need to know your rights. The Jebb Committee wonders to what extent children have the requisite knowledge and opportunity to assert their rights if they experience violations or are violated. This topic is also raised by two recent reports; Unicef's report on "Teaching and learning about child rights" from 2015¹³⁹ and The Norwegian Children and Youth Council's report "Learning life skills in School"¹⁴⁰ from 2017. Both reports point out that improvements should be made to the education in school about children's rights. In addition children's rights should not only be part of the curriculum in primary school, but also in secondary school and high school.

After summarising the results of the survey, it is evident that children and youth, irrespective of age, have the opinion that meeting their basic needs is most important. This is closely followed by having friends and going to school. In particular, to have a safe home, to have enough food and drink, to be cared for and to have a family have been emphasised. Seen in correlation to the findings the Jebb Committee have highlighted in the first part of the report, many children do experience violations of their right to feeling safe, receiving proper care and having good parents or guardians. To fulfill these rights should be a priority for the norwegian government.



139 Unicef and Queens University Belfast, Teaching and learning about child rights: A study of implementation in 26 countries, 2015, s. 10

140 LNU, Livsmestring i skolen, 2017, s 48

The results of the survey also highlights that to be nice to each other, to show respect, to include each other and stop bullying is important no matter the age group. The children in kindergarten answered that to be included when playing and to be nice to each other was most important for children to have a good life. Among the students, to stop bullying was one of the most frequent recommendations that they gave to the Prime Minister to improve the life of children in Norway. Efforts to stop bullying and build a positive school environment are currently undertaken in school, but it is evident that further efforts should be made. And as pointed out in part one - chapter 5, adults in school and kindergarten must take children's and youth's experiences with bullying and exclusion more seriously.

Last, but not least, the answers in the survey show the importance of the right to be heard, to have a say in your own life, and that the opinions of children are heard and given due weight. The results show that this right becomes increasingly important with age. Students in both secondary school and high school emphasise that the right to be heard and the right to free speech are important to them. The Jebb Committee considers the right to be heard as fundamental not only for children to participate in important decisions in their own lives, but also to be real contributors in the society they are a part of. Norway have many mechanisms for children to be heard. However, the opportunities as well as quality in these processes for participation need improvement. The same applies to the possibility for youth to participate in democratic processes and democratic elections. This is the topic for part 3 of the report.



Text from drawing: "That I get to play"

PART 3: PARTICIPATION AND INFLUENCE IN DECISION-MAKING



Jeg vil bestemme litt!

The right to be heard and participate in decision-making is of particular interest to children and youth with whom the Jebb Committee has spoken, throughout the process of making the report. Taken this into account, as well as considering it is a basic principle in the Convention on the Rights of the Child, we deem it an important subject deserving of special attention in this report. Part 1 shows how the right to be heard is violated in the context of specific rights. In part 2 the answers in the questionnaire display the importance children and youth give to this right and that more should be done to secure its fulfilment. In this third and last part we discuss how children and youth are heard as a group in their everyday-lives by the city council, county and state, and as valuable members of the society. We have chosen to focus on the right to participation in three areas:

- **Students' opportunity for participation and student democracy**
- **Children and youths' opportunities to participate through youth councils**
- **Youths' opportunities to vote and to be participants in democracy**

In addition, the Jebb Committee has included two statements with a critical view on the Norwegian state's stance on the third protocol to the Convention on the Rights of the Child.

The committee has chosen to focus on these topics as we consider them structures or rights which the state and politicians have a great possibility to influence and change for the better. These are also subjects that greatly engage young people. We have asked The School Student Union of Norway (SSUN), The Central Youth Council of Oslo, Press, and the Norwegian Children and Youth Council, to give their input to this part of the report, considering their in-depth knowledge and competence on these issues.

The School student Union of Norway (SSUN)

The SSUN works for students' rights in primary and secondary education and is an organisation consisting of students working with and for students. The organisation has existed since 1959, and in its present structure since 1999. The SSUN is a democratic children- and youth-organisation consisting of 19 local branches - one in each county in Norway- and one central executive committee.

The Norwegian Children and Youth Council (LNU)

LNU is an umbrella organisation for 95 voluntary children- and youth-organisations with a total of 500 000 individual members and 10 000 local branches. All member organizations are democratic and voluntary, representing a great variety of activities and values.

Press

Press is Save the Children's independent youth-organization and was established in 1995. Its purpose is to work for a world where children's rights are fulfilled. Press has 1300 counting members and 20 local branches spread across the country.

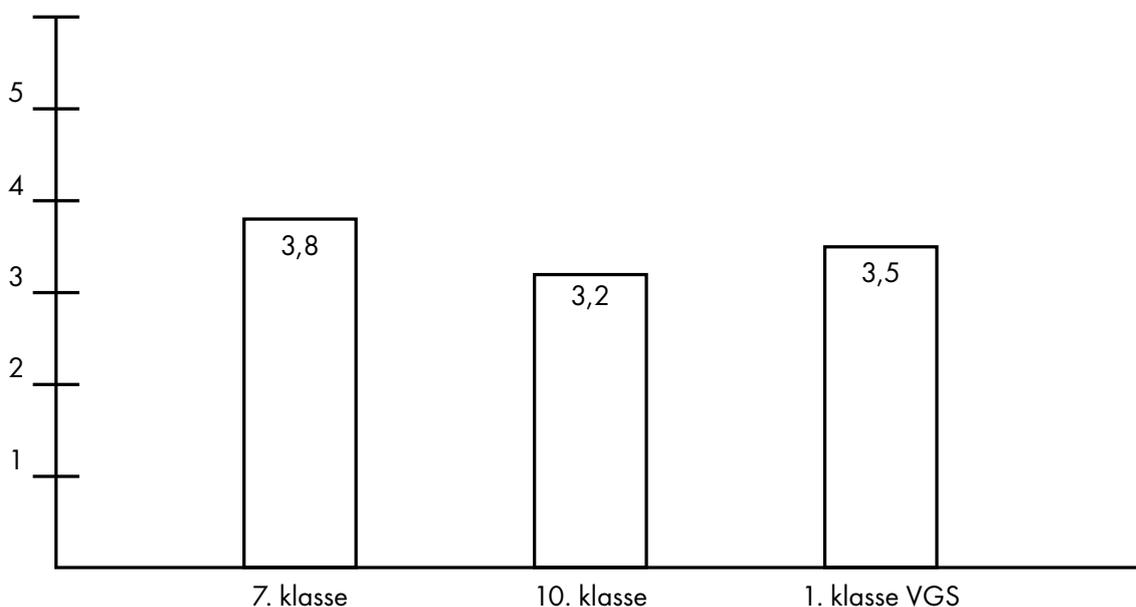
STATEMENTS:

STUDENT PARTICIPATION AND STUDENT DEMOCRACY

To what extent can students influence their own school day? The student survey which is conducted every year gives us accurate numbers of how good the students think their possibility for participation is. 432 000 students responded to the survey in 2016.¹⁴¹

The student survey shows that 89.5 % of the students are having a good or very good time in school. The numbers for student participation are however significantly lower. The survey shows that students in 7th grade gives it a score of 3.4 and students in 10th grade a score of 2.9 out of 5 possible points when it comes to the opportunity to suggest how students should work with their subjects. In the first year of high school the students give the same question a score of 3.1.¹⁴² To the question as to whether the school listens to the students' suggestions regarding the management of the school, 7th grade gave it a score of 3.8 whereas 10th grade gave it 3.2 and first year of high school gave it 3.5 out of 5.¹⁴³ The students' answers show that their satisfaction is just above average concerning their opportunities to influence and participate in both the content of classes and making suggestions about the management of the school.

Do the school listen to suggestions from the students?



141 Udir, The Annual Student Survey; Bullying and peace to work, 2016

142 Udir, The Annual Student Survey; Student participation and student democracy, 2015

143 Udir, The Annual Student Survey; Student participation and student democracy, 2015

The results from the student survey are also confirmed through qualitative surveys. As part of the reform of the municipality of Oppegård in 2016, 112 youths aged 11 to 15 answered that school was the most important topic to them.¹⁴⁴ The answers show that in general they are having a good time in school, but that many things still could be better. Within the topics of democracy and participation, they had several important inputs:

”On the topic of democracy and participation, the different councils for participation where students themselves participate are highlighted as good, and the students were particularly concerned about preserving the opportunities to influence political proceedings, either through Youth council, Children and youth city council, student council or in other ways. Most highlighted the student council as something good and important to maintain, at the same time there were many comments on how it could be improved. Among others, more serious electoral arrangements were suggested as well as more meetings and more resources in order to implement suggestions from the students. It was also mentioned as a concern that the student council has little impact on topics of real importance and that the cooperation between student councils, children and youth city councils and municipal youth councils should be improved.

Another prevalent topic is that politicians and adults should listen to youth. Some youth highlighted that it’s good that politicians listen to youth, while some reported that adults are not responsive enough in their everyday lives. This topic was thus an issue highlighted by many both as an improvement and as a concern. The students also focused on that everyone must be heard, even those who do not speak up for themselves. Furthermore, it was brought to light that there is not enough time to make decisions when everyone is to be included in the process of voicing their opinion. To sum up, the students emphasize the importance of being heard by adults, both as student council and as individuals. They want to be heard and to be a part of making decisions that impact their everyday lives.”¹⁴⁵

The surveys show that many students feel there is a lack of good democratic processes and opportunities for participation. This is also one of the main topics for SSUNs, and they have important suggestions on how to improve participation in decision-making in school.



144 LNU, Process of participation in Oppegård municipality, 2016

145 LNU, Abstract on the process of participation carried out in Oppegård Municipality, 2016

Statement from The School Student Union of Norway (SSUN)

The right to student participation is statutory in the Education Act § 1-1, which states that students and apprentices in elementary school, high school and in a company, have the right to participate and influence decisions concerning their education. However, feedback from member schools to SSUN shows that the degree of involvement in school vary greatly, and that student democracy is not working at all in some schools.

“There is so much reading to get through that our teacher is just pacing through instead of asking how we want the classes to be conducted. I’m not blaming her for that, but I wish we could give more inputs.”

In an everyday teaching situation students have the right to give input on how the teaching should be conducted, this right is statutory through regulation to the Education act § 1-1. Based on conversations with students in its member schools, SSUN reports a great variation in whether this right is fulfilled or not. In crowded classes, it is difficult for teachers to follow up each student, and it is difficult to take different ways of teaching and evaluating into account. Due to the size of classes and the amount of reading, teachers often have to set dates and decide the evaluation structure before the semester starts. SSUN experiences that the lack of student participation in decisions is the greatest in the general preparatory education (high school).

“I believe there is a great difference between the classes at my school. In drama class, we have a saying concerning how students should be included in the work, so we are quite lucky. The teachers want us to be able to “make our own projects” after a while, without any help.”

In practice, student democracy varies from one school to another, just as student participation vary during lessons. Some member schools of SSUN report having an effective student council where the students are represented in decisions with the school’s administration. However, there are also member schools where the student council is not effective, where there is a lack of basic organisational structures and where they cannot carry out their mandate. Based on feedback from member schools as well as the ombudsman for students and apprentices in the different counties, we can conclude that a common denominator for an effective student council is an administration that is initiative-oriented and cooperative. In schools where student democracy is working, there are principals who also prioritize student participation and democracy in decision making. In city councils and counties where the school owner supports that students are represented in boards, student democracy works better, and student representatives get to participate in decision making on the same terms as the administration and the teachers.

“I think our school is really good at listening to the students. I feel we get really good offers, and both heads of departments, teachers and the top management are good at including students in decisions that are made.”

Another problem affecting student democracy in schools is the high degree of turnover in the student councils. When one third of the students finish school each year, the transfer of knowledge is very challenging, and student councils very often start from scratch every school year. In schools where the student council has procedures for the transfer of knowledge, the student democracy works better and students have a greater sense of being heard.

“The student council in my school has some power, but not sufficient, and not on important issues. The student council often has power on issues like the lack of quite cheap equipment in school, for example hair dryers in the locker room, toasters in the canteen etc. But on greater issues like restructuring of optional subjects, the making of test schedules and subject schedules as well as greater changes in the school building, our voice is never heard.”

Recommendations and suggestions for action:

Lack of influence in teaching and evaluation situations

Through the suggested curriculum reform, SSUN is hoping that teachers get more freedom to plan their classes more dynamically, which will fulfil students’ rights to take part in deciding the structure of evaluation. The Chief County Executive should also have the opportunity to impose sanctions when dealing with complaints where students report violations at their school due to lack of student participation in decision-making in the classroom or teaching situations.

Student democracy in decision making

SSUN is of the opinion that there should be stricter demands given to school leaders to follow up the student council and actively include students in decision making. It should be statutory on national level that students’ representatives hold the same rights as the principal, teachers’ and parents’ representatives when attending the school’s decision making bodies. The Chief County Executive must have the opportunity to impose sanctions against schools that violate this right.

If County councils and city councils facilitate basic funding for student councils, the students will have a greater opportunity to establish a functioning student council, and they will have greater continuity. By for instance establishing funds to which the student council can apply for project funding and for their daily operation, weak or non-functioning student councils will be strengthened so they can carry out their task of representing the students at their school.

Replacement and lack of continuity

The ombudsman for students and apprentices should receive increased funding in order to, and in cooperation with SSUNs local branches, carry out student council trainings and function as a body of competence that can follow up student councils with lacking routines for the transfer of knowledge and continuity.

STATEMENTS:

CHILDREN AND YOUTH COUNCILS

Statement from LNU

Youth councils

All children and young people live in a municipality, and the municipality is governed by local politicians. Even if the voting age is lowered to 16, many children will not have any influence on the politics where they live. Therefore, it is good that about 9 out of 10 municipalities have forums for participation for youth¹⁴⁶, giving young people a voice in questions that concern them.

“What’s working well concerning the youth council is that I and other members make a difference in the local society, which is positive. What’s less effective with the youth council is probably that there could be more meetings where we could discuss topics and present them in the city council/presidency.”¹⁴⁷

Unfortunately, there is a great difference in how well these arrangements work. Some of them, often called youth councils, meet regularly and can follow political issues over a greater period of time. Other bodies meet maybe once or twice a year, and the members never receive any more information after attending an event at the city hall. Some places the young participants are selected by the mayor, and other places they are elected by the student council, youth organizations and youth clubs. Some of the young people receive thorough training, some receive none. These differences are unfair and often mean that youth in many places do not actually have real influence.



146 The Government, Parliamentary propp. 65 L (2016-2017) Changes in the Municipal Law a.o. (council for elderly, persons with functional disabilities and youth), 2017

147 The Jebb committee, Consultation with a member of the Youth Council in Kristiansund, 2017



Only adults gain anything from having children and youth alibies in local politics. When youth councils and other councils of participation for youth are not functioning properly, it is demotivating for youth participating, and it alienates children and youth more from politics. When youth councils function well, they put the concerns and priorities of youth on the agenda and force politicians to take children and youth into account.

To fulfil children's right to be heard, they must be able to influence politics where they live. Therefore, we must have youth councils in every municipality, and they must be independent, representative and have real influence.

Recommendations:

- Make youth councils mandatory in all municipalities and let youth elect their own representatives
- Give the youth councils the right to training, a secretary and the right to set their own agenda
- Give the youth councils the right to speech and to make suggestions in the city council and county council

Statement from the Central Youth Council of Oslo

There are forums for youth participation in most Norwegian municipalities today. No matter, whether they are called councils, city councils or association, they need information and guidance to be effective partners in decision making and service development. Today the youth councils in Norway function differently, with a varying degree of both participation, support and information. Only within the city of Oslo the 15 different district councils and the central council function with very different prerequisites for participation. How much funding the various district councils receive from the district administration, their access to local politicians and their possibilities of giving input or participate in decision making differs greatly.

“Youth is not just the future; we are here right now as well – listen to us!”

Differing prerequisites in local councils in municipalities and districts leads to differing opportunities for participating in school, in organisations and in the county. In Oslo, we can see that well trained local youth councils, with access to local decision makers, give the ripple effects of an increase in students participation in decisions in school and influence in the central youth council. We think politicians’ and administrations’ lack of understanding of what youth participation is and youth councils are and can be used for, lessens the extent to which young people are included in the local democracy.

Young people are an important voice today. Not just in the local democracy, but also nationally. The lack of a national youth council with democratically elected representatives from all counties in the country, weakens the legitimacy of a great deal of the good work carried out in city municipalities and counties. There is a need for more youth participation on a national level. A national council will not just give youth a formal influence on all levels of management, but it can also work as a support for children and youth organisations which today find it difficult to be heard.

Recommendations:

- Legislation concerning youth councils in counties, future regions and municipalities, with national laws for secretariat, information and the right to participation
- Creation of a national and democratically elected body for youth’s participation
- Facilitate training for administrations on the levels of districts, counties and state on issues of youth participation and youth councils

STATEMENTS:

VOTING RIGHTS FOR 16 YEAR OLDS

Since 2011, Norway has conducted, with positive results, a test project giving 16 year olds the right to vote in local elections. However, the government has decided to end the project before the national elections this year, and has terminated the work concerning the introduction of voting rights for 16 year olds. The Jebb Committee considers this a very negative development, and recommends to introduce the suggestions from LNU's General Assembly's resolution "Listen to the youth – extend the democracy", adopted April 29 2017.

Statement from LNU

Everyone should have the opportunity to influence politics in a democracy. The easiest way to influence politics is to vote in elections, as the elected politicians hold the most power. Consequently, we must have good reasons for denying someone's voting rights. Today you have to be 18 to vote in an election. A lack of voting rights for everyone below the age of 18 means a real and significant deficit in democracy for children and youth in the society.

The age limit to vote has been changed many times over the last 200 years, and was initially 25 years old. It is not given that it will be 18 years forever. 16 and 17 year olds had the opportunity to vote in the local election in 20 municipalities in 2011 and 2015. The results were very positive.¹⁴⁸ First-time voters usually vote less often than other voters, but 16 and 17 year olds voted more often than other first-time voters, and almost as much as the rest of the population. As a result, more politicians below the age of 30 were elected in municipalities where 16 and 17 year olds were allowed to vote. More young politicians mean that young people have role models, and that the city councils are more representative, as youth are underrepresented.

Two common arguments against giving 16 year olds voting rights, are that young voters often are immature and that they vote for radical parties. However, we would never deny someone older than 18 to vote because we thought they were not mature enough. Furthermore, never before have young people been given better training in democracy, and surveys show that Norwegian youth are among the world's best in civic participation.¹⁴⁹ The second argument is not correct either. When 16 and 17 year olds participated in the pilot projects, they voted for the same parties as other voters. The same applies to the school elections.¹⁵⁰

Austria lowered their voting age to 16 in 2007. Their experience is that young people are very active in the democracy and that their interest in politics increases by having the right to vote.¹⁵¹

If 16 and 17 year olds can vote, 130 000 more people can take part in the democracy and have a real opportunity to influence politics and society. They will get a good start on their lives as participants in the democracy, and establish good habits for the rest of their lives.

148 Institute for Social Research by Bergh, "What happens when 16 year olds are given the right to vote? Results from the evaluation of two pilot projects of lowered age limit for voting", 2016

149 Udir, ICCS Short report, 2009

150 NSD, Results from School Elections: Country statistics, 2015

151 European Youth Forum by Dezelan, "Young people and democratic life in Europe: What next after the 2014 European elections?", 2015

Resolution 9.2, April 29th 2017. "Listen to youth – extend democracy"

The Norwegian democracy is not a fixed size and needs renewal to become broader and more inclusive. Therefore, LNU suggests eleven measures to increase young people's democratic participation in Norway.

We should have good reasons to deny someone the right to vote. Two pilot projects of giving voting rights to 16 year olds show that 16 and 17 year olds participate more often than other first-time voters, and that the number of youth elected increases when the voting age is lowered. The time is ripe to include 130 000 more people in the Norwegian democracy.

Political participation amongst youth has increased, however, the variance in participation between groups of young voters has simultaneously increased. We are concerned that we are headed for a political exclusion, where young people from immigrant backgrounds, vocational degrees and boys participate less in elections than other young people. It is crucial to strengthen democracy training to prevent anyone from ending up outside of the democracy. Therefore, the Parliament's decision on introducing democracy as an interdisciplinary topic in school must become more than just a good intention.

Democracy is more than election. Still, election is the cornerstone of democracy, and the youth's first encounter with elections shapes their political habits for the rest of their lives. At the same time, research on elections show that young people have poor prerequisites to participate in elections as they are in an unstable life situation. Therefore, we need to particularly facilitate young people's participation in elections, and make sure that their vote and voice actually matters.

LNU requires that:

1. 16 year olds get voting rights as of the local election in 2019
2. Voters will be able to vote in another municipality than where they are registered, also on the day of election
3. Voters are able to give cumulative votes in advance in local elections
4. Cumulative votes become more important in national elections
5. Polling stations are placed where many young people are situated
6. Every youth receives a reminder in a text message prior to election day
7. The funding for information on elections increases
8. School elections are made mandatory in high school
9. Democracy training will be presented earlier in school and in more classes, and emphasises that democracy is also a practical skill
10. Youth councils become mandatory in all municipalities, and the councils are independent, representative and continuous, and have sufficient information and knowledge to exercise real influence
11. The funding for work concerning attitudes towards electoral participation for young voters is increased

STATEMENTS:

OP3 CRC

THE THIRD OPTIONAL PROTOCOL TO THE
CONVENTION ON THE RIGHTS OF THE CHILD



Statement from LNU

Individual appeal – a necessary step to secure rule of law for children

The Convention on the Right of the Child and the three additional protocols are to secure that countries which ratified the convention, give children the rights they are entitled to under the convention. This is crucial for creating a safe and fair world for children and youth. Therefore, LNU thinks Norway has a responsibility to join the individual complaint scheme of the Convention on Right of the Child.

The purpose of the third additional protocol is to strengthen and supplement national complaint mechanisms, and also strengthen the implementation of the Convention on Rights of the Child and the additional protocols. LNU considers it in the children's best interest that Norway joins the additional protocol. Based on the Norwegian Constitution § 104 and the Convention's article 3, one should bring the children's best interest into consideration in all matters affecting children, not only in matters affecting the individual child, but also on an overall level as in this case. The Supreme Court has stated that "When considering against other interests, consideration for the best interest of the child must be of great importance – it is not only one in several factors in an overall evaluation. The child's interests must form the basis, be highlighted in particular and be in the forefront."¹⁵²

LNU is concerned about children and youth's rule of law. The Convention on the Rights of the Child gives these citizens particular protection because they are among the most vulnerable groups in society. They have poor prerequisites for claiming their own interests, and they do not have political influence through elections. The duty to assess whether a proposal is for the child's best interest, is a critical part of the additional legal protection for children. When the government rejects a complaint mechanism to the Convention on the Rights of the Child, they underestimate the children's need of and right to a superior legal protection.

Consequences of a complaint mechanism

In Parliament whitepaper No. 39 the government points out insecurity concerning how the committee in practice will develop, and emphasises that "there is a risk that in their interpretation of the Convention, the Committee on the Rights of the Child, compared to other national courts, will balance the consideration of the child's best interest to a lesser extent against other important social considerations, such as immigration regulatory considerations." Furthermore, the government expresses concern that the mechanism will have consequences for Norway's possibility of political action, and that it will contribute to making political issues a legal concern.

152 The Norwegian Supreme Court Conviction and verdict, "Mariadommen", 2015

LNU wants to emphasize that the Convention on the Rights of the Child and the principle of the best interests of the child are recognised and is current law in Norway. Therefore, these questions are already part of law and jurisprudence. The Norwegian Constitution § 104 second paragraph states the following: “In actions and decisions affecting children, the best interests of the child should be a fundamental consideration.” Based on the Human rights act, the Convention on rights of the Child applies as Norwegian law, preceded by other Norwegian legislation. It is precisely in immigration cases that Norway has received frequent criticism of not giving consideration to children’s best interest enough weight. The fact that the government wish to avoid criticism on administration and jurisprudence that collide with our international commitments, when the Convention is already ratified, is not an sufficient reason for not joining the complaint mechanism. Conversely, all legal decisions in Norway that concern children should be able to withstand review and scrutiny.

In lawyer Frode Elgesems investigation on pros and cons about ratifying the Protocol, Elgesem emphasizes that it is not about giving new rights, but giving children the right to claim the rights they already have.¹⁵³ Many rights in the Convention on the Rights of the Child rights are formulated based on the children’s position, and give children some rights which are not covered in any other convention on human rights. Other complaint mechanisms are rarely used by children. The Protocol will create a child friendly structure, and secure children’s right to complain and right to be heard.

Norway as pioneer

Norway is traditionally a pioneer in supporting the creation of systems for strengthening human rights. To promote children’s rights internationally is an important priority within Norwegian foreign policy. When Norway, which is probably the country with the best conditions to fulfil the children’s rights, shows a passive attitude, it is noticed by other countries when they consider signing and ratifying the protocol. Together with the foreign ministers from Colombia, Ethiopia, Ghana, Indonesia, Jordan and Mexico, Børge Brende recently made recommendations to the UN’s General Secretary. They emphasized the importance of working towards a strengthened implementation of human rights obligations in the member states.¹⁵⁴ So far, 34 countries have ratified the Protocol, including Denmark, Germany and Finland. Norway should follow their own advice, and become number 35.

Collective appeal

Ratifying the third additional protocol will be an important step to strengthen children and youth’s rights. At the same time, LNU considers it a weakness that the Convention on the Rights of the Child does not include a collective appeal. Such an appeal was a part of the first proposals for the third additional protocol, but did not become a part of the final protocol. A collective appeal will strengthen the convention’s preventive function, and hence strengthen the protection of children’s rights. Also, it will increase the general recognition of children as rights holders, and make it easier to address the general issues which individual matters will be based on.

153 Elgesem, “Assessment of pros and cons about a possible ratification of OP3 CRC”, 2013

154 The Government, “five recommendations to the next UN secretary General”, 2016

Recommendations:

- Norway joins the individual complaint system of the Convention on the Rights of the Child
- Norway works to introduce a collective appeal linked to the Convention on the Rights of the Child

Statement from Press

Norway 's planned rights violations

In 2016 the government made a recommendation to the Parliament about adopting additional protocols to several of the UN conventions.¹⁵⁵ The recommendation said that Norway should not ratify the additional protocol 3 to the Convention on Children's rights about the right to file a case before the UN's Children Committee.

The government justified their recommendation as follows:

“Based on the work with the recommendation, the government will not as of present, propose joining the complaint scheme, as significant uncertainty is attached to the consequences this may have on Norway's possibility of action, and for a possible legislation of political issues.”

*“The fact that Norway has not ratified shows they do not take children's rights seriously.”*¹⁵⁶

The fact that Norway, together with other countries, does not want to be in the forefront allowing children to present a case for the UN committee, shows that the desire to violate children's rights is greater than the desire to fulfil them. It is not acceptable for Norway to be passive to ratification of an additional protocol which is only positive for the rule of law for children and other fulfilments of rights. It is strongly recommended that Norway ratify the optional Protocol 3 of the Convention on the Rights of the Child.

*“The Convention on the Rights of the Child is something that only applies to children. Therefore, it is important that children themselves can complain if their rights have been violated.”*¹⁵⁷



155 The Government, White paper 39 (2015-2016)

156 Press, consultation with members, 2017

157 Press, consultation with members, 2017

FINAL COMMENTS



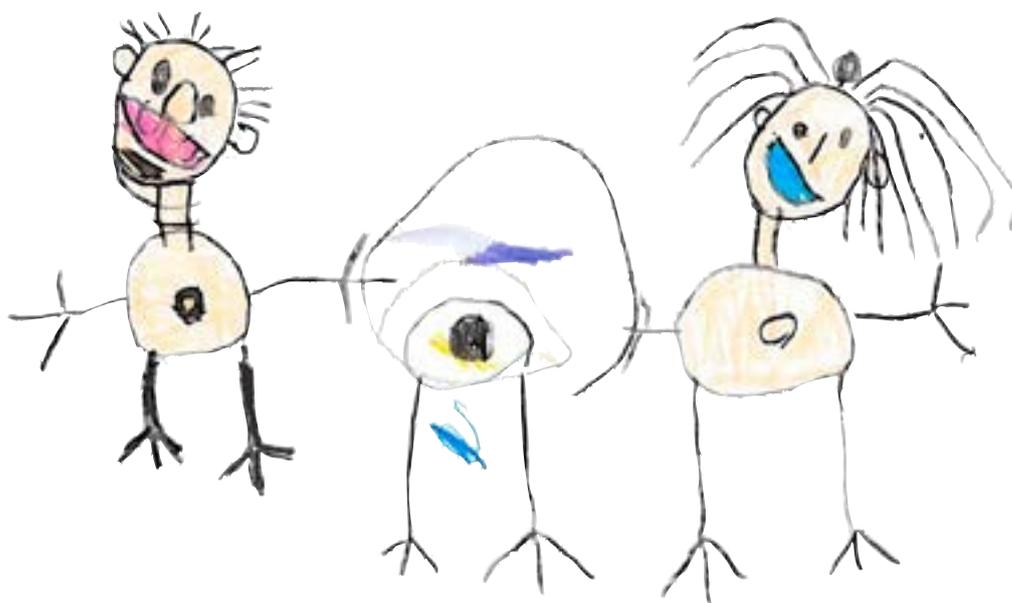
To give the UN Committee on the Rights of the Child insight into the lives of children in Norway, it is a necessity that the children themselves get the opportunity to express their thoughts and opinions. By letting children's voices be the key aspect of this report, we hope to improve our own everyday life and secure our own rights. We think this is very important.

The children's report to the UN committee is extremely important to make sure children's everyday life is put under scrutiny and improved. To write the report has been a challenge for all members in the Jebb Committee. We have used a lot of our time in addition to spare time activities and school. Even though it has been a challenge and taken a lot of our time it has also been a great joy. We have learned a great deal from participating in the project and we are proud to represent a whole spectre of children's opinions.

There are a lot of subjects that should be included in a report like this, but we have not been able to include all subjects we find important. However, we do think that the report will give a good overview of children's perspectives of their own rights, and hopefully also give some good advice to improve the quality of life for children in Norway.

In conclusion, we would like to express our gratitude for the opportunity to work with this report. Never before have our country produced a report where we as children and youth have been the decision makers, sources of information and promoters in all parts of the process. We are proud of both the process and the results that show a wide range of children's challenges regarding their rights. We have raised awareness of severe child rights violations, showed what children know about their own right and also how children can claim influence in their society. There are a lot of things that can be better in Norway. Therefore we hope our report will contribute to change, so all children in Norway will have a good life.

Now it is up to the Norwegian government to take action and secure the rights of all children. We wish you all the best of luck!



We are proud to present the final result of “Kidz have rights!”- a report we hope will be an important contribution in the reporting process of Norway to the UN Committee of the Rights og the Child. We also hope this is a report that will encourage children to learn more about their own rights. We hope the content will be read thoroughly by decision makers and other important stakeholders.

We will do our best to keep this project running and make sure the report give knowledge to children, insight to adults and a good basis for child friendly policies in the years to come.

We would like to thank all contributors for making this report a reality!





Listen to what children say. Stop bullying. 0% pollution. That
grown ups show children love. Take care of children in a better way
for them. To have a mom and a dad. To participate in some decisions
have friends. Let children have a stronger voice. Extra help at school
violence. Do not throw out unaccompanied refugee children. Let
Stop bullying, pressure and backbiting. Remove the new absence
measures against child poverty. Less school and less homework.
make children and youths mental health better. Let children par