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## Supplementary submission to the SCA's consideration of Norway's NHRI in November 2012

Reference is made to our submission of 27 June 2012 in response to your communications of 4 November 2011 and 18 April 2012.

We are at this point, unable to submit documentary evidence as to the (re-)establishment of a NHRI in Norway in full compliance with the Paris Principles.

This supplementary submission aims to provide the SCA with an update before it makes a final decision regarding the NCHR's application for reaccreditation at the forthcoming session 19 to 23 November 2012.

The report summarizes background, sets out the overall status, and provides specific information as to follow-up of the five recommendations provided by the SCA to guide the NCHR and the Norwegian Government in developing a strategy for the establishment of a Paris Principles compliant NHRI before the end of 2012. The report concludes by providing a set of recommendations.

### Background

Your communication from November last year informed us of the following recommendation:

“The SCA informs the NCHR of its intention to recommend to the ICC Bureau that the NCHR be accredited with **B status**, and gives the institution the opportunity to provide, in writing, within one year of such notice, the documentary evidence deemed necessary to establish its continued conformity with the Paris Principles. The NCHR retains its **A status** during this period”.

At the same time, the SCA noted that the University of Oslo (UiO) intends to terminate the NCHR's role as a NHRI by the end of 2012, and that the NCHR in collaboration with the Norwegian Government intends on developing a strategy for follow-up and establishment of a Paris Principle compliant NHRI before the end of 2012.



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The SCA set out five recommendations to the NCHR and the Norwegian Government in developing its strategy.

The five recommendations from the SCA were:

1. An inclusive and consultative process to ensure broad support for a new NI should be initiated by the Government without delay, and should include the NCHR, civil society groups and other stakeholders;
2. The new NI, irrespective of institutional model chosen, must be established in conformity with the Paris Principles by an Act of parliament and preferably by Constitutional provision;
3. The legislation should ensure an independent body with the necessary resources and capacity to fulfill a broad mandate to protect and promote human rights;
4. The Government should in consultation with NCHR, develop a strategy for the interim period upholding at minimum the current level of NI work, and the existing budget earmarked for NI should go directly to NI work (hereinafter: consolidated strategy for reestablishment of NHRI);
5. The NCHR should in the interim period make every effort to continue its NI work, particularly in relation to conducting monitoring, documentation and advocacy, and to enhance its knowledge base, work methods and independent functioning (hereinafter: plan for transitional period).

Primary responsibility for follow-up of recommendations 1-3 rests with the Norwegian Government; the Government in consultation with the NCHR is responsible for recommendation 4; and the NCHR is fully responsible for recommendation 5.

The SCA's communication to the NCHR of 4 November 2011 was forwarded to the Minister of Foreign Affairs Jonas Gahr Støre on 17 November 2011.

### **Overall status**

The Norwegian Government decided on 23 August 2012 to establish an inter-ministerial working group which "in response to the ICC's recommendations [...] is to consider whether changes should be made to the NHRI, including whether a new NHRI should be established on the basis of a different institutional model, with reference to the Paris Principles" (Terms of Reference, point 1, see Appendix). The working group should present its report to the MFA by 14 December 2012. Thus, a formal political process is underway with an initial deadline which indicates intention of a speedy process.

The NCHR continues to implement its plan to enhance the work of NI in line with the Paris Principles, the recommendations of the SCA and those of the external review. The NCHR has also provided NI (the informal sub-unit within the NCHR) with a large degree of independence in the transitional period, including a gradual transition to full budgetary autonomy by the end of 2012. The MFA continues to provide NI with an annual budget on par with previous years. Thus, in the transitional period the previous level of NI activities and results are upheld, and even increased and specifically oriented in a more Paris Principles compliant manner.

Status as to follow-up on the five recommendations is as follows:

## **1. Inclusive and consultative process**

With regard to the consultative process following the SCA's decision in October 2011, it is important to distinguish between the process prior to (phase 1), and after the establishment of the inter-ministerial working group at the end of August 2012 (phase 2). The first phase was marked by very limited consultation with the NCHR, civil society groups and other stake holders, whereas the second phase has started well with the working group seeking input from the NCHR, civil society and other stake holders.

### ***Phase 1: Before working group***

There were two consultations between the MFA and NCHR, one in November 2011 with MFA Secretary General Bente Angell-Hansen, and another in May 2012 with Director General Geir O. Pedersen of the Department for UN, Peace and Humanitarian Affairs. There have been no meetings with the political leadership of the MFA, but it is reassured that the Minister is well-informed of ongoing discussions and that there is a clear political ambition for Norway to have an A-status National institution. The main purpose of both meetings has been for the MFA to explore whether and how there could be a continued linkage between the UiO and a restructured NI. The NCHR was invited to provide input on alternative organizational structures and what it considered to be the main legislative elements in a possible legislative act.

There was one consultation between the MFA and civil society and other stake holders in January 2011. On this occasion the MFA Secretary General Bente Angell-Hansen met with the NI's Advisory Council which consists of 12 entities, namely the 3 ombud institutions, the Sami Parliament, 7 civil society organizations (NGOs), and the main employer organization (the main labour organization has for non-political reasons terminated its participation as of February 2011).

Civil society actors in Norway have for some time expressed their increasing discontent with the Government's reserved approach to a number of human rights issues, i.e. ratification of international instruments, individual complaints mechanisms in particular, and initiating a new national human rights action plan. The NI issue feeds into this context and the lack of timely follow-up of both the external review of NI from March 2011 (commissioned by the Ministry of Foreign Affairs) and the SCA's recommendations of October 2011, is taken as an indication of what is perceived to be a general trend. The NGO-Forum for Human Rights, represented by 13 of its leading members, wrote a letter to the Prime Minister at the end of August 2012 arguing the need for more openness and consultation with civil society on human rights issues in Norway. The Minister of Foreign Affairs held an open meeting with civil society organizations on these issues on 17 September 2012.

### ***Phase 2: Working group***

The Government appointed on 23 August 2012 the aforementioned inter-ministerial working group to consider changes to Norway's NHRI. The group consists of representatives from six different ministries: foreign affairs (lead), justice, children and equality, administration (indigenous people), health and research. The Term of Reference (ToR, see Appendix 1) was developed by the MFA in consultation with other ministries. There was no consultation with NCHR or other stake holders on the formulation of the mandate.

The SCA's call for an inclusive and consultative process is reflected in the ToR as follows:

- Although the NCHR-NI is not part of the working group, “representatives of the NCHR-NI can take part in some of the working group’s discussions where this is considered relevant and appropriate” (ToR, composition of working group).
- “The working group is to consult with the Norwegian Centre for Human Rights, the University of Oslo, the Sami Parliament and other relevant bodies. It is also to consult representatives of civil society groups” (ToR, mandate, point 2).

The working group has been working efficiently in its first weeks of operation. In line with its mandate the group has started its collection of information by meeting the head of the external review team (2010-2011) Nora Sveaass, the acting Director of NI Kristin Hogdahl (both 10 September), the president of the UiO together with the dean of the Faculty of Law and the Director of NCHR Nils Butenschon (17 September), OHCHR/NIRM Vladlen Stefanov (19 September) and an open meeting with civil society (24 September).

The working group is still developing its work plan for issues to be discussed once the initial stage of information gathering is completed. We expect that there will be more in-depth consultations between the working group and NCHR-NI as work progresses. At present, we await further information from the working group as to when and which topics they would like to discuss with us.

The consultation meeting with civil society on 24 September was an open and constructive exchange. The working group has invited written inputs by 13 October. Some issues of particular interest to the working group were highlighted in the consultation meeting, and comments encouraged as part of the written input. The working group did not indicate plans for when and if another consultation meeting with civil society would take place before finalizing its report in December, but were encouraged to consider this possibility given the Paris Principles’ intention to ensure broad support for, hence the legitimacy of a new NI.

**Consultation, especially with civil society actors, will play a key role in building broad acceptance and ownership of a reestablished NHRI given the unison support to the establishment of a human rights commission as recommended by the external review (see further under point 2). Consultation can be instrumental in securing support and legitimacy for the ongoing process and its outcome. Furthermore, it is crucial that after the reestablishment of NHRI, the new institution will commence its work with the necessary recognition and support from civil society and other relevant actors.**

## **2. Act of parliament – legislation**

The SCA's call for an Act of parliament or Constitutional provision is reflected in the ToR as follows:

- “The working group is to consider whether the mandate of the Norwegian NHRI should be given a statutory basis, and if so propose amendments to the legislation” (ToR, mandate point 3)

Based on the requirements of the Paris Principles as reiterated in the SCA's recommendations, we expect that the working group soon will commence work on a legislative text to be submitted with their final report

to the MFA. In order to facilitate legislative drafting, NCHR-NI submitted a comprehensive memorandum to upon request from the MFA, in January 2012.

The approach we adopted in the memo can be summarized in three points:

Firstly, as a top priority, the new NI has to have its mandate and core functions clearly defined by new legislation. The mandate and functions, i.e. **competence and responsibilities** as well as **method of operation**, must be in accordance with the Paris Principles and should include:

- Monitoring human rights situation;
- Investigate specific issues and situations;
- Advice and make recommendations to authorities on human rights issues;
- Assistance to authorities to develop and implement various measures;
- Annual report on human rights situation;
- Reporting to international mechanisms;
- Cooperation with relevant national actors including civil society;
- Capacity building and human rights education;
- Promote human rights through public debate and raising awareness.

With regard to individual complaints (optional function) we suggest that the future NHRI provide information and advice to individuals rather than add a quasi-judicial complaints mechanism. We also recommend that the future NHRI be a formal part of a National Preventive Mechanism under OPCAT (optional function).

Secondly, we argue that the choice of institutional model must be enshrined in law, but that there is not one single model of the institution and its leadership that is required by the Paris Principles. However, the Paris Principles set out strict requirements for acceptable models with regard to **pluralistic composition and independence**. In practice there are in fact four different institutional set-ups that today enjoy international A-status: (1) human rights commission, (2) human rights ombudsman, (3) human rights institute, and (4) mixed/hybrid models.<sup>1</sup> The external review recommended a human rights commission (cf. our submission of 26 April 2011). This recommendation was based on broad consultations thus securing strong and unison support to the commission model from civil society actors and other stake holders. However, it seems that national authorities, due to political and budgetary considerations, see the need to consider various options.

Thirdly, the law should include provisions regarding the transition of the existing to the new NI so as to ensure non-retrogression in the work of NI. The more concrete aspects of such a transition are commented upon below. This includes the need for a consolidated strategy for transfer to a reestablished NI (cf. point 4), as well as the more immediate plans for improvement within the existing NI framework in the transitional period (cf. point 5).

**Legislation must be a high priority for the working group. We hope that our input from January 2012 will be given due consideration and that our expertise will be fully utilized in the forthcoming drafting process. In a situation of certain uneasiness as to choice of institutional model, we will encourage the working group to have due focus on the core functions of the**

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<sup>1</sup> We note that “consultative and advisory bodies” is sometimes recognized as a separate model.

**institution as required by the Paris Principles i.e. competence and responsibilities as well as method of operation. Likewise, we will advocate for an institutional model enshrined in law which is in accordance with the Paris Principles' call for pluralistic composition and independence.**

### **3. Resources and capacity**

The SCA's call for an independent body with the necessary resources and capacity is reflected in the ToR as follows:

- "The working group is to carry out an overall evaluation of the consequences of the proposals it presents [...] At least one of the proposals is to be based on an unchanged cost level, within the current budget framework" (ToR, mandate point 4).

Based on the requirements of the Paris Principles and as emphasized in the SCA's recommendations, we expect that the working group will give due consideration to the new NHRI's need for infrastructure and staff necessary for the smooth conduct of its activities.

The current budget framework for the National institution is NOK 6,3 million. In accordance with SCA recommendation 4 (see further below), the entire budget earmarked for NI will as of 2013 be allocated to NI purposes. Even with this adjustment, NHRI will only be able to uphold the present level of 5 full time staff and 1-2 interns in addition to a limited operational budget. Considering the possibility of separate premises which is likely to increase administrative costs, the number of staff/interns may have to be reduced.

Maintaining the current level of staff will represent a serious limitation for the new NHRI to conduct necessary activities. As a point of reference, the external review panel in their outline of and recommendation to establish a human rights commission, made a rough estimate indicating the need for a four times the present budget.

**Resources and capacity of a reestablished NHRI will have to be strengthened, irrespective of the institutional model selected by the authorities.**

### **4. Consolidated strategy for reestablishment of NHRI**

The SCA's call for the development of a joint strategy by MFA and NCHR for the interim period has only partially been addressed. We understand this recommendation to require consultations between the MFA and the NCHR-NI on how to ensure the smooth transfer of capacities and resources of the existing NI from the NCHR to the new NHRI once reestablished. Such transfer must be undertaken according to rules and regulations governing such processes. Such capacities and resources will include intellectual property, personnel, budget, hardware and other assets. We hope to initiate consultations on these matters in lieu of the inter-ministerial working group, now that a formalized political process is underway.

Although there is not yet an agreed consolidated strategy, important ground work and clarifications as to framework conditions have taken place:

- Prolonged NCHR responsibility: The delay in initiating a formal political process, means that NI cannot be reestablished separately from the University by the end of 2012 as was reported in our submissions

last year. It was thus agreed in the meeting between the MFA and NCHR-NI in May 2012, that the NCHR would continue its role as NHRI until a restructuring has been agreed. This was confirmed in writing by letter from NCHR to MFA of 24.05.12. In the letter it was clearly stated that 2013 is expected to be the last year that NCHR continues its NI role.

- Budget control: Through consultations of annual allocation of earmarked funding for NI purposes, both between the MFA and NCHR, and internally at the University, a larger part of earmarked funding in 2012 has been made available for NI purposes. From 2013, earmarked funding will in full be committed to NI priorities. At the same time, the added funding provided by the NCHR over the last two years to partially compensate for previous budget practice, will be discontinued.
- Increased autonomy: The informal NI unit at the NCHR has been given a large degree of autonomy within the current organizational structure. It has thus been possible to follow-up on recommendations of the external review from March 2011 and reorient NI work to be more Paris Principles' compliant. The ambition is to lay the ground work for a well-functioning NI which can give a new NI a solid starting point to continue and further develop its activities once reestablished.

**A consolidated strategy to ensure the smooth transfer of capacities and resources of the existing NI from the NCHR to the new NHRI once reestablished, remains an important and for the time being, unresolved issue. We hope consultations with the MFA on such a strategy will take place in relation to the inter-ministerial working group, now that a formalized political process is underway, and the transitional provisions we believe should be included in the legislation.**

## 5. Plan for transitional period

The SCA's call for NI to make every effort to continue and enhance its NI work is being addressed and we believe we are making significant progress. We continue to implement the plan outlined in our last submission to the SCA in October 2011, and will in the following report on results according to plan.

The plan aims to ensure a forward looking reorientation of NCHR/NI in the spirit of the Paris Principles, ICC's recommendations and expectations, and the recommendations of the external review of NI's work. We took particular note of the following areas in need of improvement:

- Strengthen monitoring as a basis for strategic planning;
- Thematic reporting focusing on selected issue areas;
- Visibility and advocacy;
- Follow-up of recommendations from international monitoring mechanisms.

The plan focuses on:

- 1) Factually based contributions to relevant human rights issues in the Norwegian context,
- 2) Follow-up of such contributions through advice and advocacy work targeting decision makers, and
- 3) Stronger coordination with ombudsman institutions and NGOs.

We are proud to report on the following results/achievements since our last report to the ICC in October 2011:



**Ref. 1) Factually based contributions on human rights issues.**

Status on three measures:

- Strengthened monitoring: The systematic, publically available database covering all information sources used in our Yearbook on Human Rights in Norway 2004-2011 are now accessible at [www.mr-norge.no](http://www.mr-norge.no). In addition to the various source materials now available online, we are in the process of developing fact sheets on all main human rights topics. The fact-sheets will compile core information and summarize a brief analysis of the main human rights challenges in a given issue area (official launch of web-site postponed until numerous fact sheets have been completed; possible postponement until reestablishment of NI)
- Thematic reports: We have this year published a thematic report entitled “*The use of solitary confinement in prison*”. This has been an issue of repeated international criticism. We had a successful launch at the end of August with a panel discussion among key stake holders. We have had a meeting with the Ministry of Justice to discuss the findings of the report and have asked for feed-back on their plans for follow-up before finalizing our supplementary report under CAT in mid-October (hearing of Norway in Geneva Oct/Nov). We had hoped to produce two thematic reports per year, but must reduce our ambition to one per year given limited resources.
- Contributions to the public debate (limited). Presently only in exceptional cases.

These measures are in addition to ongoing work on our next Yearbook and international reporting (e.g. supplementary report under CAT in October and supplementary report under ICESCR early 2013).

**Ref. 2) Follow-up of factually based contributions with advice and advocacy work**

Status three measures:

- Policy memos and commentaries to parliamentary hearings have been formulated and presented to relevant stakeholders on various topics. We would specifically mention input provided on: Ratification of OP CAT including establishment of a NPM (where we also argued a role for the NHRI); assessing ratification of OP ICESCR; considerations of the CRC in relation to children of asylum seekers, and ratification of CRPD.
- Human rights catalogue in the Constitution in 2014 is a priority follow-up with advocacy work. The first step, now achieved, was that good proposals for constitutional amendments strengthening human rights, was put forth before the deadline for new proposals 30 September.

We have now added solitary confinement in prisons as an issue to follow-up with advocacy work. Work on the thematic report has provided the factual basis and contacts with numerous key practitioners and decision makers, and we are using the linkage to CAT hearing of Norway as leverage for government action.

We are considering follow-up also on the issue use of force in psychiatric treatment, but can only take incidental action due to limited resources.

- Systematic follow-up of recommendations from international monitoring bodies (limited). Presently only requesting government to develop and implement plans of action for the follow-up of recommendations from specific mechanisms (CRC in 2010, CERD and ICCPR in 2011, CEDAW February 2012), taking



part in government initiated consultation meetings and incorporating recommendations as relevant to thematic reports and other ongoing work .

These measures are in addition to legislative commentaries and more ad-hoc seminars on topical issues.

***Ref. 3) Stronger coordination with ombudsman institutions and NGOs***

We continue to benefit from close cooperation with the three ombudsman institutions (Parliamentary-, Equality and Anti-discrimination-, and Children’s ombudsman). We hold four coordination meetings per year to exchange information and discuss common interest areas including participation in international monitoring mechanisms. We are also engaging in concrete, issue-based discussions with NGO-forum. This is in addition to regular meetings with the Advisory Council which includes the ombudsman institutions and NGOs.

**The plan for the transitional period is being implemented and demonstrates progress in relation to the areas recommended by the SCA, i.e. in conducting monitoring, documentation and advocacy, and enhancing our knowledge base, work methods and independent functioning.**

**Final remarks and recommendations**

We hope the above information gives the ICC/SCA a useful overview of the present situation and the follow-up taking place in light of the welcome guidance provided by your recommendations of October 2011. In summary, a mandate addressing recommendations 1-3 was given to an inter-ministerial working group which has worked effectively since its establishment at the end of August 2012. Recommendation 4 has been partially addressed and will hopefully be addressed in full in relation to or immediately following the working groups report due on 14 December 2012. Recommendation 5 is being implemented and is demonstrating positive results.

One issue we would like to mention is that the MFA on various occasions have expressed the desirability of even more detailed feed-back and guidance on the changes necessary to ensure full compliance with the Paris Principles. Since the SCA prior to making its assessment was informed of the University of Oslo’s intention to terminate its role as NHRI, the SCA’s recommendations were perceived to be less specific as to concrete changes needed than what would otherwise have been the case.

On this basis, we would suggest that the SCA consider supplementing its previous recommendations along the following lines:

- Consultation: Recognizes and commends the Government for initiating an inclusive consultation process and encourages every effort to build broad acceptance and ownership, especially among civil society actors, for the new NHRI regardless of which institutional model is chosen.
- Legislation: Welcomes the Government’s mention of the need to give the NHRI a statutory basis and reiterates that the new NHRI must be established by an Act of Parliament or Constitutional provision in order to be in conformity with the Paris Principles.
- Legislation: Encourages due focus on the core functions of the institution when drafting legislation in accordance with Paris Principles, reference is made to sections in ‘composition and

responsibilities’ as well as ‘methods of operation’ (adding perhaps any other specific guidance available through criteria used by the SCA when assessing applications of reaccreditation; perhaps also highlighting best practices e.g. considering NHRI accountability and reporting to parliament). Direct reference can be made to the ICC General Observations which underline the need for specific functions as those listed in the Paris Principles.

- Legislation: Emphasizes the need to meet the requirements of plurality and independence when selecting the appropriate institutional model and makes reference to the ICC General Observations which further specifies that NHRI is a public body with important implications for its accountability, funding and reporting arrangements.
- Resources and capacity: Welcomes confirmation that earmarked funding as of 2013 will be fully dedicated to NI purposes while noting that the NHRI sees the current level of funding as a serious limitation for the new NHRI to conduct necessary activities. Emphasizes the Paris Principle requirement of adequate funding, recalling the ICC General Observation which specifies that this entails that funding, to a reasonable degree, should ensure the gradual and progressive realization of improved NHRI’s operations in fulfillment of its mandate.
- Consolidated strategy: Strongly encourages consultation and written agreement between the MFA and NCHR as NHRI, on the process of a smooth transfer of capacities and resources of the present NHRI to the new NHRI which ensures non-retrogression of NHRI work in Norway.
- Transitional period: Recognizes progress and encourages NHRI to take further steps to enhance its work in line with the Paris Principles.

We await your feed-back as to when the Director of NI should be prepared to answer further questions from the SCA at its November meeting.

Yours sincerely,

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Director

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Director of National Institution a.i.

Appendix:

## **WORKING GROUP TO CONSIDER CHANGES TO NORWAY'S NHRI**

### **Background**

In 1993, the UN General Assembly recommended that states establish national human rights institutions (NHRIs) in line with the Principles relating to the Status of National Institutions (the Paris Principles).<sup>2</sup> These institutions are to promote and protect human rights, and assist the authorities, NGOs and individuals, by providing advice, reports and information on general human rights issues or on individual human rights related matters. According to the Paris Principles, NHRIs must have a formal mandate from the authorities and be independent.

The establishment of Norway's NHRI – the Institute of Human Rights at the Faculty of Law at the University of Oslo – was laid down by Royal Decree of 21 September 2001. This institute was later renamed the Norwegian Centre for Human Rights.

The Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in 1993 reaffirmed the important role played by national institutions in the international human rights system. The International Coordinating Committee of NHRIs (ICC) was established under the Office of the High Commissioner for Human Rights. One of its tasks is to examine whether NHRIs comply with the Paris Principles. The General Assembly and the Human Rights Council, in their resolutions relating to national human rights institutions, have encouraged NHRIs to seek accreditation status through the ICC. In 2006, Norway's NHRI – the Norwegian Centre for Human Rights – was found to be in full compliance with the Paris Principles, and was granted A status by the ICC.

In July 2011, the University of Oslo informed the Ministry of Foreign Affairs that it wished to terminate the role of the Norwegian Centre for Human Rights as NHRI, as it did not consider the principles of academic freedom and independent research, which are the very foundation of any university, to be compatible with the role of NHRI.

Earlier that year, the Ministry had requested consultants to examine how the Norwegian Centre for Human Rights functioned as an NHRI. The report, which was presented in March 2011, concluded that the NHRI's links with the university had limited its capacity to promote, protect and monitor the compliance of human rights.

The latest evaluation of Norway's NHRI undertaken by the ICC's Sub-Committee on Accreditation in October/November 2011 concluded that the Norwegian Centre for Human Rights as presently constituted does not comply with the Paris Principles, and recommended that it should be accredited

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<sup>2</sup> A/RES/ 48/134 of 20 December 1993

with B-status unless it provides the necessary documentary evidence to establish its continued conformity with the Paris Principles. It included the following recommendations: 1) An inclusive consultative process should be initiated that includes civil society groups; 2) The NHRI should be established by an act of Parliament, or preferably by Constitutional provision; and 3) The legislation should ensure that the NHRI is independent and has the necessary resources and capacity.

Against this backdrop, the Government has decided to establish a working group to consider the changes that need to be made, including the possibility of establishing a new NHRI based on a different institutional model.

### **Leadership and composition of the working group**

The working group will be chaired by the Ministry of Foreign Affairs. It will otherwise be made up of representatives of the following ministries: the Ministry of Children, Equality and Social Inclusion, the Ministry of Government Administration and Reform, the Ministry of Health and Care Services, the Ministry of Justice and Public Security and the Ministry of Education and Research. Representatives of the Norwegian Centre for Human Rights can take part in some of the working group's discussions where this is considered relevant and appropriate.

### **Mandate**

- 1) In response to the ICC's recommendations, the working group is to consider whether changes should be made to the NHRI, including whether a new NHRI should be established on the basis of a different institutional model, with reference to the Paris Principles. The working group is to take into account the findings of the report *Protecting and promoting human rights in Norway – Review of the Norwegian Centre for Human Rights in its capacity as Norway's National Human Rights Institution*, which was drawn up at the request of the Ministry of Foreign Affairs and presented in March 2011.
- 2) The working group is to consult the Norwegian Centre for Human Rights, the University of Oslo, the Sami Parliament and other relevant bodies. It is also to consult representatives of civil society groups.
- 3) The working group is to consider whether the mandate of the Norwegian NHRI should be given a statutory basis, and if so propose amendments to the legislation.
- 4) The working group is to carry out an overall evaluation of the consequences of the proposals it presents in accordance with sub-section 2.3 of the Instructions for official studies and reports and the preparation of legislation. At least one of the proposals is to be based on an unchanged cost level, within the current budget framework.
- 5) The working group is to submit a report to the Ministry of Foreign Affairs by 14 December 2012. It is to be in a form that is suitable for a general round of consultation. Any postponement of the deadline must be agreed with the Ministry.