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Excellency,

In my capacity as Rapporteur for follow-up on Concluding Observations of the United Nations Committee against Torture, I refer to the examination of the fifth periodic report of Norway (CAT/C/81/Add.4) by this Committee, at its 39<sup>th</sup> session, from 5 to 23 November 2007. At the end of that session, the Committee's Concluding Observations (CAT/C/NOR/CO/5) were transmitted to your Permanent Mission. In paragraph 18 of those Concluding Observations, the Committee asked, pursuant to its rules of procedures, that Norway provide, within one year (by November 2008) further information regarding areas of particular concern identified by the Committee in paragraph 6, 7, 8 and 9 (see extracts annexed).

The Committee has adopted a follow-up procedure to pursue issues that are serious, that can be accomplished by the State party in a one year period, and that are protective.

The information sought by the Committee has not been provided yet, although more than one year has elapsed from the transmittal of the Committee's Concluding Observations. Accordingly, I would be grateful for clarification as to the current status of your Government's responses on the matters, and as to when the information requested will be forthcoming. Upon receipt of this information, the Committee will be able to assess whether further action is needed.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Norway on the implementation of the Convention. In this context, the Committee seeks to receive your response to this enquiry.

Accept, Excellency, the assurances of my highest consideration.

Handwritten signature of Felice D. Gaer in black ink.

Felice D. Gaer

Rapporteur for Follow-up on Concluding Observations  
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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 19 OF THE CONVENTION**

**Conclusions and recommendations of the Committee against Torture**

*(Extracts for follow-up)*

**NORWAY (CAT/C/NOR/CO/5)**

(...)

**Non-refoulement**

6. The Committee notes the existence of a so-called “48-hour procedure” for the rejection of asylum-seekers from countries generally regarded as safe and whose application is assessed as manifestly unfounded after an asylum interview.

**The State party should ensure that a genuine consideration of each individual case can still be provided for under the “48-hour procedure” and keep under constant review the situation in those countries in respect of which that procedure is applied.**

7. With regard to the State party’s participation in the International Security Assistance Force (ISAF) operation in Afghanistan, the Committee notes the State party’s explanation that any Afghan citizen apprehended by Norwegian ISAF personnel is handed over to the Afghan authorities in accordance with a Memorandum of Understanding obliging the Afghan Government to comply with relevant international standards in the treatment of any persons thus transferred.

**In accordance with the Committee’s constant view (see CAT/C/CR/33/3, paras. 4 (b), 4(d), 5 (e) and 5 (f) and CAT/C/USA/CO/2, paras. 20 and 21) that article 3 of the Convention and its obligation of non-refoulement apply to a State party’s military forces, wherever situated, where they exercise effective control over an individual, the State party should continue to closely monitor the compliance by the Afghan authorities with their relevant obligations in relation to the continued detention of any persons handed over by Norwegian military personnel.**

**Pre-trial detention and treatment of persons otherwise detained or at the disposal of the authorities**

8. The Committee, while noting the amendment of legislation to reduce the length of pre-trial detention and the use of solitary confinement as a preventative measure, remains concerned at the lack of adequate statistics validating the effectiveness of these measures.

**The State party should compile detailed statistics on the application of pre-trial detention and the use of solitary confinement so as to verify the effectiveness of recent amendments to its relevant legislation in practice. The State party should also compile statistics relating to the application of recent amendments to the Immigration Act concerning the detention of foreign nationals.**

9. The Committee, while welcoming the recent adoption of a legislative act to regulate the rights of persons staying at the Trandum Alien Holding Centre, notes that the supervisory board which will supervise the operation of the Centre in accordance with that act has yet to be established.

**The State party should establish the supervisory board for the Trandum Holding Centre envisaged in recent legislation forthwith so as to ensure that the rights of persons held at the Centre are respected at all times.**

(...)

18. The Committee requests the State party to provide, within one year, information on its response to the recommendations contained in paragraphs 6, 7, 8 and 9 above.

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