



## PERMANENT MISSION OF NORWAY

Office of the High Commissioner for Human Rights  
Secretariat of the WG on the use of mercenaries  
United Nations Office at Geneva  
CH-1211 Geneva 10

YOUR REF.  
GVA-0231 9 May 2012

OUR REF.

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Reference is made to the letter from the UN Working Group on the use of mercenaries as means of violating human rights and impeding the exercise of the right of people to self-determination, dated 9 May 2012.

Act 5 January 2001 No. 1 regulate the activities of private security companies. The Act was amended by Act 19 June 2009 No. 85. A new article 1 states that the purpose of the Act is to:

- ensure legal safeguards for persons who come in contact with security company personnel
- ensure that Norwegian security companies maintain a high standard,
- ensure efficient public control of the services
- prevent security services which, due to their military or other operational character are considered contrary to this Act or otherwise illegal or in breach of international law.

In the preparatory works of the law (Proposition No. 49 (2008–2009) to the Odelsting) the issues related to security companies operating in conflict areas was discussed. The fact that such companies' personnel are often armed and dressed in military-like uniforms, but are not under military command or democratic control as is the case for regular soldiers, coupled with unsystematic training and/or lack of education in international humanitarian law and human rights, may increase the risk of human rights abuses or violations of international humanitarian law. It may also make it more difficult to prosecute perpetrators. Thus, the risk of impunity and lack of remedies for victims increase accordingly. The revised legislation on security companies aims to prevent private security companies that are registered in Norway from providing services contrary to national or international law. If supervisory authorities, i.e. the police, become aware of Norwegian authorised private security companies operating abroad in breach of Norwegian or international public law, their permission to operate in Norway may be revoked. The amendments entered into force 1 April 2011.

Unfortunately the Act 5 January 2001 No. 1 is not available in English

Yours sincerely,

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Ms Claire Hubert, 1<sup>st</sup> Secretary  
on behalf of Ms. Harriet E. Berg  
Minister Counsellor