

APPENDIX I

Cases reported by the media in 2009

As mentioned above, there are no official numbers from the police on reported hate crimes in 2009. We have gone through the cases reported in the media in order to document at least some of the most serious cases. The hate crimes reported in the media in 2009 follow on several serious attacks in 2008, including the murder in Trondheim of a man of Somali origin. The perpetrator, a 25 year old ethnic Norwegian man, had made repeated racist comments on various websites prior to the murder. In 2008, shots were also fired at a reception centre for unaccompanied minor asylum seekers by an ethnic Norwegian man, seriously injuring a 16 year old Somali boy.

Following a heated, national debate in January / February 2009 on whether or not to allow hijab as part of the police uniform (the debate ended with a ban on hijab from the uniform), there were several reports of attacks against women wearing a hijab. Among them, in February 2009 an intoxicated man tried to tear the hijab off a 35 year old woman in the middle of the day in Trondheim, the third largest city in Norway. Her daughters, aged 8 and 15, were witnesses to the event. The man had also tried to scare the 8 year old by making grimaces at her. There were several people around, but no one intervened.

(<http://www.adressa.no/nyheter/trondheim/article1286535.ece>)

2009 started with several demonstrations in Oslo against Israel's bombings on the Gaza strip. The demonstrations were mostly peaceful, but minority youth were involved in throwing stones at the police, breaking shop windows and calling anti-Israel and at times anti-Jewish slogans. Although the demonstrations at large were not anti-Semitic there were several anti-Jewish slogans in the demonstrations. There was fear among the Jewish community that this should spark anti-Semitism. In May 2009 the Jewish cemetery in Oslo was vandalized with Nazi symbols tagged on tomb stones and inscriptions such as "the war is not over".

A man was charged with several acts of violence and death threats. One of the acts was attacking a man of African origin and taking a strangle hold on him in a public square in the centre of Oslo, causing the victim to have difficulties breathing. During the attack the perpetrator made racist statements such as "damned negro, damned negro. You are going to die now." ("jævla neger, jævla neger. Du skal dø nå").

http://www.aftenbladet.no/innenriks/1004606/Tiltalt_for_rasistisk_vold_og_drapstrusler_mot_vitne.html

In August and September 2009 an asylum centre in Sjøholt off the western coast of Norway was shot at with training rifles from cars on three occasions. No one was hurt, but the bullets went through the windows.

(<http://sos-rasisme.no/sentralt/view/13316>)

In September 2009, a 19 year old ethnic Norwegian man told a fellow bus passenger of African origin that he would "take" him, while claiming to be a member of the KKK. He proceeded to call his fellow passenger by several racist names ("damned ugly negro" and "black skull", "jævla stygg neger"/"svartskoil") and punched him in the face, breaking the victim's nose. The perpetrator was charged with this and several other offences, including assault against the police. He was sentenced to

6 months of imprisonment and fined 11.000 NOK. He was freed of the charges of racism.
(<http://www.banett.no/nyheter/article333409.ece>)

In September 2009 an asylum centre for unaccompanied minors in Namsos were attacked three times. Nazi symbols were sprayed on the walls, notes with racist messages were left on the door step of the centre and three windows were broken. (<http://www.namdalsavisa.no/Nyhet/article4591573.ece>)

In October 2009 young boys threw stones through a window at an asylum centre in Fossanåsen. A note was attached to the stones with Nazi symbols and the message: "Go home to your own country".
(<http://www.nrk.no/nyheter/distrikt/ostafjells/buskerud/1.6826313>)

In December 2009, an 18 year old ethnic Norwegian man was sentenced by Lister Court to one month unconditional imprisonment and 150 hours community service for racist violence. This was a a more severe penalty than demaned by the prosecutor, who only asked for the 150 hours community service. A man of Somali origin had been attacked outside a grocery store in Kvinesdal in the south of Norway. The perpetrator confessed to kicking the victim 5-7 times. While admitting that several of the kicks might have landed on the victim's head, the perpetrator denied that this had been his intention. The court found it to be an act of unprovoked and racist violence. Two other persons charged in relation to the crime were acquitted.
(<http://www.siste.no/Innenriks/krim/article4753767.ece>)

Appendix II

Detailed description of incidents that involves discrimination from public officials and service personnel

Case 1: The Obiora case

Eugene Obiora (48) died during a police arrest at a social services office in Trondheim 7. September 2006. He was there to complain against denied social welfare. When his complaint did not go through he started to scream at the staff and photograph them. The police were called in and according to them Obiora refused to leave the premises and resisted arrest. One of the arresting officers then held Obiora in a strangle hold while pressing his back to the ground in order to hold him still and handcuff him. Shortly thereafter Obiora lost consciousness and was subsequently transported to the local hospital by the police. He was there pronounced dead despite resuscitation attempts.

Witness reports

The woman who turned Obiora over to the police has later stated that he was calm at the time. This information turned up in a documentary made by the Norwegian TV-channel "TV 2". Her explanation is inconsistent with the police who say that Obiora was handcuffed because he threatened the employees. The documentary further reveals that the staff at the social service office did not think it was necessary to call the police. The reception was told to call the security company, and the staff at the social service office was surprised when the police showed up.

The nurse who met the police patrol car at the St. Olav's Hospital claims that Obiora was not in the trendelenburg position and ensured free airways. The nurse opened the car and says that the deceased's leg fell out. She noted that Obiora was: *"completely limp on his stomach face down on the floor"* with his arms behind his back in handcuffs.

Investigation

These witness reports were not taken into account when the case was investigated by the Special Unit, and this led the media to accuse the Special Unit of taking side with the police rather than investigating them. The fact that the officer who held Obiora in a strangle hold had been involved in a similar incident in 1999 with a Ghanaian woman, Sophia Baidoo, sparked a debate, but did not lead to any reprimands. The case was dismissed in 2007, but the state attorney general asked for a more thorough investigation. The case was again finally dismissed in December 2007. The state attorney general did however point out that it was clearly not a situation where it should be legal to use means that could put the arrestee's life in danger. He could however not find any grounds for a corporate penalty against The Norwegian Police University College, the Police Directorate or Sør-Trøndelag Police District.

In 2009 the deceased's family brought a civil action against the police and in light of this the The Ombudsman started to investigate some aspects of the police procedures in connection with the use of force in case of arrest, especially the use of strangle hold. As a result he has firmly stated that Norway violated human rights in connection with the use of force by the police:

"On the basis of the available knowledge about the dangers of the use of strangle hold, I cannot see that it would have caused any burden for Norwegian authorities to have acquired the necessary knowledge about the health dangers of the use of

strangle hold at the time of Obiora's death. Necessary information could be obtained without the use of large resources”¹

Therefore, he concludes, the responsibility for violations of human rights obligations is the "State". This follows directly by the State responsibility doctrine (Statsansvarslæren) in international law, and has also been reflected in the ECHR, Article 1. The same day the Minister of Justice and the Police confirmed that survivors of the deceased would receive NOK 500.000 in compensation.

Consequences

Although the police never admitted any guilt, there was taken some preventive action to ensure that this will not happen again. The project “Security and trust” is a direct result of the Obiora-case, and the goals of the project are to gain increased knowledge and improve dialogue and contact with people of minority background in Norway. This has led to a more dialogue-driven and open police that are willing to take action and build bridges where trust has been lost.

Case 2: Ambulance personnel and the family father that almost died

In august 2007 Ali Farah (37) was knocked down in Sofienbergparken after some disagreement with a gang of boys who played soccer near his family and their 7-month-old baby. He landed face-down on the concrete and lost his consciousness in about 3-4 minutes. When the ambulance personnel arrived at the place they refused to take him with them because he peed on them and the ambulance. He was instead forced to take a taxi to the emergency room. The doctor there confirmed that Ali Farah had intracranial bleeding, but despite this it took two hours before he arrived at Ullevål University Hospital. It happened after several reminders and a direct confrontation between the ambulance center (AMK) and a nurse at the Oslo emergency ward. Seven hours went from the incident in the park until Ali Farah was operated. He was in a coma for several days and also got meningitis during this period, but luckily survived.

Witness reports

In the aftermath, it has been questioned whether the ambulance personnel performed irresponsibly and if this was due to racism. Several witnesses were present and these have later commented that the ambulance personnel did not thoroughly examine Farah. The witnesses claim that the ambulance personnel did not listen when they were told that he had hit his head hard and therefore acted as he did. A policeman asked the ambulance personnel to take the injured Ali Farah with them, but got the response that: “*He is upright, he will not die*”. The personnel were referring to Ali Farah standing up, but, at the same time, clearly being confused and in pain. Ullevaal Hospital later claimed that the ambulance personnel asked the police patrol to drive Ali Farah to the emergency room. The police log shows no record of this. The police noted that Ali Farah needed medical attention, but did not, unlike the ambulance personnel, consider him a disturbance of the peace. The ambulance personnel later claimed that the police had considered Ali Farah a disturbance.

An experienced nurse witnessed what happened in the park and later wrote a furious complaint to the authorities: *"I am very shocked and upset by what I saw [...] The patient was bloody and bruised, he had been unconscious and he had involuntary urination. When I observed him afterwards, he was partially unconscious, his eyes rolled back in his head, soft and irregular heart rate and superficial respiration"*. The nurse does not support Ullevål Hospital in that Ali was given medical assessment in accordance with the procedures. *"When they came out of the car they got a patient who had just been lying on the ground up and he screamed and squirmed in pain. After what I saw, they made no medical examinations of the patient. The only assessment I overheard was that "this is a disturbance of the peace problem." They were just a few minutes at the site before they went without the patient, "* and she concludes with: *"I've never experienced*

¹ The ombudsmanns statements, Oslo, 16. februar 2010.

anything close to this and believe this ambulance staff acted very unprofessional and unethical". Another nurse who also witnessed the incident could later confirm this.

One of the ambulance drivers who left Ali Farah in Sofienbergparken later told that they saw no signs of serious head injury. A log later released from the incident revealed that the ambulance driver did not care if Ali Farah had hit his head. The only thing he seemed to be concerned about was the fact that Ali Farah urinated on his shoes: "*When he is pissing on me – (he has) crossed the line! No matter how hard he was hit and his teeth are gone...*"

Investigation

At first the Board of Health in Oslo and Akershus investigated Ullevål University Hospital which operates the ambulance service. In their report from 29 August 2007 they criticized both ambulance personnel and Ullevål University Hospital and asked the Authority Board of Health to consider whether it should be requested prosecution against the two ambulance drivers. Another report done by Ullevål University Hospital and the Danish consulting company Muusmann Research & Consulting presented later the same year a report on conditions at the hospital in light of the Ali case, which concluded that the Ali case was an exception. Hospital Director Tove Strand said upon submission of the report that they would do what was in their power to ensure that such unacceptable actions did not happen again. This was inconsistent with her earlier statements the first two days after the episode, when she said that all guidelines were followed.

In April 2008 the State Board of Health concluded that "*... the two ambulance workers' actions were unsafe and not in line with the requirement of caring assistance, and thus is a violation of the law*". The State Board of Health gave a formal warning to the two ambulance workers, but also concluded that there was no reason to believe that they acted racist, or that their actions were racially motivated.

2 may 2008 the Special Unit for Police Affairs gave the ambulance workers fines of NOK 6000 each for violation of Penal Code § 325, first paragraph, No. 3. The Special Unit says that the two ambulance workers acted arrogant, dismissive and insulting to Farah, but not with a racist motive. One ambulance driver refused to accept the fine. The case was treated in the Oslo City Court. On 4 December 2008 the ambulance driver was acquitted in court of improper conduct against Ali Farah.

In February 2009 the Equality and Anti-Discrimination Tribunal concluded that the ambulance driver did not act racist. This is in sharp opposition of an earlier decision from the Equality and Discrimination Ombudsman. Later the same year the state attorney general was able to drop the fine to the other driver as well. Both ambulance drivers were in the end acquitted from all charges of racism.

Debate

The case got massive publicity and a survey later showed that three out of five Norwegians believe an ethnic Norwegian would have been treated differently by the ambulance personnel than Ali Farah. As much as 60 percent of the respondents who lived in Oslo responded that their confidence in the ambulance personnel was weakened. But most seriously was the mistrust that arose among the immigrant population. *If this is not racism, what is then racism?*

Case 3: AMK and the grandmother who died

The grandchild rang the emergency number immediately after his grandmother had an indisposition, but due to waiting time he hung up and got someone else in the family to make the call. It was now the grandmothers' daughter and her husband that was driving by car from Bjerke in Oslo to Tøyen that got a hold on the AMK-central.

At first the AMK refused to hand over the tape to the police from the conversation between the AMK-centre and the family due to confidentiality. But then the Norwegian TV-channel, "TV2", managed to

get a hold of the tape and later published it and AMK was forced to accept criticism. However, the tape with the conversation between the police and AMK has not yet been realized.

Following under is the log.

First call

It starts out well. The operator of the AMK-centre starts asking the caller where the mother-in-law is and what has happened to her. The problem is that the son-in-law does not really know either. He tells the operator that he is on his way over there by car, but the operator keep on asking what has happened with his mother-in-law (C=caller, O=operator)

At 11:31:57 to 11:33:29.

C: Hello?

O: Yes, medical emergency telephone.

C: We want an ambulance to Jens Bjelkes gate 43 right now.

O: What is happening there?

C: It is regarding grandma. Something has happened to her.

O: Yes, hello?

C: Could you come to Jens Bjelkes gate right away?

O: Yes, but which number?

C: Jens Bjelkes gate 43.

O: Ok, which floor?

C: First floor.

O: And what is happening there?

C: My mother in law is feeling really bad.

O: Yes, is she unconscious?

C: Yes they called me right away. Come now!

O: Yes, we are on our way, but now I need to know what is going on there?

C: I live in Bjerke, I got a message...

O: Yes, but...

C: She is feeling bad. She is feeling bad, I am telling you. She is bad, very bad. Past out, past out. You are not listening to me buddy. You are not...

O: Yes, we do hear what you are saying, but try to calm down.

C: Listen, stop nagging. Just sent a goddamn fucking ambulance!

O: It is not a fucking ambulance. You can not say that.

C: We are not there. We are in Bjerke, they are in Tøyen. Do you understand? We are calling on behalf of them. Stop nagging. Send an ambulance. Bye!

Second call

The son-in-law calls in again a couple of minutes later and asks if there has been sent an ambulance and the operator starts asking question about the older women condition.

At 11:35:21.

C: Hello?

O: Medical emergency telephone.

C: Yes, hello. Did you send an ambulance to Jens Bjelkes gate 43?

O: If I sent an ambulance?

C: We just asked you to send one. Did you?

O: One moment, let me check...

C: Quick. It is an old woman and she is dying.

O: Yes, was it in the first floor?

C: Yes, yes the first floor.

O: And what is happening?

C: She has a heart disease. She collapsed. No pulse, nothing.

O: So she is not breathing?

C: Nothing. I am not there. I am in Bjerke. I am on my way.

O: So, you are not there. But who is there?

C: The whole family is there. And they do not have a mobile phone. Stop asking. Just send a fucking ambulance.

O: Hey! You have to try to calm down.

C: Do not try to calm me down!

O: Do not yell at me.

C: Shut up!

Third call

In spite that AMK both got the address and a clear message about what was wrong with the woman who was sick, the ambulance did not come.

A woman is crying and there is some noise in the background. This makes it difficult to hear what the caller is saying. The AMK-operator asks the person to calm down so she will be able to help them. The caller speaks another language and the AMK-operator then asks: *Do you not see how you behave?* The caller responds with a question: *have you sent an ambulance?* The conversation escalates into swearing words when the AMK-operator does not seem to take the situation seriously enough.

From 11:35:21 to 11:36:36.

O: It is the police that will show up and we will report this.

C: Yes, I'll call the police, you fucking idiot.

O: We will report you, you can not go on like this.

C: I'll call the police right away, we need an ambulance.

O: Do you not know how stupid you sound?

C: Send an ambulance, I say.

O: Who is sick?

C: Mother-in-laaaaw!

O: But what is her name then?

C: She is unconscious - she is on the floor, we have been told - she's dead, she is dead. If she is dead, you're dead, too.

O: Are you aware that what you say will be recorded on tape?

C: I do not care, don't even try, she has no pulse, no pulse, no pulse.

(Lots of bickering back and forth).

Forth call

From 11:40:13 - 11:42:23.

C: Can you send an ambulance that will soon be there? AMBULANCE, hello?

O: You know what, I can't stand... I can not be bothered to talk to you when you are acting like this.

(Lots of swearing from the caller and his wife is crying loudly)

Another one takes the phone:

C: Now I'll try to talk calmly.

O: Yes, you know what, if you can.

C: Listen, listen. The mother of my mother - who is crying in the back seat here, her mother at Tøyen, she lies and is dead. You stand there and threaten me with taping the call. Listen, when a life is gone do you think I care about what the police, do you think I care about anything?

O: Do you think other Norwegians are acting like you are doing there?

(The caller gets angry and tells the AMK-operator he is Norwegian)

O: Do you think other civilized people behave like this?

The AMK-operator then informs the caller that he is reported to the police and will be punished.

Fifth call

From 11:40:30 - 11:42:07.

O: Medical emergency.

C: *Hey, I rang a little while ago and asked for an ambulance to Jens Bjelke Gate 43, but it has not come or the man on the phone was a bit like aggressive. My grandmother has collapsed completely, and she lies on the snow, she is sick and struggling with everything, possible disease and it has not yet arrived an ambulance.*

O: The ambulance is on its way and police are on their way.

C: *OK*

O: Because he behaved quite like a savage.

C: *Yes, but how would you reacted you if your grandmother was there and was dying, and the man say something completely different on the phone?*

O: We, we, we, we helps everyone.

C: *But ...*

O: Knock it off. How is your grandmother now?

C: *She's pretty bad. She is actually lying and bleeding I'll tell you.*

O: Bleeding from?

C: *I do not know. She has actually fallen or something.*

O: What are you saying?

C: *You do not listen to me. I wish it were your grandmother.*

Sixth call

The family is desperate for an ambulance and is told it is on its way, but is also told to behave themselves better.

From 11:43:27.

O: Medical emergency.

C: *Hello, hello?*

O: Hello, yes.

C: *My mother can not breathe, she has no... We have no contact with her.*

O: Where are you calling from?

C: *Jens Bjelke Gate 42*

O: Not 43?

C: *42*

O: Yes, willyou put her down on the back, the ambulance is already notified.

C: *What did you say?*

O: Ambulance, it is notified and on its way.

C: *Yes, but where is it?*

O: Yes, but listen to me ...

C: *She is not breathing, she is dying.*

O: And you must help her until we arrive.

C: *I'm not there. I am a nurse myself, I know what to do. But, those who are there, they cannot... hurry!*

O: Yes, but I'm telling you, if you are a nurse you should really behave differently.

C: *Please!*

O: The other who have called us about the same, they will be reported to the police.

C: *They called you long ago, long, long time ago. She had, she has started to cough and lose her, lose her consciousness. Please, please. Are them there now or what? Hello?*

Seventh call

The family asks again where the ambulance is and the police shows up during this call.

From 11:46:43 - 11:48:49.

O: Medical emergency

C: *Where is the ambulance idiot? Where is the ambulance, AMBULANCE?*

O: There he is. Where do you call from?

C: *Tøyen.*

O: Tøyen.

C: *Send an ambulance right away. Right away.*

O: Hallo?

C: [Only screaming]

O: Dear you, where on Tøyen are you calling from?

C: *Tøyen, Tøyen.*

O: Where on Tøyen?

C: *Jens Bjelkesgate, Jens Bjelkesgate 43. She is dead! Fucking ambulance!*

O: Jens Bjelkesgate.

C: *I'm saying 43 A.*

O: 43 A.

C: *Where are you?*

O: You, can you....

[Caller and operator are talking both at once].

O: Person, I cannot hear what you are saying.

C: *Ambulance, ambulance, I need ambulance right away. Mother in law...*

O: Listen...

C: *.....*

O: Can you just listen just a little bit, the ambulance is on its way. The police is on its way.

C: *The police is coming.*

O: The police are coming because you are acting all crazy.

C: *I'll fucking beat the police if they show up... I'll fucking...! Come here, fucking idiot.*

O: (Another operator) «He will attack the police».

C: *Come here, come here!*

M: He is dangerous. [The other operator says "yes"].

C: *If you... you are dead, come here [someone is screaming in the background, a lot of noise and screaming.*

O: (The other operator) «I'm calling the police again»

C: [Impossible to hear what is being said, butt he caller is in confrontation with the police).

Eight call

The daughter and the son-in-law asks if the ambulance has arrived and is told that he and "his brothers" are reported to the police and will "be taken care of".

O: Medical emergency.

C: *Hello you.*

O: Hi.

C: *We are still waiting for an ambulance.*

O: Where?

C: *Jens Bjelkesgate 42. My mother is so...*

O: You have to start listening to what I'm saying. The ambulance has arrived, and the police is there.

C: *When, when, when? Please tell me, when?*

O: And the police is taken care of your brothers.

C: Yes, that's fine.

O: There is no use in calling anymore, and you are all reported to the police.

C: That... [End of tape]

Other calls

In a conversation between the emergency center (AMK) and Ullevål University Hospital the following was said:

“Do you have the opportunity to send a car to Jens Bjelkes Gate 43? There is a very angry something, something...Pakistani or something like that. Lots of screaming. It is a sick, sick mother there. We do not want to go there now. Can you check it out first?” Ullevål University Hospital respond positive to the request.

Ten minuets later the same operator calls from AMK to the police with the following question: *“Have you pulled your self out of there? Probably this is only a trifle”*

Ullevål University Hospital refuses to publish these correspondences with the police.

Investigation

There have circulated various versions of what actually happened that Sunday morning. The police first claimed that the ambulance was on site and was threatened there. AMK on the other hand claimed that the police were on site first. Finally, both agreed that the ambulance had been close to the address, but left because the ambulance staff felt threatened by some people in a passing car (not the family in question). Family members at the site were frustrated that the police apparently arrived before the ambulance and were arrested by the police before the ambulance personnel went into the house.

The chief county medical officer in Oslo has launched an investigation of the AMK-centre at Ullevål University Hospital after the incident. Also the Special Unit for Police Affairs has investigated the case since January 2010. The AMK-operators, ambulance personnel and the police officers are all under investigation. In May three of the AMK-operators were given status as suspects. The operators are under investigation both for gross misjudgement in the course of duty and for violation of provision of the Health Personnel Act. All three deny any **responsibility (straffeskyld?)**.

Confidence crisis

It is clear that AMK acted blameworthy and it is therefore alarming when AMK at first refused to accept criticism and instead became defensive. This led to an even more serious situation: *lack of trust*. If AMK had immediately shown that the matter was taken seriously and had launched a thorough investigation right after the incident things could have developed differently. Now relatives are determined to pursue the matter legally and, if necessary, send the case over to the European Human Rights Court. The case also reached a foreign policy level.

After the Ali Farah-case people have been reluctant to call such incidents racism, as is the case here. The Ali Farah family was subject to intensive media coverage, and in the beginning they received sympathy from both politicians and the public. But after a while the media turned on them and the sympathy shifted to the ambulance drivers, who at first personified racism in Norway. This intense focus on individuals and the public fight over the correct definition of racism have made victims of racism reluctant to both bring media attention to their cases and to complain about racism amongst public officials and service personnel.