

summary or arbitrary executions UN Special  
Rapporteur on extrajudicial

Your ref.

Our ref.  
23/3902 - OKP

Date  
05.06.2024

**Letter from the Special Rapporteur on extrajudicial, summary or arbitrary  
executions – Input for GA79 report of SR SUMEX**

We refer to your e-mail of 10<sup>th</sup> of May 2024 regarding a call for input on the killing of  
LGBTQI+ persons.

Please find the input from Norway below.

- Laws, institutions, policies and practices that may constitute direct breaches of international human rights obligations in relation to the right to life of LGBTQI+ persons.

N.A.(Not applicable)

- Laws, institutions, policies and practices that govern the investigation and prevention of potentially unlawful deaths of LGBTQI+ persons, including those likely the result from hate crimes;

The Norwegian Penal Code contains several provisions which are designed to prevent and combat incidents and manifestations of discrimination, intolerance and racist and xenophobic violence, including such incidents and manifestations involving extremist movements and groups of a racist or xenophobic character.

According to the Penal Code hate speech is a criminal offence. The provision

on hate speech applies to any person who with intent or gross negligence publicly makes a discriminatory or hateful statement or makes such a statement in the presence of others, to a person affected by it.

«Discriminatory or hateful statement» means threatening or insulting a person or promoting hate of, persecution of or contempt for another person based on inter alia the victim's skin colour or national or ethnic origin.

If a criminal offence is motivated by intolerance against people with a specific skin colour or national or ethnic origin, it is an aggravating factor to be given particular consideration in connection with sentencing. When it comes to threats, physical assault, bodily harm and vandalism, such offences can be considered aggravated, and thus have higher maximum sentences, if motivated intolerance as mentioned above.

The Director of Public Prosecutions has instructed the police and prosecuting authority to give cases involving hate crime priority.

- Any changes in laws, policies and practices that may have resulted in the reduction of unlawful deaths of LGBTIQ+ persons;

### **Action plan for the work of the police (2022-2025): Diversity, dialogue and trust**

The National Police Directorate has developed a new action plan to strengthen the work of the police with diversity, dialogue and trust (2022-2025). National minorities are among the groups given priority in the action plan.

The plan broadly embraces work with diversity, dialogue and trust.

Particular emphasis is placed on measures aimed at:

- Ethnic and religious minorities;
- Sami (indigenous people)
- National minorities
- Persons with an immigrant background
- Lesbian, gay, bisexual, transgender, inter-gender and queer people (LGBTIQ+)
- People with disabilities

One of the measures in the action plan is to build competence and knowledge about hate crime in Norway. A new National Competence Centre on Hate Crime is established to contribute to raising the competence of the police districts and providing guidance in specific cases.

A related measure is to further develop statistics and analysis of reported hate crimes. The National Police Directorate publishes statistics on reported hate crime in the annual report on reported crime and the police's criminal proceedings. The national statistics are to be further developed to provide more knowledge about how hate crime affects different groups.

## **The National Competence Centre on Hate Crime**

The National Competence Centre on Hate Crime was established in 2021 and is organizationally attached to the Oslo Police District.

The centre shall contribute to raising the competence of the police districts and can provide guidance in specific cases. The competence must include various parts of police work; prevention, intelligence, dialogue and trust-building work, investigation and prosecution. There is a particular need to strengthen competence related to hate crime that occurs online. Special consideration shall also be given to the Sami perspective.

The centre will have regular contact with nationwide organizations that work for groups that have special protection.

- Laws, policies and practices against discrimination based on sexual orientation and gender identity, which may reduce unlawful deaths of LGBTQI+ persons during 2020-2024;

«The Equality and Anti-Discrimination Act» prohibits discrimination on the grounds of inter alia sexual orientation, gender identity and gender expression, cf. the English translation of the Act here: [Act relating to equality and a prohibition against discrimination \(Equality and Anti-Discrimination Act\) - Lovdata](#).

The Act applies to all areas of society and is enforced by the Anti-Discrimination Tribunal. The Equality and Anti-Discrimination Ombud provides guidance on the Act.

In January 2024, a new penal provision prohibiting conversion therapy (sections 270, 270a and 270b of the Penal Code) came into force. Conversion therapy is defined as violating another person by using psychotherapeutic, medical, alternative medicine or religiously based methods or similar systematic methods with the intention of influencing the person to change, deny or suppress their sexual orientation or gender identity. In the case of children, the threshold for punishment is lower. In the case of children, it is sufficient to subject a person under the age of 18 to the above-mentioned methods or procedures with the intention of influencing him or her to change, deny or suppress his or her sexual orientation or gender identity. The maximum sentence is up to 3 years, and up to 6 years for aggravated conversion therapy. Marketing of specific offers of conversion therapy is also prohibited.

The Norwegian Government's Action Plan on Gender and Sexual Diversity (2023-2026) was launched in September 2023. The goal of the Action Plan is to improve queer people's quality of life, safeguard their rights and contribute to greater acceptance of gender and sexual diversity. The plan sets out priority actions intended to benefit queer people in areas where Norway is facing major challenges. See the Action Plan in English translation: [The Norwegian Government's Action Plan on Gender and Sexual Diversity \(2023-2026\) \(regjeringen.no\)](#)».

- Any recommendations about laws, institutions, policies and practices that may result in the reduction of unlawful deaths of LGBTQI+ persons;

N.A.(Not applicable)

- Existing laws, institutions, policies and practices that fail to, or appear to fail, in protecting the right to life of LGBTQI+ persons; and

N.A.(Not applicable)

- Instances and examples of failures to respect and protect the right to life of LGBTQI+ persons during 2020-2024.

N.A.(Not applicable)

Yours sincerely

Anders Schiøtz Worren  
Deputy Director General

OkKyong Park-Bhasin  
Senior Adviser

*The document is approved electronically, as such no handwritten signatures are required.*

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