

Act relating to the Norwegian National Human Rights Institution

Section 1. *Purpose and scope*

The purpose of the Act is to establish the Norwegian National Human Rights Institution.

The primary function of the Norwegian National Human Rights Institution is to promote and protect human rights in accordance with the Constitution, the Human Rights Act and other legislation, international treaties and other international law.

Section 2. *General directives*

The Storting issues general directives for the activities of the national institution. The national institution shall otherwise discharge its functions in a free and independent manner and shall itself decide how its work will be organised and carried out.

Section 3. *The functions of the national institution*

The national institution shall contribute to strengthening the implementation of human rights, in particular by:

- a) monitoring and reporting on the human rights situation in Norway, including making recommendations to ensure that Norway's human rights obligations are fulfilled,
- b) advising the Storting, the Government, the Sami parliament and other public bodies and private parties on the implementation of human rights,
- c) disseminating information about human rights, including providing guidance to individuals about national and international complaints mechanisms,
- d) promoting the teaching, education and research in human rights,
- e) facilitating cooperation with relevant public bodies and other parties engaged in human rights work,
- f) participating in international cooperation to promote and protect human rights.

The national institution shall not hear individual cases concerning violations of human rights.

Section 4. *The management of the national institution*

The national institution shall be managed by a board and a director.

Section 5. *The composition and appointment of the board*

The board of the national institution shall consist of five members.

The board members shall represent different fields, including legal expertise on human rights, and the board shall have organisational management expertise. One of the board members shall have particular knowledge of Sami matters. The board shall have at least two members of each gender.

The Storting elects the board, including the chair and deputy chair of the board. Board members are elected for a term of four years. Members may be re-elected, but no one may serve on the board for more than two consecutive periods.

Section 6. *The duties of the board*

The board has overall responsibility for the national institution's activities, finances and operation. The board shall adopt an overall strategy for the activities, approve the national institution's activity plan, submit annual reports to the Storting, submit annual accounts, and submit annual budget proposals to the Storting's Presidency.

Section 7. *The director*

The national institution's day-to-day activities shall be managed by a director appointed by the Storting, following external announcement and based on the recommendation of the Storting's Presidency.

The director is appointed for a fixed period of six years and may not be re-appointed.

The director must meet strict requirements as regards formal qualifications and personal suitability, including legal qualifications or other human rights qualifications, and he or she should preferably have experience of human rights work.

If the director should die or become incapable of performing his/her duties, the Storting's Presidency may temporarily appoint an acting director until the director can resume his/her duties or a new director can be appointed in accordance with the first paragraph. The same applies if the director leaves the position before his/her term of office expires.

The Storting's Presidency may only dismiss the director if he/she is guilty of gross dereliction of duty or other material breach of the employment contract that is

incompatible with the trust required to serve in the position of director of the national institution. The fourth paragraph first sentence shall apply correspondingly.

Section 8. *The staff*

The director has day-to-day employer responsibility for the national institution's staff. Staff members are appointed by the board based on recommendations by the director. More detailed provisions regarding the appointment procedure and right to delegate the board's authority shall be set out in staff regulations to be approved by the Storting's Presidency.

In connection with appointments, it must be taken into consideration that the institution shall have a broad range of expertise, including on the rights of indigenous peoples and minorities.

The civil servants' pay, pension and working conditions are determined by the director in accordance with the provisions that apply to civil service employees.

Section 9. *Advisory committee*

The board appoints an advisory committee affiliated to the national institution that shall have no fewer than ten and no more than fifteen members. The director shall propose members.

The advisory committee shall contribute information, advice and input to the work of the national institution.

Section 10. *Assistance from public authorities for the national institution*

Public authorities and other parties that carry out tasks on behalf of the government administration shall provide such assistance as is necessary to enable the national institution to discharge its functions under this Act.

Section 11. *Annual report*

The national institution shall submit an annual report to the Storting on the institution's activities and on developments in the human rights situation in Norway.

The institution shall print and publish the report.

Section 12. *Right of access to documents*

Anyone may demand access to the institution's case documents, journals and similar registers unless otherwise stipulated in the institution's general directives. The

provisions of the Freedom of Information Act shall apply correspondingly, insofar as they are relevant, with the specifications and exceptions stipulated in the general directives. The same applies to regulations issued under the provisions of the Freedom of Information Act, unless the Storting's Presidency decides otherwise.

The director, or a person authorised by the director, shall decide whether a document is to be wholly or partly exempt from public access. Such decisions can be appealed to the board.

Section 13. Duty of confidentiality

Everyone who performs services for or works for the national institution has a duty to prevent others from gaining access to or knowledge of information of a personal nature that comes to their attention in connection with their service or work. The duty of confidentiality also applies to information about operating and organisational secrets, and information that is classified under the Security Act or the Document Protection Instructions.

The duty of confidentiality also applies after a person leaves his/her service or work. He or she may not make use of such information as mentioned in the first paragraph in his/her own business or in service or work for others.

Otherwise, the provisions of the Public Administration Act Sections 13 a. to 13 f. shall apply insofar as they are relevant.

Section 14. *Entry into force*

This Act will enter into force on 1 July 2015.