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Functioning of NHRIs under review: Norwegian National Human Rights Institution (NIM)

On behalf of the Norwegian Bar Association Human Rights Committee, we submit the following observations regarding the functioning of the Norwegian National Human Rights Institution, for your consideration when reviewing the status of NIM.

1. In our view, the NIM is established in accordance with the Paris Principles, and adheres to these in its functions.
2. NIM is an independent public body appointed by the Parliament (Stortinget). The evaluation last year addressed the current structure of NIM in which both its board and directors are appointed by Parliament, and suggested that the director in future be appointed by the board, to secure an even higher degree of independence than currently. This recommendation has already been addressed to Parliament by NIM.
3. NIM has a complex and broad mandate which assume highly skilled and independent staff, covering a wide range of activities and working methods. By having offices in both Oslo and Kautokeino, the institution is well equipped to reach out to one of the largest Norwegian national minorities, the Sami people.
4. The NIM has since its inception in 2015 become an important dialogue partner for civil society organizations on national human rights issues. NIM aims to strengthen the implementation of human rights in Norway. By inviting CSOs/ NGOs to participate in stakeholder meetings related to public hearing-processes, NIM functions as a professional advisor in line with its mandate.
5. NIMs in-depth thematic reports are professionally sound and covers a select range of themes. Some reports cover areas that are under-reported in Norwegian society, such as the report on human rights of the elderly, violence and abuse in Sami societies, or the independence of courts. Other reports cover areas that are emerging, such as its report on Climate and Human Rights, in which international human rights and case law are collected and analyzed. The strength of these reports is their in-depth analysis of complex human rights issues that need to be

- addressed when using a rights-based approach.
6. As a relatively small office in two separate locations, with a limited annual budget, the NIM has to prioritize its work. So far this has been attempted done in a strategic and transparent manner, with the involvement not only of the NIM board, but also their advisory board, the latter consisting of representatives of CSOs/ NGOs (including the signatories), human rights academics and ombudsmen. Where the NIM annual report previously consisted of a “state-of-the-art”-view of human rights in Norway, the past three reports have been more focused and with fewer, but more specific, recommendations. It remains to be seen if this format leads to higher impact regarding their fewer recommendations, or if wider human rights issues are seen as “downgraded” by not being prioritized for inclusion in their annual report.
 7. NIM has an Advisory Committee, which is a body to facilitate cooperation. In our view this committee is well-functioning and useful, both for NIM and the members. The Advisory committee contributes to making NIM better known in society, as it establishes closer contacts with relevant actors, gets input on its direction and priorities, and helps it to clarify intersecting areas of interest between NIM and other actors.
 8. A concern has been raised that the NIM board does not sufficiently reflect the pluralist representation of civil society, nor the different segments of society as stated in the GANHRI General observations on the composition and pluralism of NHRIs. As a certain difference in pluralism and different segments of society is secured though the members of its Advisory Board, we assess this practice to be in line with the Paris Principles, as long as the advice of the Advisory board continues to be sought.

Several of the observations above are included and elaborated in the findings of the independent evaluation of NIM implemented in 2021 (see https://www.stortinget.no/globalassets/pdf/evalueringsrapporter/rapport_evaluering-av-nim.pdf in Norwegian), in which members of our committee participated in the reference group and through interviews.

Kind regards,

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