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Children's Rights' Indexes: Measuring Norway's Performance

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ABSTRACT Global indexes are commonly used to measure a country's performance, including on the implementation of human rights conventions. Such audit-like tools project neutrality and avoid the charges of anecdotal evidence. However, indexes suffer from multiple challenges, from the selection of themes through to the accuracy and regularity of data and comparability across countries. In this chapter, the authors aim to identify indicators that better capture implementation of child rights in Norway. The result is a dashboard of 25 indicators, covering life quality, standard of living, education, health/security, protection, liberty, discrimination, participation, and accountability. In addition to identifying indicators that are comparable, it places emphasis on data that is regularly collected and disaggregated across the country. The chapter shows that Norway performs well on a general level but there are serious challenges for selected groups or regions. Moreover, there is an urgent need for improved data, particularly on children's civil rights and right to participation and protection from discrimination.

KEYWORDS indexes | children's rights | implementation | data | CRC | dashboard approaches

2.1 INTRODUCTION

In June 2017, CNN announced that Norway was the 'best' country in the world in which to be a child (Emmanuel 2017). Based on a Save the Children index, Norway was the best average performer in indicators on infant mortality, malnutrition, school attendance, child labour, early marriage, adolescent births, displacement by conflict, and child homicide. This ranking is consistent with a range of other indexes. In the newly established Kids Rights Index, Norway is ranked second, particularly due to its strong performance on 'policy environment'. Moreover, in 2015, Norway was at the top of the UNDP human development index, first in the EIU democracy index, second in the GJP rule of law index, second in the CIRI human rights index, and third in the gender gap index (Langford and Karlsson Schaffer, 2015:26).

Using such indexes to measure human rights achievements is alluring and now commonplace. For controversial topics such as human rights, these audit-like tools project neutrality and avoid the charges of anecdotal evidence. They provide a mutually acceptable means of assessment and communication for actors (Rosga and Satterthwaithe, 2009:280). Moreover, quantitative measurement provides an ideal communications tool. It promises clear, comprehensible and simple snapshots of complex situations, constituting a 'technology of distance' which is 'well suited for communication that goes beyond the boundaries of locality and communication' (Porter, 1995:viii, ix).

However, there are multiple challenges with the design and use of many common global indexes in the field of human rights (Langford and Fukuda-Parr, 2012). There are questions over the choice of indicators, measurement techniques, statistical significance, and policy relevance – and critical flaws are apparent in many of the above-named indexes. This chapter therefore seeks to establish a more robust basis for using indexes to measure Norway's performance on child rights, especially since indicators play an important role in setting the policy and legislative agenda. We therefore ask which indexes currently provide the most accurate measurement? Which indexes must we create in order to complement existing rankings? How do we interpret and use these indexes? And what sort of data is needed in order to provide better measurement in the future?

The chapter proceeds as follows. Section 2 discusses the general limitations of global rankings and provides an assessment of current global and European indexes. After concluding that none of the existing indexes are suitable, we propose in section 3 a dashboard of 25 indicators, which covers a spectrum of children's rights and are more relevant to children's rights in Norway. In section 4, we set out and analyse the proposed indicators and in section 5 propose the development of additional indicators.

2.2 LIMITATIONS OF CURRENT GLOBAL INDEXES

Why should we be concerned over the current crop of global indexes on rights and children? Doesn't the strong performance of Norway in these measures conform with the idea of Nordic exceptionalism and everyday observations of child rights in Norway? Such presumptions and observations may have a value or even be largely correct. Nonetheless, it is important to consider the standard critiques of global indexes and scrutinize whether these indexes survive such a critique.

2.2.1 CRITIQUES OF INDEXES

The first concern with indexes is *relevance* or construct validity. Do the indicators in an index match the rights being considered? The very strengths of quantification (simplification and abstraction in applying a single measurable definition across different contexts) are its Achilles' heel. The problem of relevance is exacerbated by the fact that many of the constituent indicators were created for purposes other than measuring children's rights. The Kid's Rights Index provides a very good example. Education is one of five indicators that make up the index, but it measures only one aspect of the right to education: accessibility. The indicator is based on participation rates in primary and secondary school; enrolment ratios in primary/secondary school; female survival rate in primary school; and the net attendance ratio in urban and rural primary schools. Yet, these measurements do not address any of the other elements of the right to education. There is no indicator for quality; affordability; acceptability; or issues of discrimination or equity. This relevance problem in how the Kids Rights Index is compounded goes even further than the makeup of the five indicators. The themes chosen are almost exclusively socio-economic rights. However, we know from reports from the UN Committee on the Rights of the Child on Norway that the harshest criticism is in the field of civil rights (such as asylum and child protection) and discrimination (e.g. disability).

Second, there is the challenge concerning the *reliability* of data. Recorded observations may not be an accurate reflection of the reality that a measuring instrument is trying to capture.¹ There are of course the practical challenges of missing data and technical dilemmas such as the weightings given to respondent groups or indicators in composite indexes. A particularly difficult challenge for many civil rights indicators is

1. The full implications of using unreliable of data are demonstrated by Yamin and Falb (2012). In Afghanistan, estimated maternal deaths in one study dropped slightly from 1640 to 1,575 deaths per 100,000 live births between 1980 and 2008. However, the (enormous) confidence interval was largely unchanged (632–3,527 deaths), which means that it is “simply impossible to say whether and to what extent levels of maternal mortality have declined in Afghanistan over the past few decades”.

that recorded violations may actually increase as the state improves compliance – particularly those concerning violence, death or displacement. This is so because efforts to address the problems are often accompanied by better data measurement. Thus, any index needs to be carefully scrutinized for the reliability of its data.

Human bias is also a challenge. In the process of data creation, subjectivity enters. This can affect reliability when classifying an event as a violation: conducting surveys in different cultural or linguistic contexts may bias responses or inflect the design of surveys and classification scales. Even data that is meant to capture subjectivity – such as perception/barometer surveys – need to be used cautiously: an individual's response to a survey question may not correspond to her/his actual behaviour or even her/his attitudes and questions may be understood differently across national contexts.² Subjectivity is also affected by who controls data. National statistical agencies do not collect data on most civil and political rights – leaving this to academic institutes and NGOs. Yet, when national state agencies do collect data – e.g. socio-economic outcomes – there is a risk of political interference. A review of the education indicator in the Kid's Rights Index raises immediate questions over the reliability of data from some countries.

Third, there is the problem of excessive *aggregation*. Higher levels of aggregation are valuable because an overall and summary picture of the magnitude of achievement and deficits, progress and regress is provided. This makes it possible to illustrate broad trends and highlight major areas of concern. By the same token, indexes that seek to aggregate across many countries or issues often do not provide adequate detail and differentiation. For instance, data truncation is a particular problem with global data sets (Barsh, 1993:102–103; Landman, 2004:943). Highly diverse situations are grouped together in a single category, such as in the Freedom House Index, where a large number of countries are given a top score of one (1) for political rights.³ This problem is abundantly clear in the Kid's Rights Index. The top thirty countries are separated by only 4.5 per cent (scores range from 0.952 to 0.997) and no information on statistical significance in differences between countries is provided. Thus, one should report statistical significance, improve and expand the data points, and/or separate off different types of comparable countries (e.g., creating a separate index for high income countries) (see, e.g., Randolph et al. 2009).

The fourth challenge is *action-orientation* and *perverse incentives*. Global indicators may be too abstract to indicate relevant action at the country level (Wilde

2. The framing and phrasing of the questions, the nature of the survey instrument and the context in which the questions are being asked can be critical in shaping the responses.

3. This masks, e.g., important differences between these countries which include all Western countries, most East European countries and Israel.

and Nahem, 2011, Orkin et al., 2011) or, even worse, suggest the wrong action. Perverse incentives may be created whereby actors prioritize actions that will be quantitatively measured rather than those intended to meet the objective behind the indicator (Black and White, 2004). For example, a state can quickly raise the Kid's Rights Index by prioritising access in education even if they sacrifice or ignore educational quality in the process.⁴

The final challenge is *interpretation and publicity*: what indicators 'actually communicate, and to whom, may not be what their producers and promulgators sought to communicate' (Merry, 2006:10). One particular problem for human rights practice is that some countries may be judged too lightly or harshly because of problems in the data or method rather than the actual situation. This risk is particularly prominent in ranking methods but exists in any approach that seeks to arrive at a normative conclusion. The report accompanying the Kid's Rights Index provides a somewhat alarming illustration of a monotonic focus on indicators. With little reflexivity about the way in which the enabling environment indicator is measured they castigate Italy (ranked 81st), Canada (72nd) and Luxembourg (56th) for their lack of progress but give 'honorable mentions' to Thailand (21st) and Tunisia (10th). These latter states 'rank relatively high, compared to their economic status, as they do exceptionally well in cultivating an enabling environment for child rights' (KidsRights Index 2017). Such a critique of complacent of wealthy states is welcome. But the uncritical conclusion that Thailand and Tunisia perform *better* is highly questionable and could actually contribute to complacency in the future by these very states.

As in any other area, qualitative and cross-checking methods are needed for interpretation, and awareness is needed as to how data will be used in the public sphere. This risk is paramount in an area such as the implementation of the child's rights convention. It covers so many rights and issues that it is highly unlikely that a state is fully compliant or has achieved a high level of realisation across all rights. However, a high ranking on selected rights may mask or obfuscate remaining problems and challenges. As Davis, Kingsbury and Merry remind, indicators embody a 'theoretical claim about the appropriate standards for evaluating actors' conduct' (Davis et al., 2012:9). If an indicator is loosely matched with a standard or simply achieves prominence, it can quickly take on a normative life of its own.⁵

4. One only has to observe the effect of the MDGs: teacher-student ratios rose to 1:250 in some African countries (Langford et al. 2013).

2.2.2 EXISTING INDEXES

In light of these concerns, we analysed a number of the leading child rights-related indexes that seek to measure comprehensively (1) specific rights (2) over time and (3) across all or most countries. The aim of the assessment is to evaluate the existing indexes and how they use indicators in making claims about the state of child rights in different countries. In assessing indicators in the field of human rights, it is important to develop criteria which blend common statistical and policy criteria with more human rights-specific requirements and concerns over the perverse incentives (see discussion in Langford, 2013). In this report, we partly adapt the SMART criteria for this purpose.⁶ A number of human rights considerations are introduced (particularly relevance) and we focus more on measurability over time as this will be necessary for ongoing evaluation. Table 2.1 sets out our adapted SMART criteria.

TABLE 2.1 Adapted SMART criteria for indicators

Specific	Does the indicator measure what it sets out to (validity)?
Measurable	Is data available? Is the data reliable? Is the data legitimate?
Action-oriented	Does the indicator indicate relevant policy action? Will it encourage perverse incentives? Does it have a strong in-built theory of change?
Relevant	Is there a connection with particular human rights? Can the data be disaggregated for discrimination grounds?
Time-based	Are the data collected periodically? Are the data comparable across time?

5. For example, the Millennium Declaration elevated the \$1 US dollar a day indicator from being one marker of extreme income poverty to being *the* standard of income poverty itself and possibly the minimum core of the right to an adequate standard of living. But the indicator conveniently blind us to the fact that the world's poorest would 'grow' from one billion to 2.5 billion if we used \$2 a day as a yardstick, and even more if we included health and education costs in actual measurement (Pogge, 2010, Fischer, 2013).
6. The SMART criteria were first introduced as a management technique in Doran (1981). In the field of indicators, they are commonly articulated as follows: Specific – target a specific area for improvement; Measurable – quantify or suggest an indicator of progress; Action-oriented – specify what is to be done; Relevant – a valid measure of the object/outcome; Time-bound – specifying when the measurement will occur and be tracked over time. There are many variations: see, e.g., Save the Children, SMART Indicators, available at <https://sites.google.com/site/savethechildrendme/Home/smart-indicators>.

After a survey of global indexes of children's rights and/or outcomes, we identified six indexes that might meet these criteria. These were the Kid's Rights Index, Social Progress Index, UNICEF Innocenti Report Card, Child Development Index, Children's Rights and Business Atlas, and Realization of Child Rights Index. In Annex 2, we discuss each index and score its performance on these criteria on a scale of 1 (weak) to 3 (strong) with sub-scores to indicate differences. These scores were then collated in order to rank the different indexes.

Only a few indexes score better than 10 out of 15 in total. Even the indexes that score well (often for measurement reasons) are problematic from a relevance perspective. Civil and political rights are excluded, and a narrow group of indicators are used for socio-economic rights with the risk that the indexes not only provide a misleading picture but encourage questionable policy actions. We therefore propose a different way to analyse quantitatively the realization of children's rights in Norway: a dashboard approach.

2.3 A DASHBOARD APPROACH

Dashboard approaches to indicators emerged in business management but have been used increasingly in the field of public policy. After earlier experiments with 'panels' of indicators and 'balanced scorecards', the dashboard approach emerged as a way of providing both historical and real-time data in a communicable and transparent manner (Mitchell and Ryder, 2013: 72–73). However, dashboards vary considerably in their function. They can be 'operational' (for real-time responses), 'analytical' (to compare and drill down on different data to optimize performance) and 'strategic' (review progress and develop plans) (Mitchell and Ryder, 2013: 75).

In this case, our focus is primarily *analytical* and *strategic*. An 'analytical' perspective means trying to provide a more nuanced and comprehensive picture of the implementation of children's rights that is customarily not obtained with single indexes. The aim is to provide a more comprehensive set of indicators across social, civil and political rights than is currently provided in existing indexes. The indicators are selected and collated in such a way as to provide a picture of realization, a reasonable 'snapshot'. However, the proposed dashboard contains many 'strategic' elements by focusing on comparative *regional* indexes (Europe), changes over *time*, and *internal variation* in Norway. Time measures are particularly important and enable one to track the direction of performance. Internal variation is useful in determining whether improvements can be made in particular regions. We therefore hope the dashboard may be more relevant for policy action, and updated more regularly.

The supposed ideal numbers of indicators in a dashboard varies considerably in the scholarship. It ranges from four to six through to fifteen to twenty (Seybert, 2012; Harel and Sitko, 2003; Massa and Oehler, 2005). In the case of an analytical approach, the precise number is not particularly relevant although it should be eventually communicable. In this chapter, we propose for the moment nine areas with twenty-six indicators.

In the long run, a more comprehensive approach to indicators could be adopted, whereby all key aspects of each child right in the CRC is measured. This is in the ambition of the UN OHCHR's (2012) indicator initiative: each element of a right is to be matched with structural, process and outcome indicators. The OHCHR methodology is overly focused on structural indicators and is often unclear on the link between the obligations and performance, but if executed properly would provide a more inclusive and accurate picture of measurement and relevance for multiple fields of practice. Following this model, in their chapter on the criminal justice system in this volume, Grønning and Sætre make a concrete proposal for 13 indicators that would track Norway's performance on the two relevant CRC articles. However, most of the proposed indicators are not currently reported and the Norwegian state would need to take steps to collect new data or repackage and report existing data in new ways.

2.3.1 METHOD AND LIMITATIONS

Drawing on the adapted SMART criteria, there were two primary factors for the selection of indicators for the dashboard. The *first demand* was a representative set of rights and issues, and we identify nine different thematic areas: Life, standard of living, education, health/security, protection, liberty, discrimination, participation, and accountability/legal remedies. Given that most existing indexes focus primarily on social rights, it was particularly important to find a better balance between civil and social rights. As noted above, much of the international critique against Norway concerns the former rather than the latter.

The *second demand* was available data of sufficient quality that was rights relevant, and ideally provided a good proxy measurement for many aspects of a specific children's right or rights. Reviews of literature and data sources were conducted and the selection was also discussed in the book workshop and with relevant partners. Despite considerable effort, however, it was often a challenge to find indicators that would meet all or most of our requirements. Although the process of trying to identify indicators highlighted the need for new and disaggregated data. These gaps are discussed below in section 4 and we recommend new indicators and data collection in section 6.

To be sure, it is unlikely that accurate outcome indicators will be available for all rights questions and one may have to be content with process indicators in many areas. This is because some statistics suffer from deep validity problems – it is unclear whether the indicator provides an accurate depiction of the norm under examination. This is unfortunately most present in indicators that measure some of the *most important* aspects of children's rights – such as sexual violence. It is not clear for example whether an increase in the rate of reporting or imprisonment reflects a worsening of the situation or an improvement in reporting. For instance, between 2003 and 2016 in Norway, there has been a slight increase in the proportion of sexual offences against children as a percentage of all reported crimes (0.8 to 2.1 per cent) and an increase in the absolute numbers (SSB, 2018a). It is not clear whether this represents an increase in sexual offences or an increase in reporting. An alternative approach to this problem is to survey the population. In a study from NOVA assessing the prevalence of sexual violations amongst 18-year olds, 27 per cent reported that they had been exposed to a sexual violation at least once in 2007. In 2015, the number had decreased to 23 per cent (Mossige and Stefansen 2016). Similarly, a time studies on violence against children shows that there has been an overall decrease in the percentage of children exposed to sexual violence from those born in 1939–1989. However, for those born from 1990–1995 an increasing amount had experienced childhood violence (Thorsen and Hemdal 2014:70). Thus, complementary information can be obtained directly from victims but it is not clear that self-reported data can be used alone to determine changes in levels of compliance. Given the number of children who are victims of criminal assaults or sexual violations, the issue of sexual violence is, in any case, still a challenge for the protection of child rights in Norway. Moreover, considering the number of children who report unwanted attention online, and that almost one fourth of high school graduates report incidents of sexual violations, one should be very cautious in using reported abuse (or prosecutions) as a basis for measuring the level of child sexual abuse in society.

Thus, the dashboard can in no way reflect the whole picture. It is the first shot in what should be a long-term project that that will require co-operation with many actors. However, we note that such an effort has already begun in the area of health.⁷ In the short-run, this first iteration of the dashboard aims to provide at least a more relevant and nuanced image of outcomes, trends and variations – providing a more holistic understanding of implementation of the CRC in Norway.

7. See: European Cohort Development Project (ECDP), <http://www.mmuperu.co.uk/projects/european-cohort-development-project-ecdp>.

2.3.2 SELECTION

Table 2.2 sets out the indicators we have chosen: twenty-six indicators covering four categories (social rights, civil and political rights, and accountability) and nine themes. The majority of these indicators are *outcome* indicators as they monitor the extent to which individuals and groups actually enjoy a particular right. The remainder are *process* indicators as they measure whether a state has put in place a policy environment – laws, policies, institutions, and resources – in order to achieve a right. In some cases, process indicators will reflect a concrete obligation – often a duty of conduct. In other cases, a process indicator is simply a proxy for determining whether an outcome is likely to have been reached. Some scholars and institutions parcel out an extra category of structural indicators – essential binary process or even outcome indicators but this distinction seems somewhat artificial.

TABLE 2.2 Dashboard of child rights indicators

Right/Area	Indicator	Nature	Type	Time Series
A. Life/Overall	1. Life satisfaction	Outcome	European	5-yearly
	2. Well-being	Outcome	Global	
B. Living standard	3. Poverty – Relative/ Absolute	Outcome	European Time National	Yearly
C. Education	4. Education performance and parental background	Outcome	OECD	5-yearly
	5. Education performance within Norway	Outcome	National	Yearly
	6. Disability access	Process	National	Irregular
	7. Youth in education / drop-out rate	Outcome	OECD National	Yearly
	8. Early childhood contri- bution	Outcome	National	Yearly
D. Health/ Security	9. Teenage suicide	Outcome	OECD	10-yearly
	10. School nurse	Outcome	National	Yearly
	11. Obesity	Outcome	Global	Irregular
	12. Mental health	Outcome	National	Yearly

Right/Area	Indicator	Nature	Type	Time Series
E. Protection	13. Children in care	Outcome	OECD National	Yearly
	14. Homicide	Outcome	Global	Yearly
	15. Bullying	Outcome	European National	10 years Yearly
	16. Internet bullying	Outcome	National	Bi-annual
	17. Unwanted sexual attention	Outcome	National	Bi-annual
F. Liberty	18. Children in prison	Outcome	European	Yearly
	19. Children in custody	Outcome	National	Yearly
G. Discrimination	20. Asylum children	Outcome	National	Varies
	21. LGBT rights	Outcome	European	Yearly
	22. Tolerance and discrimination	Outcome	European/National	Varies
H. Participation	23. Voting age	Process	Global European	Yearly possible
	24. Participation at school	Outcome	National	Bi-annual
I. Accountability	25. Legal access index	Process	Global	Yearly

These indicators, as discussed, do not cover all of the major issues of child rights in Norway. In some cases, the indicators are limited in terms of disaggregation, regularity of collection and comparability with other countries. We have commented on these limitations in the discussion of each of the indicators. In addition, it would also be preferable if other and important aspects of child rights could be measured in Norway. In our conclusion, we set out additional indicators that could be collected.

2.4 ANALYSIS OF IMPLEMENTATION

In this chapter, we set out our dashboard approach to measurement of implementation of children's rights in Norway. As discussed, we have selected nine areas of children's rights, and identified relevant indicators (25 in total). We have also given each indicator a dashboard-score which is clearly subjective, but based on the following method. First, Norway is given a score out of three based on its international performance. A full score of 3 is awarded if Norway is in the top 1–5 amongst OECD countries, 2.5 for rankings 6–15, 2 for 16–30, and 1.5 for 31–34. In the few cases where there is no international ranking, a score of 3 is used as a departure point. Second, this international score is reduced by 0.5–1.5 points when there is a moderate, strong or severe internal variation within the country. Such variation can be across particular categories (e.g., gender, ethnicity and disability) or region/locality. These scores are summated to provide an overall score in the nine different areas.

A. LIFE/OVERALL

The first area is overall life quality and satisfaction for children. The preamble to the CRC establishes that the treaty is directed towards the improvement of children's overall quality of life, including their material, cognitive, and emotional needs. States are obliged to ensure that children receive 'special care and assistance', grow up in an 'environment of happiness, love, and understanding', and be 'fully prepared to live an individual life in society'.⁸ Particular rights are also highly relevant to this category. The right to an adequate standard of living in art. 27 represents a good proxy for all social rights, and is often used as a benchmark for other social rights (Langford and King, 2008). A child's well-being is also used as a benchmark or qualification of a number of social rights (use of force in child protection – art. 9; the right to information – art. 17; the right to a fair trial) and the overall right to care and protection (art. 3). The right to engage play and recreation in art. 31 could also be included here.

In our view, the combination of self-reported life satisfaction (indicator 1) and level of material welfare (indicator 2) provides a good indication of the overall circumstances for children in Norway, even if it must be complemented by the other focused indicators.

8. CRC preamble para 4, 5, and 6.

1. LIFE SATISFACTION

Self-reported measures of well-being, life satisfaction, or happiness are increasingly used as a complement or replacement for traditional measures (such as those based on poverty, income, or access to material goods and services). From a rights perspective, such surveys may provide a broad way to measure outcomes of children's rights at a more aggregate level and take into account children's own voice in the process. However, caution needs to be exercised in comparing such data across countries due to linguistic differences, the subjective nature of the questions, and cultural differences in perceptions of satisfaction or happiness, and lack of regularity in the survey.

Nonetheless, Health Behavior in School-Aged Children (HBSC) have twice collected data on life satisfaction amongst children, which we have reproduced for the years 2001 and 2010: See Figure 2.1. Norway ranks ninth highest in children's life satisfaction in 2010. This is a considerable improvement from 19th place in 2001 and Norway is close to other countries to which it is commonly compared: e.g., Iceland and Netherlands.⁹ Moreover, there is not a large difference amongst the top performers, with the exception of the first two countries ranked (Armenia and Macedonia). However, the score is lower than Norway's overall ranking in the happiness index for the entire population – second in 2010, and second in 2018) (Helliwell, Layard and Sachs, 2013: 22; 2018: 20).¹⁰

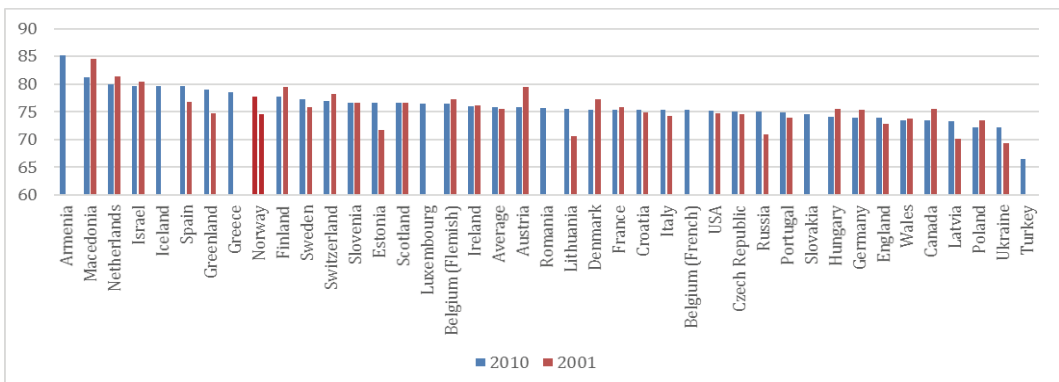


FIGURE 2.1 Children's life satisfaction – across Europe.

Source: HBSC 2010.

9. There is of course a difference in questions on satisfaction and happiness, but they are both subjective considerations on the quality of life.

10. Of course, there is a difference in the questions for life satisfaction and happiness, but the measures are both subjective assessments of the quality of life.

Based on this indicator, we give Norway a dashboard score of 2.5 out of 3, and note the positive development from 2000 to 2010. The message appears to be that Norway does well, although there is potentially room for improvement; and it might be prudent to inquire as to why subjective measures for children are lower than adults.

2. WELL-BEING

An alternative to perception-based surveys is an aggregate index of material aspects concerning the quality of life. In 2013, UNICEF published a well-being index for children in developed countries that is based on five 'objective' sub-indexes: income, health and safety, education, behaviours and risks, and housing and environment. Together the sub-indexes cover 25 different indicators ranging from the child poverty rate through to infant mortality rate, obesity and teenage fertility rate, and rooms per person and homicide rate. The results are displayed in Figure 2.2 and the index is based on the average rank for each of the sub-indexes.

In this well-being index, Norway is ranked highly, in second place just ahead of three other Nordic countries, Iceland, Finland and Sweden. However, while this index is comprehensive in its ambition in trying to measure many dimensions of well-being, it certainly can't be called a 'rights' index given the strong developmental focus in the selection of indicators. When it comes to the material aspect of quality of life, Norway does well, and get a full score on the dashboard. To be sure, there is significant variation on a number of these indicators within Norway but this variation is captured in quite a number of the indicators that follow below.

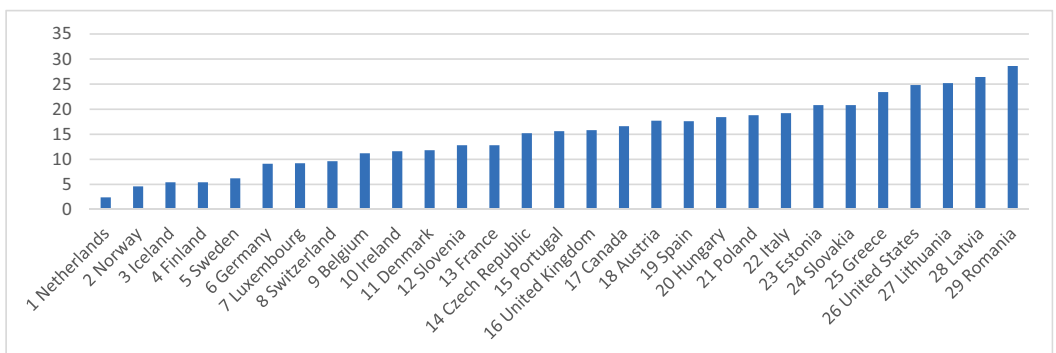


FIGURE 2.2 Children's wellbeing – developed countries.

Source: UNICEF 2013.

B. LIVING STANDARDS AND POVERTY

Article 27 in the CRC specifies ‘the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development.’¹¹ States are obliged to secure a child’s standard of living if the parents do not have the means. One concrete measurement of how Norway complies with this duty can be to assess the development of children living in poverty, both compared to other countries, but also over time and for specific groups. Since the late 1970’s, poverty has been understood also as linked to opportunities *relative* to the average population and not just a threshold standard of living (Townsend 1979; see Fløtten Chapter 4). Poverty is also deeply linked to several other protections in the CRC such as the right to social security.¹²

3. POVERTY – RELATIVE AND ABSOLUTE

Globally, Norway scores well on both absolute and relative poverty. Figure 2.3 shows that Norway is ranked fourth on an index measuring the share of persons under 18 living in a household with disposable income less than 60 per cent of the median income.

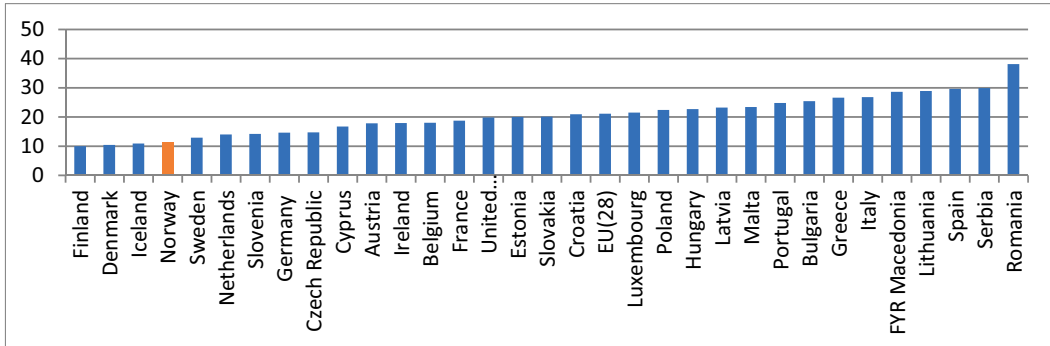


FIGURE 2.3 Share of children living in a household in relative poverty. 2015.

Source: Fløtten chapter 4.

However, the amount of children that are categorized as poor has been increasing since 1990, up to ten percent in 2017: see Figure 2.4. Moreover, Fløtten notes in her chapter that when examining the material deprivation among those in the lowest income quintile, Norway seems to be marginally less able to protect the fami-

11. Art. 27

12. Art. 26.

lies with children than families without children. The difference is small but in some European countries the material deprivation among those worst off economically is *less* in households with dependent children.

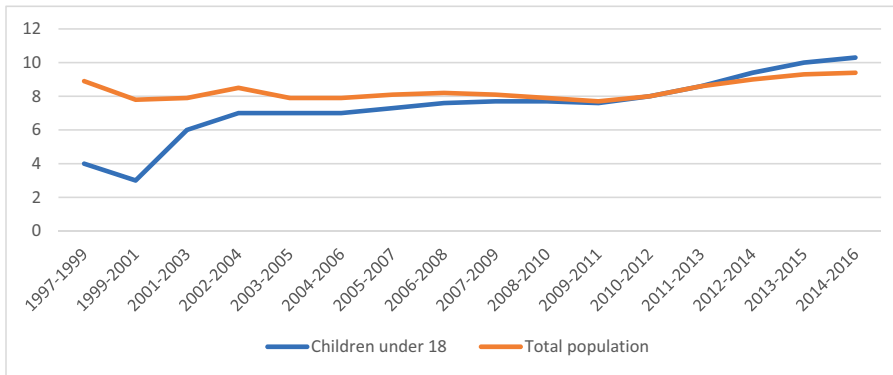


FIGURE 2.4 Share of persons below 18 years of age and the total population living in a household with disposable income less than 60 percent of the national median. 2015.

Source: Epland et al. 2011 for 1997/1999–2006/2008, Statbank SSB for the other periods.

Further, some groups are disproportionately represented. Almost 40 per cent of children with a migrant background are in a low-income family – roughly four times the average child in Norway, see Figure 2.5. Combined with the increase in child poverty, this inequality in the distribution of poverty leads us to give a moderate dashboard score (2.5), highlighting that particular challenges remain.

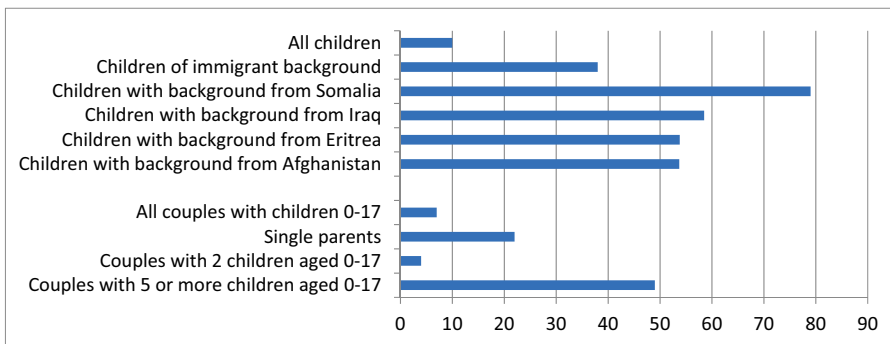


FIGURE 2.5 Share of children at risk of poverty by background 2013–2015.

Source: Fløtten chapter 4.

C. EDUCATION

The right to education is recognised in Articles 28 and 29 of the CRC. Emphasis is placed upon maximising accessibility to all levels of education and ensuring that the content of education is relevant to employment prospects, the development of child's personality and ability, prevention of drop-out, and ensuring children learn respect for human rights. Most international surveys address accessibility (both physical and economic) while regional surveys tend to focus more on the content of education, performance and experiences at school. As general accessibility to education is included partly in the well-being indicator (Indicator 2), we focus here on issues of the strengthening of their abilities (indicators 4, 5 and 8), access for disadvantaged students (indicator 6) and prevention of drop-out (indicator 7).

4. EDUCATIONAL GAP AND PARENTAL BACKGROUND

Several indexes measure outcomes on primary and secondary education, such as PISA, TIMSS, and PIRLS. The most commonly known, and heavily debated, are the PISA surveys concluded by the OECD.¹³ The surveys consist of extensive questionnaires with knowledge tests on reading, math, and science and background questions. The sheer breadth and volume of the PISA-data, as well as its comparability between countries makes it a good starting point for evaluating the efforts of states to fulfil the right to education.

Drawing on the OECD dataset, we assess Norway's performance in limiting the effect of socio-economic background on performance in school. In other words, does Norway seek to develop children's 'child's personality, talents and mental and physical abilities to their fullest potential' (Article 29(2)) by closing the gap in educational outcomes across different socio-economic groups? If a state is to fully comply with the CRC, education should be adapted to enable all students to perform their best regardless of their socio-economic background, including their parents' education.

In the dataset, parental background is represented by the highest education level attained by their parents and we compare the extent to which it affects performance outcomes across OECD countries. As is visible from the table in Annex 2, there is a positive connection between parental education and performance in school across OECD countries in mathematics, science, and reading. However, this table shows that there is a much *weaker* relationship in Norway between parents' education and the performance of Norwegian students. All models are statistically significant¹⁴

13. OECD, see i.e. Sjøberg (2014), Mossing et al. 2016.

14. However, note that the dataset on the OECD average is much smaller, and is consequently much more limited. The two are also significantly correlated as shown in Annex 2.

However, while this weaker relationship between parental education and performance is quite positive the results could also illustrate 'equalising down'. If the upper level of performance is lower in Norway than other states, then one might question whether the price of achieving egalitarian outcomes has been lower overall performance.

If we compare Norway to other countries and focus on the *likelihood* of low performance for disadvantaged students relative to advantaged students, then Norway still performs relatively well. Disadvantaged students have only a twice as high a chance of performing worse and the ratio is slightly better than most Nordic and European countries. However, the lower score of Iceland (and perhaps surprisingly the United Kingdom) suggests that there is room for improvement in Norway. Structural barriers arguably remain.

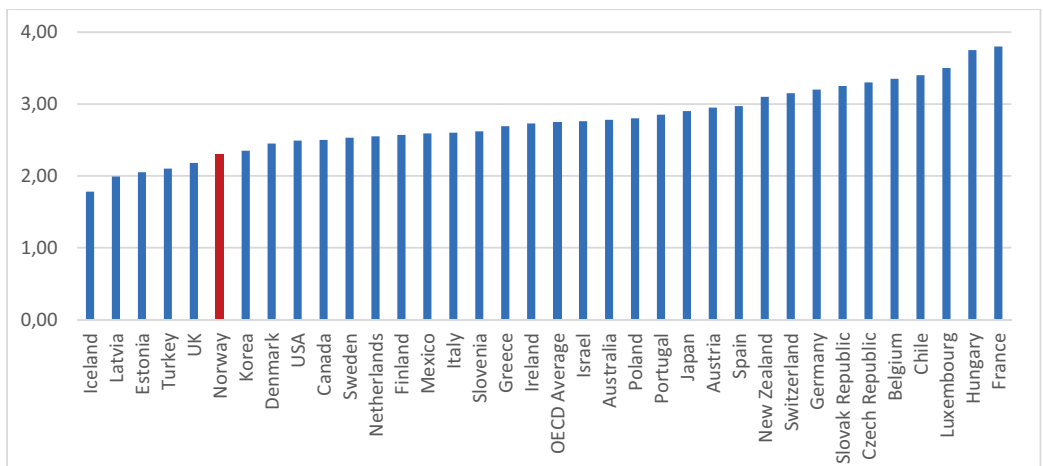


FIGURE 2.6 Likelihood of low performance for disadvantaged student relative to non-disadvantaged students.

Source: OECD 2015.

The above indicator suggest that although Norway may be complying with legal demand to give access to education, there is still room to ensure that all children have a chance to improve their abilities. With a statistically significant correlation between parental education and performance on the PISA-test, it is clear that challenges remain with regard to reducing the effect of socio-economic differences in school. Still, Norway fares comparatively well in the OECD, and this contributes to a dashboard score of 2.5.

5. EDUCATIONAL PERFORMANCE

If we examine the overall performance of students in the PISA tests, Norway is ranked number 18 amongst the OECD states (OECD, 2018:5). However, the right to education and improvement of children's abilities should also be achieved without reference to geography. However, uneven results across the country suggest that this might not be the case. Every year, Norwegian students on levels 5, 8, and 9 must participate in national tests (Utdanningsdirektoratet 2016). These tests are standardized and modelled on the PISA-test. The results are published by county, and reveal some regional differences. Generally, Oslo scores well above the rest – particularly with regards to the top percentile in reading, math, and English. We find a similar trend at the lower end of the scale, with Norway's northern most county Finnmark at the bottom.

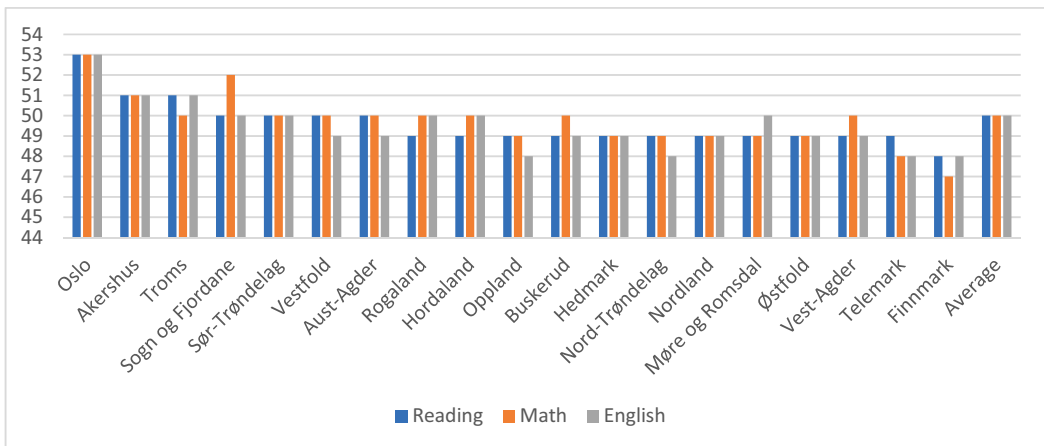


FIGURE 2.7 Variation within Norway.

Source: Utdanningsdirektoratet 2016.

However, Finnmark is also one of the counties with the lowest turnout for the national tests. The figures divide between those who have been exempted for formal reasons (targeted teaching, special education) and those who refrain from showing up. While Oslo has a large group of students who qualify for the first category, much less of Finnmark's absence is explained by formal reasons. The disaggregated results also reveal that the larger cities, with the exception of Drammen and Fredrikstad, score on or above average on all the tests. The tests thus reveal some regional differences although the level of performance for students is not necessarily a reflection of the quality of education, or access to education. Nonetheless, it shows potential room to improve.

Given that the results on the national tests show large regional differences, and the difference between rural and urban areas, Norway gets a medium score of 2 on the dashboard.

6. ACCESS TO SCHOOLS FOR CHILDREN WITH DISABILITIES

While Norway scores highly on average in relation to access to education (both physical and economic), attention also needs to be paid to those groups that face particular access challenges. There is no formal and regular measurement of the extent to which there is sufficient reasonable accommodation of children with disabilities. However, an analysis conducted by the Norwegian Handicap Association and the research institute IRIS in 2014, revealed that 80 percent of Norwegian schools have insufficient access for students with physical disabilities (Likestillings- og diskrimineringsombudet 2013). The supplementary report by the equality and non-discrimination ombud to the Committee on the Rights of Persons with Disabilities commented on the study by IRIS, emphasized that the likelihood of compliance with the right to access to schools was very low due to old school buildings and lacking upgrades. The challenges with participation in education were also highlighted in a supplementary report to the CRC in 2017 (Forum for barnekonvensjonen, 2017).

Obviously, such an indicator is not ideal as it is only focused on process not outcomes and there is no regular measurement. However, we were unable to locate other indicators despite children with disabilities arguably facing the greatest barriers in accessing school. Moreover, in chapter 12, Tøssebro and Wendelborg (chapter 12) show that there are large variances in the access to education and services for children with disabilities. Even though children with disabilities start out with a high level of participation at school, this falls rapidly with age. Thus, we have selected this largely structural indicator of available access as a first step. However, a concrete survey of parent's experiences over time might provide a better measure of children with disabilities access to education. In any case, the lack of data implies that the access for children with disabilities is not necessarily prioritised, it contributes to a low dashboard score of 2.

7. YOUTH DROPOUT RATE

Article 28(1)(e) provides that states must take 'measures to encourage regular attendance at schools and the reduction of drop-out rates'. Through the NEET indicator (Not in education, employed, or in training), the OECD measures how

youth continue with education, employment, or neither of the two. Given the mandatory character of education, the measurement includes youth from 18–24, but cannot be disaggregated by year. In Norway, 10 percent fall within the NEET category. While this is below the OECD average, Norway is not the best performer. Countries such as Iceland, Denmark, Luxembourg, and the Netherlands lead.

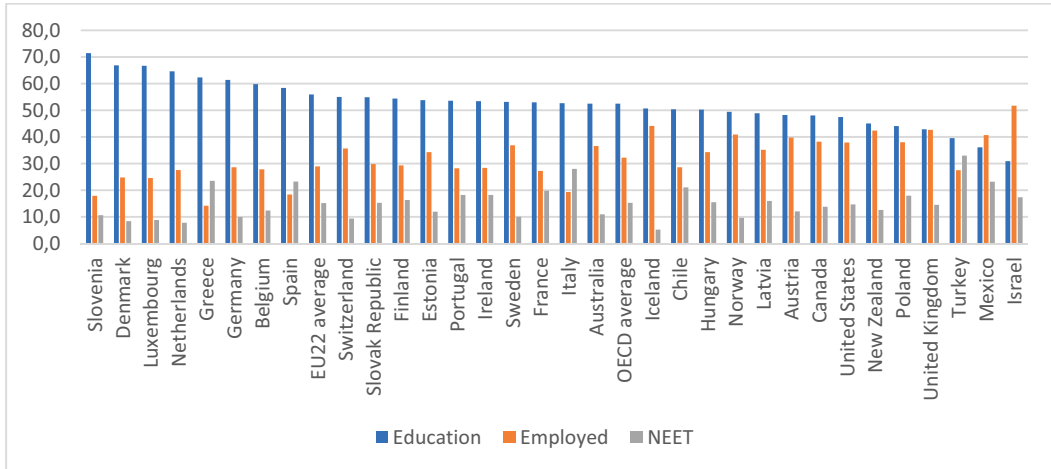


FIGURE 2.8 Percentage of 18–24-year-olds in education/not in education, by work status. Source: OECD 2016.

Internally, within Norway there are significant variations if we focus specifically on school dropout figures – with a low of 10 per cent in some counties and over 20 per cent in other counties. See Figure 2.9. Summarising the comparative and internal indicators, Norway performs comparatively well when it comes to the share of youth between 18 and 24 in education and employment. However, a figure of ten percent of youth out of employment and education is still quite high in a wealthy country with an otherwise low unemployment rate. It is to be remembered that states are to use the ‘maximum extent of their available resources’ to achieve economic, social and cultural rights such as the right to education (see Article 4, CRC). Moreover, there are also large regional differences. Those two indicators combined lower Norway’s score from a 3 to a 2.

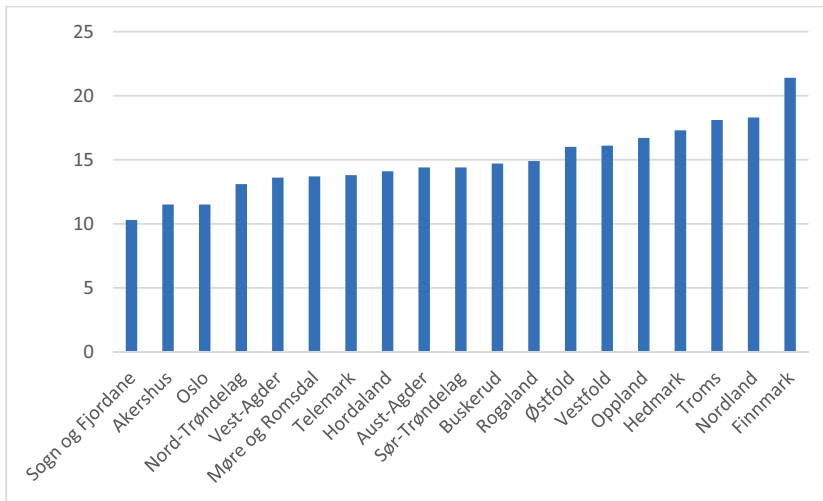


FIGURE 2.9 Percentage of students who dropped out of high school.

Source: SSB 2018b.

8. EARLY CHILDHOOD EDUCATION

Access to early childhood education is conditionally recognized in the CRC as a right, and other provisions have been drawn upon by the Committee to strongly recommend its provision (see Chapter 8). In Article 18, States Parties commit to rendering ‘appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.’ Moreover, access can be a very important means of reducing inequality of opportunity and the Committee on the Rights of the Child has encouraged states in this direction.

As seen in Figure 2.10, more than 90 percent of Norwegian children between the ages of 1 and 5 attended kindergarten in 2016. Since 2006, there has been a substantive increase in participation, up from 80 percent. However, as discussed by Drange in Chapter 14, Norway performs comparatively less well in relation to children up to 3 years of age. Moreover, participation by children with a migrant background is only 75 per cent in the age bracket 1–5 years (Folkehelseinstituttet, 2018). The positive trend in the increase of children in Kindergarten and the generally high percentage of children that attend Kindergarten ensures Norway almost the top-score on the dashboard (2.5).

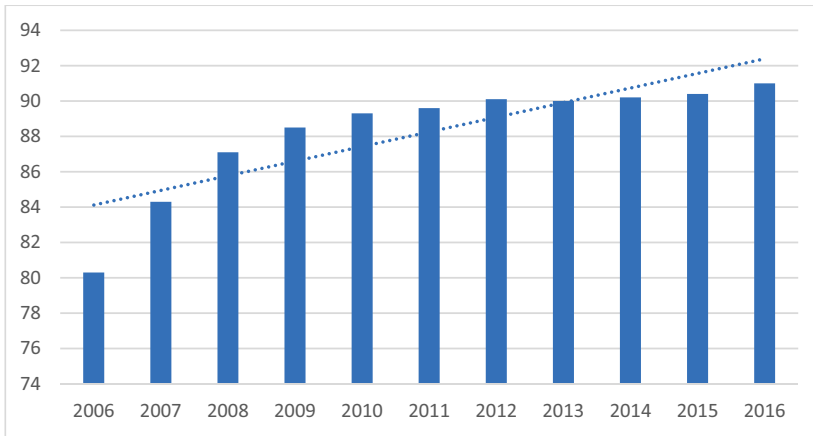


FIGURE 2.10 Percentage of children in kindergarten 1–5 years.

Source: SSB 2018b.

D. HEALTH/SECURITY

Article 24 in the CRC guarantees children the right to the ‘highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.’ In measuring implementation on the right to health we have selected indicators on suicide, school nurses, obesity, and general mental health. All are elements in Art. 24(2) and were chosen for the following reasons. First, the incidence of teenage suicide has been selected in order to track the follow-up of children’s health and reduction of child mortality. Second, the presence of school nurses has been included as a measurement of access to primary health care, and is an option available for children independent of parental involvement. Third, obesity in children has emerged as a critical health issue for children in many if not most countries in the world. Finally, an indicator on mental health directly addresses anxiety and depression in children. We note that other indicators in the chapter also address health issues (i.e. bullying, poverty, LGBT rights).

9. TEENAGE SUICIDE

The Nordic countries are often ranked highly in indices of life satisfaction, human development and happiness. However, the Nordic states also score comparatively high on suicide rates. Although official suicide rates may be questioned (e.g. misreporting of the causes of death), they can give an indication of the psychological well-being of the population.

The WHO and the OECD have collected data on suicide rates amongst teenagers over several periods of time. However, the most recent dataset with information on all Scandinavian countries dates back to 2012. Consequently, there may be some alterations in the rates. Comparing countries in the OECD on suicide rates, and teen suicide rates, the Nordic countries score below average, i.e. they have a higher rate of teenage suicide. Although the rate in Norway appears to be decreasing, it is still comparatively high – indicating a gap in the perception of well-being – and results in a dashboard score of 2. On a slightly positive note, Norway has improved its position within the OECD from fifth worst in 2000 and sixth worst in 1990 – where teenage suicides were almost double the rate in 2012.

10. SCHOOL NURSE

The presence of nurses at schools is not an explicit requirement of the CRC, neither in relation to the right to health or schooling. However, school nurses in every school are recommended by School Nurses International as a means of promoting both physical and mental health of students (e.g. addressing bullying); a range of countries have reported on their presence in their reports to the Committee on the Rights of the Child; and research indicates that it can be a highly effective intervention (Strunk, 2008).

In Norway, school nurses have a daily or weekly presence at schools. The official recommended number of school nurses per child is 286. This is higher than in most other countries (see Baltag, Pachyna and Hall, 2015). Figure 2.11 shows the number of students per nurse in primary school, distributed by counties. None of the counties are close to the recommended amount. Moreover, only one Norwegian county is close to the best-performing schools in the USA in an earlier study, for example (Guttu, Engelke, Swanson, 2004). The numbers are not disaggregated per school, so one should keep in mind that some schools are closer in reaching the target than others. Still, the overall tendency is that there are not enough school nurses in primary school according to the government's own standard. The deviations from the recommended number of students per school nurse in combination with regional differences gives Norway a dashboard score of 2.5.

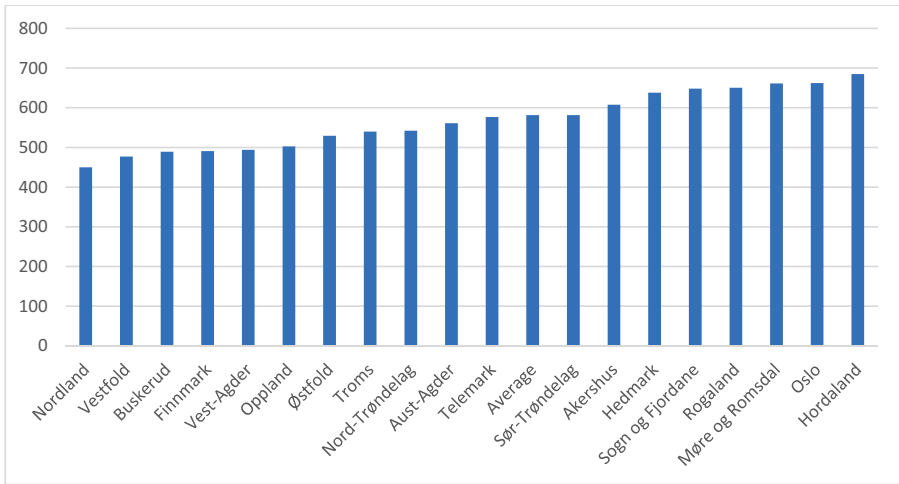


FIGURE 2.11 Students per school nurse in primary school.

Source: SSB 2017.¹⁵

11. OBESITY

Today, more people die of obesity than malnutrition. The latter however is immediately deadlier for children than adults but obesity presents multiple challenges for children's health, which can be accentuated later in life. Obesity has been rising in all countries, including Norway, but comparison across countries is challenging. Children are measured at different ages. Figure 2.12 compares children between the ages of 10 and 12 in countries with data on these ages. This indicates that Norway lies at the lower end of the comparative scale. However, 14 per cent of children are significantly overweight or obese and in some regions of Norway the percentage is almost double as high, (Biehl et al. 2013; Folkehelseinstitutt, 2014) leading to a score of 2.

15. Data from SSB: <http://www.ssb.no/a/barnogunge/2017/tabeller/skole/skole0100.html> (accessed 06.02.2018); Haugen og Hartvedt (2016)

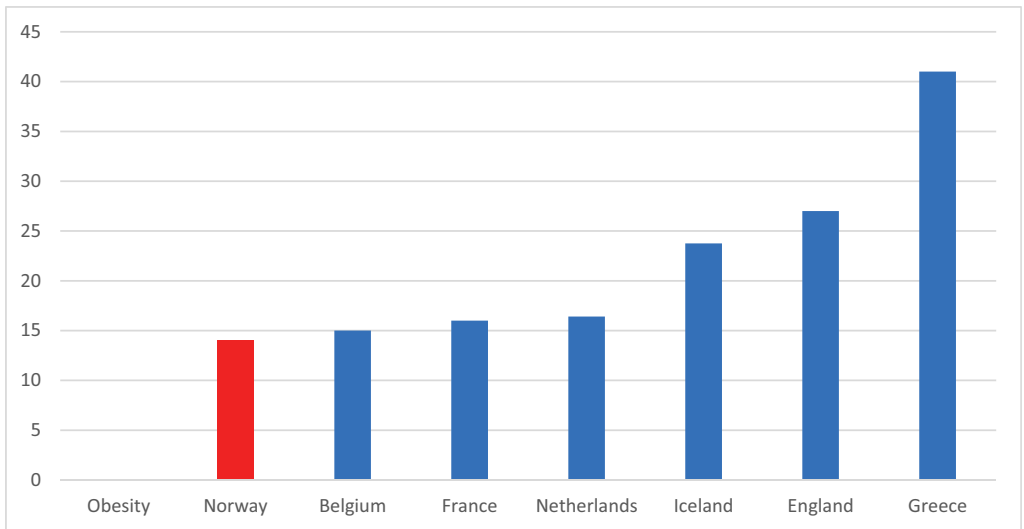


FIGURE 2.12 Percentage of children that are overweight (including obesity) (2010).

Source: World Obesity Index, 2010.

12. MENTAL HEALTH

Article 24 of the CRC requires states to take all appropriate measures towards ensuring that all children enjoy the highest attainable standard of health. The Committee has expressed its concern with the ‘increase in mental ill-health among adolescents’ noting amongst other problems ‘developmental and behavioural disorders’, ‘depression’ and ‘self-harm and suicide’.¹⁶ In August 2018, the BBC questioned the Nordics rank as one of the happiest regions in the world based on a new report on mental health issues among young people in the region (Boseley, 2018). The data showed that a large proportion of young people are suffering or struggling with mental health (Andreasson, 2018).

Ungdata collects data on anxiety and depression in young people. As we can see in Figure 2.13, almost 30 per cent of girls in senior year of high school have depressive symptoms (Bakken, 2017). This is twice as high as girls in grade 8. As with all surveys, there may be issues of under- or over-reporting, but the high share of girls reporting depressive symptoms – as well as the difference between girls and boys – is startling. Moreover, the abovementioned survey from, the Happiness Research Institute, on assignment from the Nordic Council of Ministers, found

16. *General comment No. 15 on the right of the child to the enjoyment of the highest attainable standard of health*, UN doc. CRC/C/GC/1 (2013), para. 38.

that Norway is among the worst-performing in the Nordic countries in relation to depressive symptoms. However, Norway performs comparatively better than Germany, UK, France and Russia (Andreassen 2018:15). Despite a very high international ranking, the score is reduced to 2 on the basis of variation by gender and the overall high level of symptoms reported.

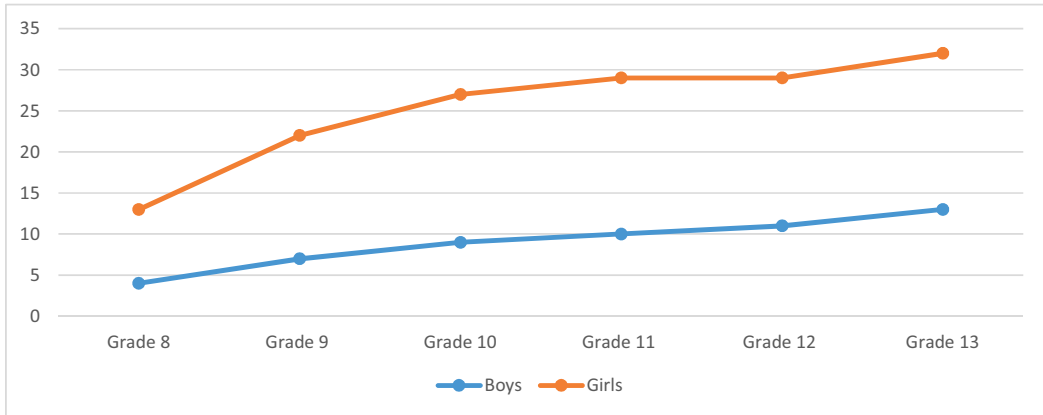


FIGURE 2.13 Share of boys and girls with depressive symptoms. Grade 8–12.
Source: NOVA 2017.

E. PROTECTION

A child's right to protection and accompanying measures constitutes one of the principal elements of the CRC: see Article 3(2) and (3). It covers protection of the child's well-being (Article 3) and privacy and family life (Article 15), against violence (Article 19) and in child welfare (Article 20). In our analysis, we focus on child welfare (with a focus on removal from the home), homicide (fundamental protection of the right to life), bullying and unwanted sexual awareness. The latter are not only relevant to protection (of well-being and against violence) but can also be seen in conjunction with the indicators of health (and education).

13. CHILDREN IN CARE

Despite the existence of a strong welfare state that is meant to support families, Norwegian child protection services have been strongly criticised in recent years. The criticism has come in media around the world and from citizens and civil society organizations, the UN Children's Committee and various public bodies,

individuals and organizations (eg Lewis, 2015; Whewell, 2016; see also Part 2 above). However, many other consider that the criticism has been exaggerated (Øverlien, Hafstad, Myhre and Skjørten, 2018).

Comparing how child protection services perform across different countries is difficult as service provision cannot be measured on a regular scale. Countries need to find the right balance between, on one hand, removing children and providing quality alternative care and, on the other hand, providing support for parents so that children can remain within their families. From the perspective of the CRC, the best interests of the child can inflect decision-making (see chapter 3). However, comparative statistics do not necessarily capture or reflect this optimisation frontier. For example, if we look at Table 2.3, we see that the number of children removed is higher in advanced welfare states than more liberal states such as the United States, Ireland and England. Compared to eight high-income countries with similar systems, Norway is in the top 5 in the number of children removed from the family, cf. Table 2.3 below. However, this should not take away attention from the fact that there are large variations in the number of children removed from the family – and that Norway's level is similar to other advanced welfare states. In addition, multiple factors affect the quality of child welfare services.

TABLE 2.3 Numbers of children (0–17) in care at year end by country

Country	Year	Children placed out of home (and per 1,000 children)	Total number of children placed out of home (percent of children) 2016
Switzerland ^a	2012	793 (10.4)	
Norway	2013	11,405 (10.1)	15865 (14.07)
Finland	2012	10,365 (9.6)	
Germany	2012	118,530 (9)	
Sweden	2012	15,646 (8.2)	30510 (13.97)
England	2013 (March)	68,110 (6)	
Ireland	2012	6,332 (5.5)	
USA, Massachusetts	2012 (2013)	7,302 (5.2) (398,482 (5.4))	

a. *Cantons Basel-Landschaft & Basel-Stadt* only, and entries per year for involuntary and voluntary placements.

There is also considerable variation between counties in Norway in terms of the rates of removal across the country (see chapter 3). One possible explanation for this may be that policy guidance is not adopted or applied consistently across the country, as argued by Falch-Eriksen and Skivenes in their chapter. With major variations in outcomes of important decisions, children within the same system can experience equal treatment in different cases and different treatment in similar cases. These authors also note the high numbers of children with an immigrant background that are removed from their family. While it is difficult to judge whether the absolute numbers of children removed is contrary to or consistent with a child’s best interest, the high levels of internal variation suggest that there may not be consistency, suggesting room to improve and resulting in a lower dashboard score (2).

14. HOMICIDE

Levels of intentional homicides provide a good measure of protection of the right to life and fulfilment of the right to health. The data is collected by the UNODC and WHO and is the most internationally recognized of various indicators of homicide and suicide for reliability and validity. We note that it includes suicide which means there is a partial overlap with Indicator 9 above. Figure 2.14 shows that Norway has a lower rate of homicide than most of its neighbours and large European states. The exception is 2011 which concerned the July 22 bombings and shootings and in which children were the primary victims. The indicator results, nonetheless, in a full dashboard score.

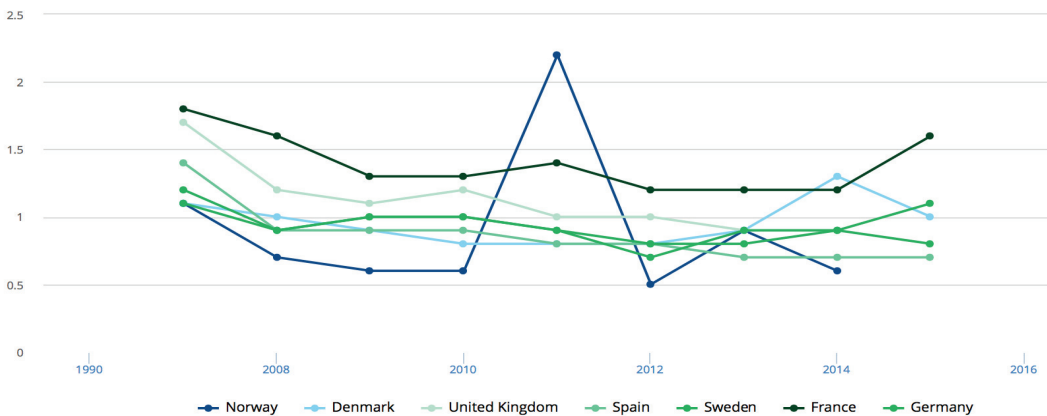


FIGURE 2.14 International homicides (per 100,000 people).
Source: World Development Indicators.

15. BULLYING

Bullying remains a challenge for states in ensuring equal access to education for everyone. In the context of the CRC, General Comment 1 from Committee on the Rights of the child specifies that: 'A school which allows bullying or other violent and exclusionary practices to occur is not one which meets the requirements of article 29 (1).'¹⁷ The Norwegian Education Act (*opplæringsloven*) also establishes a duty to ensure a safe learning environment.¹⁸ As such, the formal requirements with regards to protection from bullying should be in compliance with the CRC, however, reports from pupils reveal that bullying still remains an issue (Wendelborg, 2018).¹⁹

Bullying has been in focus for many years in Norway, and the topic is prevalent in the national media. Every year, the Education Directorate orders a study of the study environment in schools, including bullying. Participation is high: 76 per cent of all students between 5th grade and high school seniors responded. Figure 2.15 shows the development in the number of children who report that they are being bullied 2 to 3 times in a month. Since 2013, the general trend appears to be a decline in bullying. However, the recent results reveal an increase in those who report being bullied at school. Still, one should note that formalities with the survey that came into force from 2013 – time of year, formulation of questions – may have impacted the outcome (Wendelborg 2018:8).²⁰

The PISA-test also collects information on how children feel about the environment at school, including feeling like an outsider, awkward, and out of place (OECD 2015). In the 2015 results, more than 5,100 Norwegian pupils responded to questions regarding their own experiences at school. As is visible from the annexes, 11.9 per cent of the respondents report feeling like an outsider at school and 17.2 per cent feel awkward and out of place. These are clearly not direct questions regarding bullying, but it does provide a reflection of the number of children that do not experience inclusion within the school environment. Apart from Sweden, the Nordics score a little better than average. Out of the more than 483,000 pupils that answered the question of feeling like an outsider, 18.2 per cent report that they agree with the statement. A similar percentage, 20.1 per cent, report feeling awkward and out of place.

17. General Comment No. 1, §19, see also chapter by Lile.

18. *Opplæringsloven* §9a-3 and §9a-4.

19. Data collected by Child Helpline International (2013), the international network of child helplines, reveals that a majority of those who call into helplines in Norway have been bullied in one form or another. Given that the data reflect those who actively call to share their problems, the data should not be seen as a reflection of the students as a whole. However, it indicates that many still suffer from psychological or physical bullying.

20. *Ibid* p. 8.

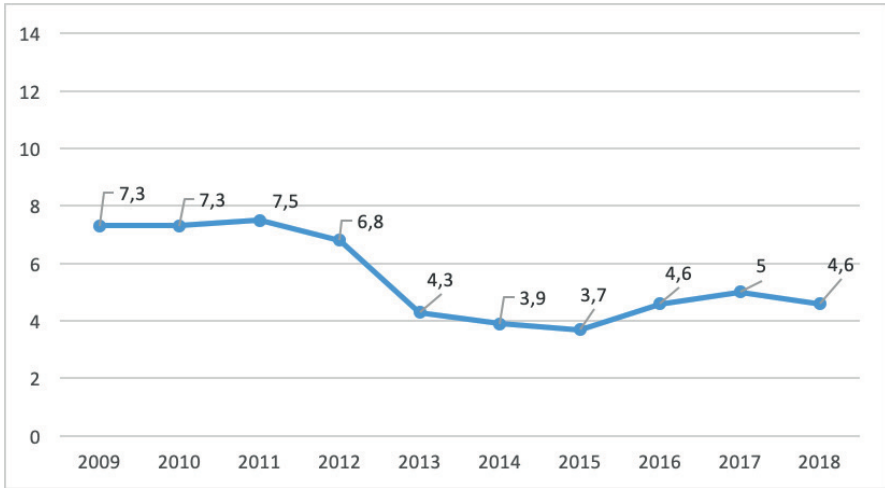


FIGURE 2.15 Bullying of children in Norway.
Source: Wendelborg 2018.

WHO also gathers data on bullying in the survey *Health Behavior in School-Aged Children* (HBSC). As we can see in figure 2.16, the number of children that report having been bullied in Norway has decreased from 2001 to 2010 – although Norway is still in the middle of the European ranking.

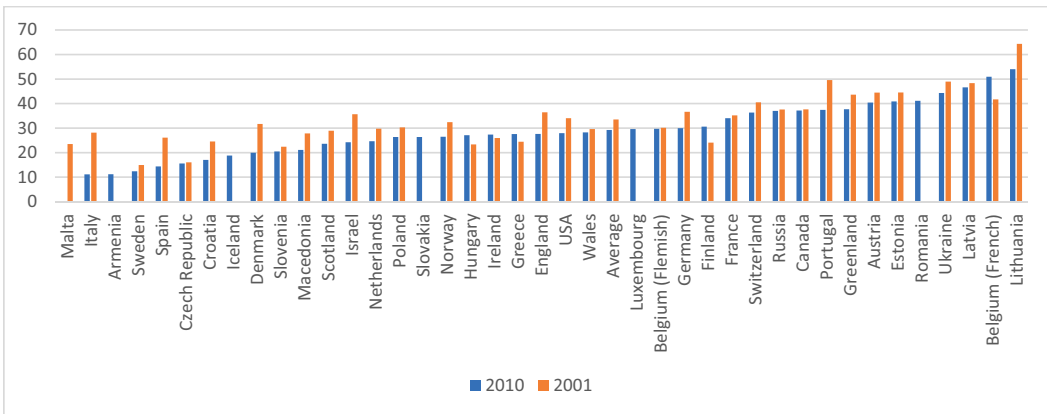


FIGURE 2.16 Bullying of children across Europe.
Source: HBSC 2017.

The numbers from HBSC and *Elevundersøkelsen* show that the number of children that report being bullied has decreased in the last decade. However, as problematized above, some of the decrease may simply reflect the change in questions.

Despite the trend, Norway's slight average result in a European context leads to a dashboard score of 2.

16. ONLINE BULLYING

For many children, bullying has moved from the physical to virtual sphere. There has been a significant increase in the number of children with access to technological tools such as mobile phones, computers, smart tablets, etc. In the annual report on children and the media, *Medietilsynet* (2017) reports that 97 per cent of children between the ages of 9 and 16 have access to mobile phones at home, and that this has increased by more than 20 percent since 2012. Further, 85 per cent have access to a computer, and 85 per cent have access to smart tablets.

In 2016, 7 per cent of the children surveyed had been victims of internet bullying (*Medietilsynet* 2017:58). However, the numbers from *Elevundersøkelsen* are somewhat lower, as 2 per cent of those asked reported being digitally bullied monthly, while another 8 percent had experienced it, but rarely (*Wendelborg* 2018). Time series data on internet bullying is somewhat inconsistent as there has been a rapid development in programs for communication on computers, mobile phones, and smart tablets. *Barn og Medier-undersøkelsen* changed their questions between 2010 and 2012 as well as 2014 and 2016, making it somewhat difficult to compare.

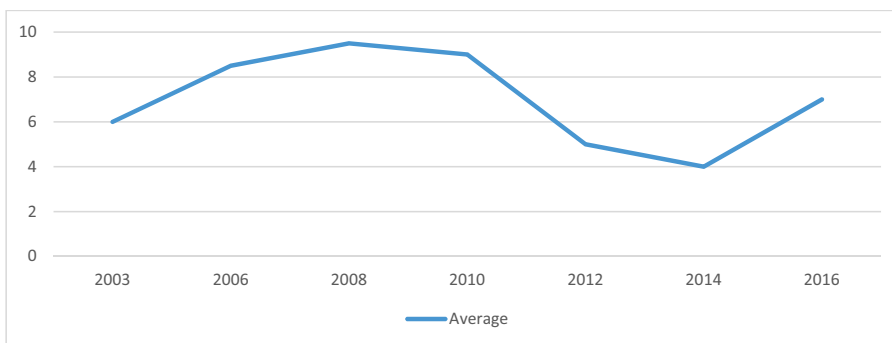


FIGURE 2.17 Children bullied online (in chat rooms 2003–2010).

Source: *Medietilsynet* 2010.

However, we can still observe some trends in the data available. Figure 2.17 shows the development with regards to bullying in chat rooms (both on computer and mobile phone) from 2003–2010 and bullying online from 2012–2016. The data indicates a decrease in 2012 and 2014, but the number of children that report being bullied online increases again in 2016. *Medietilsynet* report that the number of chil-

dren that experience bullying is quite stable. The change from 2010 to 2012 could be due to the change in questions. In their report, Medietilsynet explain the rise in 2016 by an increased percentage of 16-year olds participating in the survey, as older children are bullied more online (Medietilsynet 2018:58). The lack of international comparative data results in an initial score of 3 which is downgraded to 2.5 on account of the level of bullying and general consistency of the phenomenon.

17. UNWANTED SEXUAL ATTENTION

With the rise of internet usage, children also report unwanted comments of a sexual character, often associated with grooming (Medietilsynet 2017:48). A total of 4805 children participated in Medietilsynets (2018) latest survey, and the data show that the number of those exposed is quite stable at 21 percent. However, the difference between boys and girls is quite large. As Figure 2.18 shows, 30 per cent of girl respondents in the ages 13–16 had received unwanted comments in 2010. In 2016, 28 per cent of girls and 13 per cent of boys received unwanted sexual attention. However, older girls face a particular risk. At 16 years old, 40 per cent of girls have been exposed to unwanted sexual comments in the last year (Medietilsynet 2017:48).

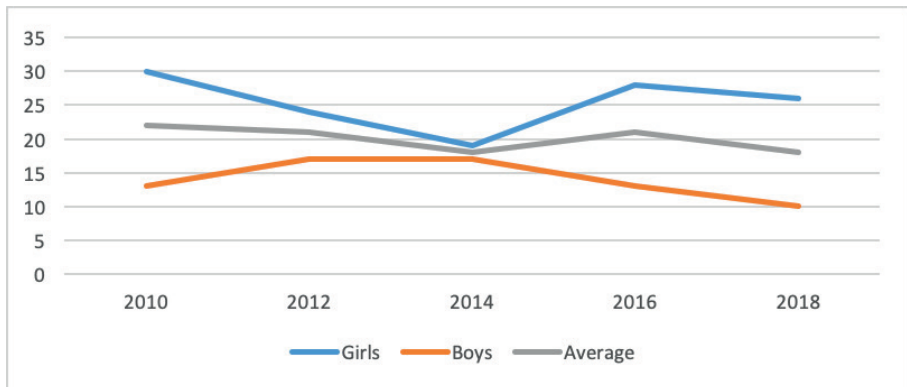


FIGURE 2.18 Unwanted sexual comments.

Source: Medietilsynet 2018.

It would also be useful to measure the numbers and changes in online instances of abuse. However, we have been unable to identify a suitable indicator or regular measurement. In summary, the large proportion of girls that are subject to unwanted sexual comments is conspicuous; and the rate of boys that are exposed is not comforting either. The absence of a positive trend and the high share of children and the difference between girls and boys that are exposed to unwanted sexual comments result in a low dashboard score (1.5).

F. LIBERTY

The right to liberty for children is largely addressed in the CRC in the context of policing and imprisonment, although article 15 also recognises children's rights to freedom of movement and association. As *Gröning* and *Sætre* state in their chapter, imprisonment is the most long-lasting and most intrusive form of deprivation of liberty for children.

18. CHILDREN IN PRISON

Gröning and Sætre note that in the last few years the number of children in Norwegian prisons has fallen dramatically. In 2008, there were 24 children in prison, while in 2014 and 2015 there was only one, although the number rose to 6 in 2016. They ascribe this general fall to the ratification of the CRC and legal amendments aimed at reducing the number of children in prison. Indeed, the number of children sentenced was reduced by three-quarters between 2002 and 2016. This low number is reflected in a ranking we have performed based on the EU's criminal justice statistics for the year 2013 (the last year that Norway reported). It shows the percentage of children in prison as a proportion of the number of children (0 to 18). Norway is ranked second after Sweden. A full score of 3 is thus given.

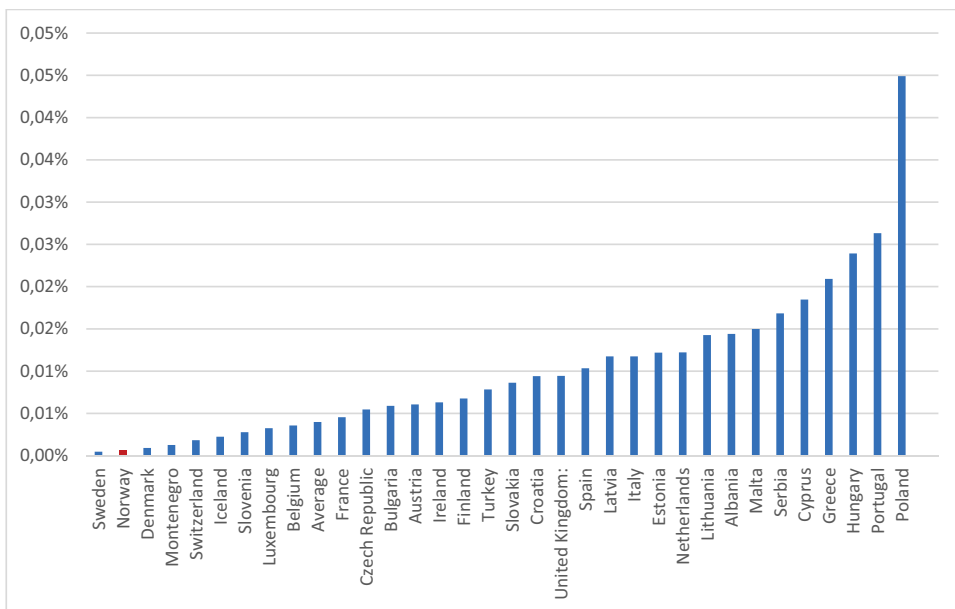


FIGURE 2.19 Juvenile prison population 2013 per capita.

Source: EU Criminal Justice Statistics 2016.

19. CHILDREN IN CUSTODY – TIME

However, this comparative ranking and generally low level of children in prison masks two definitional choices. First, it does not include all children that are sentenced to imprisonment by the courts. This number is significantly higher than the number of children that are in prison at each time as a large number of children have effectively served their sentence before the final judgment. *Grønning* and *Sætre* note from a CRC perspective, that this should be taken into account and that Norway has not included the number of children sentenced to prison in its most recent State party report to the CRC Committee – only those that are in prison. Secondly, it does not include children in custody who may not be sentenced to imprisonment but are detained as part of an arrest or trial process; the possible presence of racial profiling in arrests for which Norway has provided no contrary evidence; nor the conditions of detention – including the continued use of solitary confinement of some or even many children (see chapters 5 and 6). Figure 2.20 therefore shows the number of children in custody and the average days spent there. The number is significantly higher than for imprisonment but has been declining. However, the average number of days in custody is perhaps more stable, fluctuating around 120 days. Thus, one trend appears to be fewer children in custody, but longer periods in custody, without significant attention to either racial profiling or conditions of detention (see chapter 6). With these qualification, we give only a dashboard score of 2. But with simply better measurement by the authorities of claimed improvements, it is potentially a score that could rise.

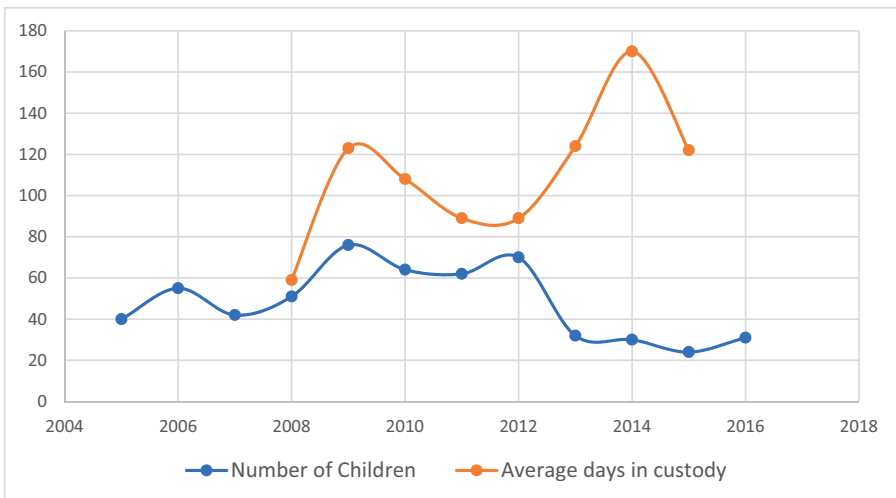


FIGURE 2.20 Number of children in court custody and average number of days.
Source: Grendstad and Hilde chapter 5.

G. DISCRIMINATION

Non-discrimination is a fundamental duty in the CRC. According to Article 2, states must respect and ensure that no child is discriminated under Article 2. This applies to all types of discrimination, related to race, complexion, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other. The duty is universal in all rights, and in some indicators, the principle of non-discrimination is integrated, including child poverty, bullying, unwanted sexual awareness and children in custody. At the same time, discrimination is one of the rights most difficult to measure. This because available data is often not disaggregated and because it is difficult to prove the intention or effect of discrimination, as well as being difficult to compare across countries within categories such as ethnicity and disability. In this chapter we have chosen three indicators of discrimination, treatment of asylum children, LGBT rights and tolerance. Other grounds of discrimination are partially captured in other indicators: e.g. national origin (indicator 3), gender (indicator 17), and disability (indicator 8).

20. ASYLUM CHILDREN

The situation of asylum children (alone or with their family or others) has generated significant discussion in Norway, especially asylum and deportation procedures/rules and the general living conditions. In its concluding observations on Norway, the Committee on Child Rights (2018) issued critical comments of both aspects, suggesting possible areas for measurement.

In relation to asylum and expulsion procedures, the Committee called for a child's right to be heard to be strengthened in asylum and expulsion procedures,²¹ requested the state consider automatically reassessing temporary residency permits of unaccompanied children (including the option of lengthening them),²² and recommended that 'under no circumstances' should children and their families be deported back to countries where there is a risk of irreparable harm for the children.²³ Raw data is, of course, available on the numbers of children granted asylum, deported or granted temporary residence permits. The challenge with this data, however, is that it does not necessarily match closely with the specific CRC obligations. For instance, there is no general right to asylum in the CRC. However,

21. CRC (2018), para. 14(c).

22. Ibid. para. 32(a).

23. Ibid. para. 32(b).

once a child is within the jurisdiction of the state, Article 3(1) applies “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” General trends in granting of asylum or levels of deportation (see Eurostat (2018) for example) may be a proxy for a state’s general commitment to ensuring that children’s best interests are served in asylum procedures, but outcomes might be explained by the varying individual circumstances of asylum seekers or changing situations in their countries of origin. Likewise, it might be possible to consider using the refugee resettlement quota as a proxy for a state’s commitment, but such an indicator is likely to be misleading: e.g., the quota can be increased after a political agreement to impose greater restrictions on in-country individual asylum applications. Another possible and promising indicator is to calculate the number of asylum children deported to countries considered unsafe by an independent agency like the UNCHR or LandInfo – particularly given critiques of Norway’s failure to follow the advice of these agencies. This gives an indication to how seriously a state views threats to the child. The challenge with this measure though is contested interpretations over both safety (including between UNHCR and Landinfo) and whether it is acceptable to send children back to deemed safe areas of a land but with which they have no relationship (e.g., Kabul in Afghanistan). However, in our view the creation of such an indicator might be a useful indication of a government’s general commitment to asylum rights.

In relation to general conditions, the Committee called for an investigation into the disappearance of children out of reception centres, requested that children and their families be placed into reception centres for the shortest time possible, recommended an increase in resources to reception centres (to guarantee adequate conditions), stated that children cannot be placed in detention based on their immigration status and underscored that unaccompanied children in *all* municipalities must receive good quality care.²⁴ For these issues, it is possible to locate indicators that match more directly on to the human rights concerns, although the problem is that this data is often not collected or published *regularly* by the state.

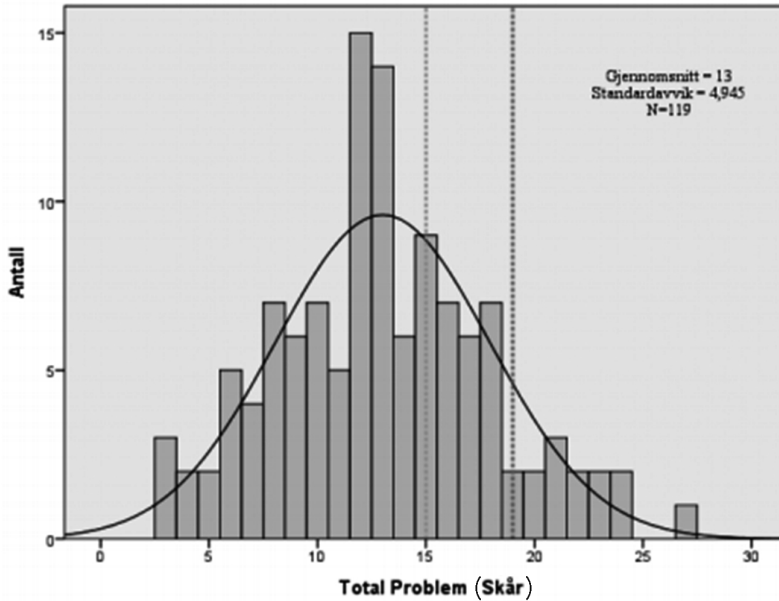
We suggest therefore two indicators concerning such conditions for children – one focused on mental health, the other on liberty rights. The living conditions of children seeking asylum was placed on the political agenda in Norway with the white paper *Barn på flukt* (Child refugees).²⁵ Following the white paper, NTNU Social Research in cooperation with the Norwegian Institute for Urban and

24. Ibid. para. 32(b), (c), (e), (f) and (g).

25. See Meld. St. 27 2011-2012 ‘Barn på flukt’.

Regional Research (NIBR) and Nord-Trøndelag University College (HiNT) issued a report on commission from the Ministry of Children, Equality and Inclusion and the Ministry of Justice (Berg and Rose Tronstad (eds), 2015). It is the first systematic review of the living conditions for children seeking asylum in Norway. While much of the data in the report is qualitative, it provides a good foundation for the measurement of implementation if continued on a regular basis. The authors also recommend that SSB follow up and produce regular statistics on the matter.

The report includes data on participation in society (school, kindergarten, health etc.) and mental health for children seeking asylum. Overall, it highlights a number of challenges in securing the rights of children seeking asylum. An overarching concern for these children is the uncertainty in knowing whether or not they will be granted asylum (Berg and Rose Tronstad, 2015:166). The *Strengths and Difficulties Questionnaire (SDQ)* measures mental health in children/youth and we have selected this measure as a relevant and useful proxy for capturing various aspects of a child's living conditions (but also indirectly whether the asylum procedures and expulsion procedures – the first point of discussion above – are reasonable, as potential deportation to unsafe conditions would presumably greatly raise a child's fear). Scores up to 15 are perceived as 'normal', while those above 15 (and particularly above 20) are critical. Figure 2.21 shows the score for children seeking asylum in Norway. As the figure shows, the percentage of children seeking asylum with mental health challenges is quite high (Berg and Rose Tronstad, 2015: 41–42). This survey could be repeated regularly, and it provides importantly a disaggregated complement to the subjective indicator on all children's life satisfaction: see indicator 1 above.



Number of children (antall) by SDQ score (total problem skår). Average = 13, standard deviation = 4.945.

FIGURE 2.21 Children seeking asylum in Norway, SDQ score.

Source: Berg and Trondstad 2015:41.

The second indicator concerns the detention of children. The majority of immigrant children that are forcibly returned from Norway (for example, rejected asylum seekers) are only arrested and not detained. According to various governmental sources on the use of arrest and detention of families with children pursuant to the Immigration Act, families are almost always arrested where deportation can be carried out quickly.²⁶ However, as Figure 2.22 indicates, a significant number of children have been detained for more than 24 hours, despite repeated warnings about the harmful effects detention of children brings about (see chapter 6 on policing in this volume by *Aasgaard* and *Langford*). In 2013 and 2014, the numbers were particularly high. These numbers declined in 2015 and 2016 although it is notable that the CRC committee demanded that no children be detained on the basis of their immigration status. In 2018, the number could be considered formally zero after the cessation of the use of Trandum detention centre for children and families. However, the new centres in which families are placed are highly restricted in relation to freedom of movement (see chapter 6).

26. See e.g. Innst. 78 L (2011–2012) s. 14; Prop 126 L (2016–2017) p. 48.

In light of the above indicators (especially the SDO survey), the lack of data, and commentary for the CRC committee, a score of 2 is given.

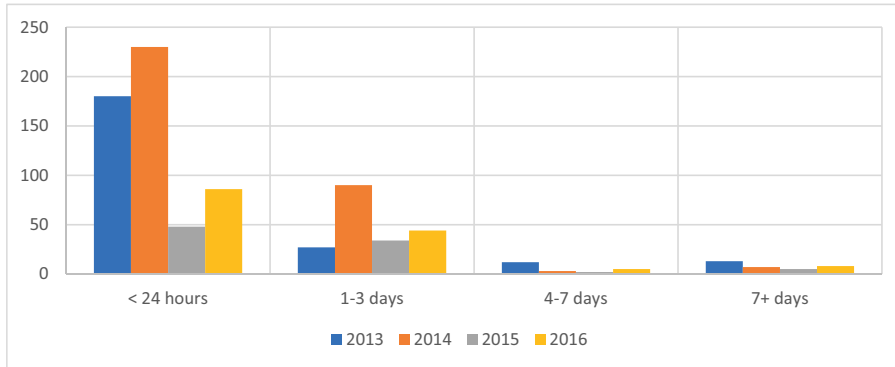


FIGURE 2.22 Children at Trandum Detention Centre 2013–2016.

Source: Prop. 126 L (2016–2017), table 7.1.

21. LGBT RIGHTS

Our second choice concerns sexual orientation and gender identity. Gender-based roles are often strongly institutionalised for children in both the public and private sphere. Moreover, children that express, or are perceived to have, a heterodox sexual orientation or gender identity are more likely to be victims of bullying (see chapters 13 and 14). Measuring Norway's efforts to respect and ensure that LGBTI children's rights is challenging and no regular data series exists on their experiences other effectiveness of different interventions – and certainly not comparatively.

Therefore, we have chosen a structural indicator – the securing of LGBT rights within law. Given that law in this area can affect public and expert attitudes, it may also reflect one sign of overall process. Using the ILGA index, which focuses on an array of legal protections, we see that Norway ranks highly, resulting in the highest score. See Figure 2.23. However, this ranking is only recent. As Thorsnes documents in chapter 13, Norway only recently moved up various transgender indexes after it recognised an independent legal right to gender identity. This means that children are permitted to change their formal gender without being required to change their sex.

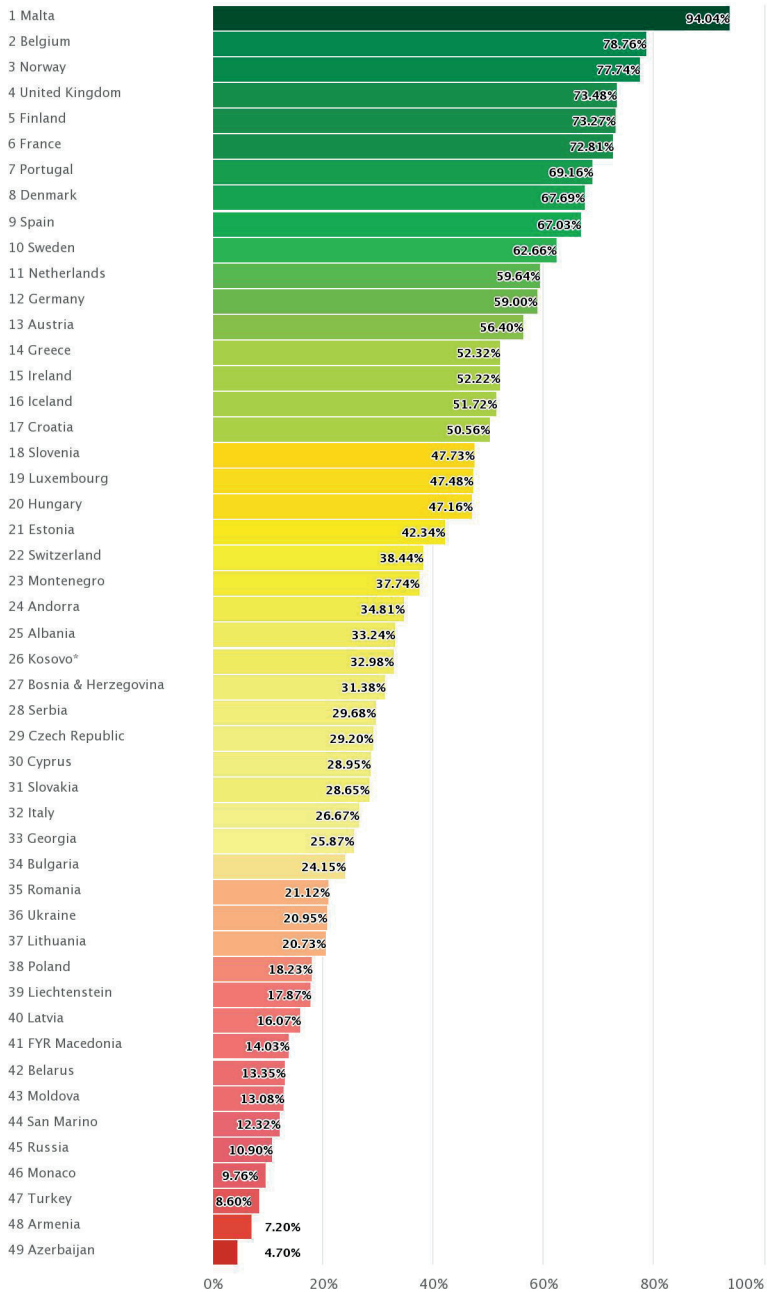


FIGURE 2.23 ILGA Index of LGBT Rights in Law.

Source: ILGA.

22. TOLERANCE AND DISCRIMINATION

Indicators on discrimination should also reflect the voice of those who may be subject to discrimination, even if it may be a subjective experience. The OECD measures how children and young adults with another nationality or minority background themselves experience discrimination. As can be seen in Figure 2.24, approximately 10 percent of Norwegian children and adolescents report that they have experienced discrimination in the period 2002 to 2012. It is lower than the EU average and in other Nordic countries, but for foreign-born who arrived as children it is higher than a number of European countries. Combined with other data on discrimination in Norway (see chapter 6; Midtbøen og Rogstad, 2012), this results in a relatively high score of 2.

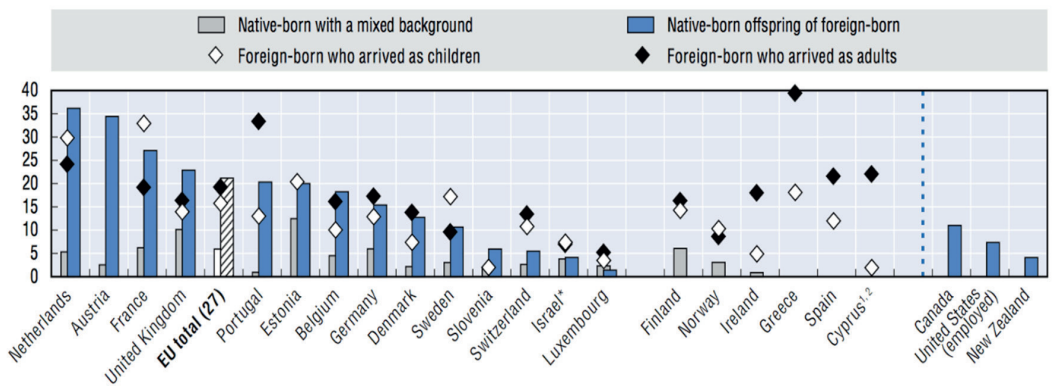


FIGURE 2.24 Share of 15–34 year olds that report discrimination 2002–2012.
Source: OECD.

H. PARTICIPATION

A child's right to be heard is a foundational right in the CRC. Article 12 specifies that children have the right to express their views freely in all matters affecting them. They are to be given due weight in accordance with age and maturity of the child. This right to be heard should be also understood in conjunction with articles 13, 14, and 15 on freedom of expression, freedom of thought, conscience and religion, and freedom of association and assembly. We have chosen three indicators for this purpose: legal voting age, civic engagement, and participation at school.

23. VOTING AGE

The UN Convention on the Rights of the Child Article 1 defines the child as ‘every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.’ As such, those under the age of 18 should still be considered children under the law, except in special domestic circumstances. This characterization of those under the age of 18 as children is well reflected in the voting age around the world. However, Article 12 emphasizes that states ‘shall assure the child who is capable of forming his or her own views the right to express those views freely’ (Emphasis added). Limiting participation based on age may reflect a stereotypical understanding of maturity. In this respect, the Convention provides a basis to at least make a claim that a voting age younger than 18 would be appropriate – particularly given topics such as democracy in school are common in many countries. Moreover, children can also be criminally responsible at a much younger age – meaning that election results can affect children. Legislatures are empowered to pass laws of coercion which can lead to the detention and imprisonment of children.

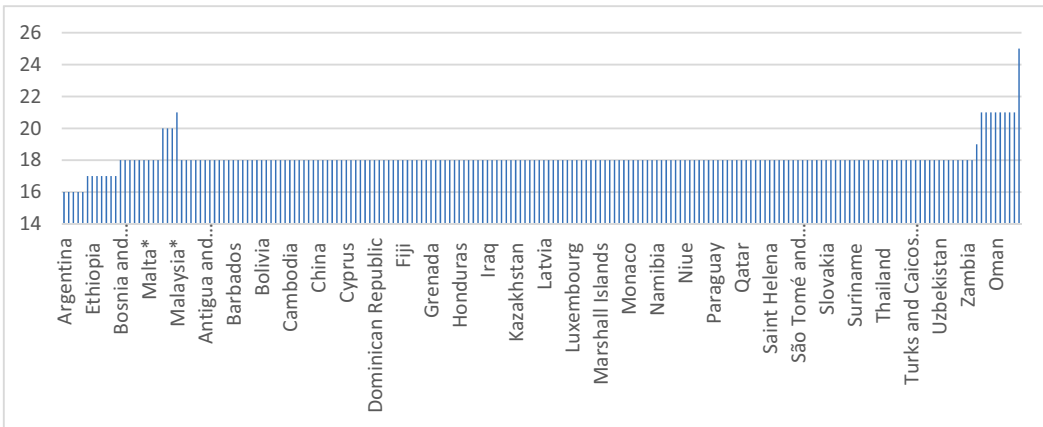


FIGURE 2.25 Global voting age.

Therefore, we have coded the voting age in all states in the world in which elections are formally held. The majority of states, including Norway, have a voting age of 18: see Figures 2.25 and 2.26. However, a small number of states differentiate voting age in local elections and general elections, or within an election. Less convincingly, some countries have extended voting rights for children who fulfil specific criteria – i.e. children who are married, or members of armed forces.

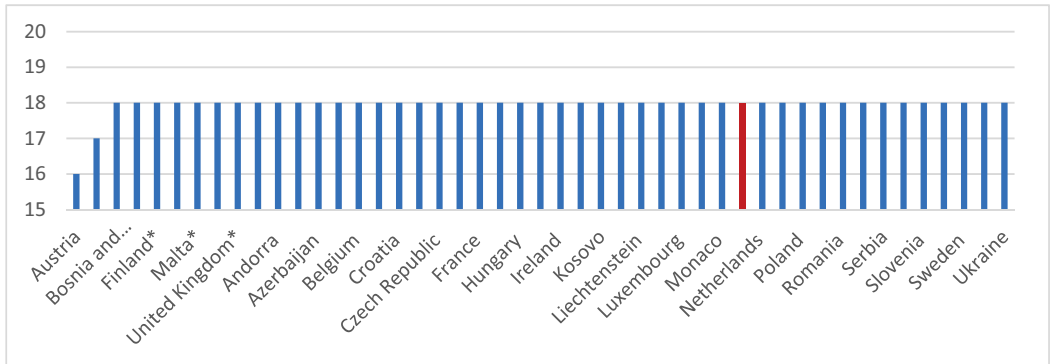


FIGURE 2.26 Voting age in Europe.

* Asterisk indicates lower voting age in local elections.

In Norway, a trial was with the lowering of the voting age in local elections to 16 years, in a selection of 20 municipalities from the different counties. However, in the latest proposition from the Norwegian government to the Norwegian Parliament on municipalities,²⁷ the suggestion was to not proceed any further with the project. The proposition was passed, and the right to vote for those between 16 and 18 has not been extended or continued in the municipalities where it was tested. The Norwegian Ombudsman for Children has criticized the decision (Barneombudet 2017), following an evaluation that showed positive results. Given that Norway has maintained the 18-year threshold despite a trial period with voting rights for 16-year-olds, which received a positive evaluation, leads us to give Norway a medium score of 2.5 on this account.

Although voting is perhaps the easiest way to measure child participation, there are other ways by which youth can engage with policy development. Moving beyond the right to be heard in Art. 12 of the convention, civic engagement captures the right to freedom of expression,²⁸ freedom of association and freedom of peaceful assembly.²⁹ For example, Figure 2.27 shows how Norwegian youth, grade 8, participate in different civic organizations. Not surprisingly, the most common participation is to collect money, and almost 40 percent of eight graders participated in this manner in 2009. It is important to note that there are two national events each year with fundraising as the primary aim: Operasjon Dagsverk

27. See Prop 128 S (2017) "Proposisjon til Stortinget: Kommuneproposisjonen 2018" available at <https://www.regjeringen.no/no/dokumenter/prop.-128-s-20162017/id2552727/sec1>

28. CRC Art. 13.

29. CRC Art. 15.

(OD) and TV-aksjonen. However, participation beyond collecting money is quite low.

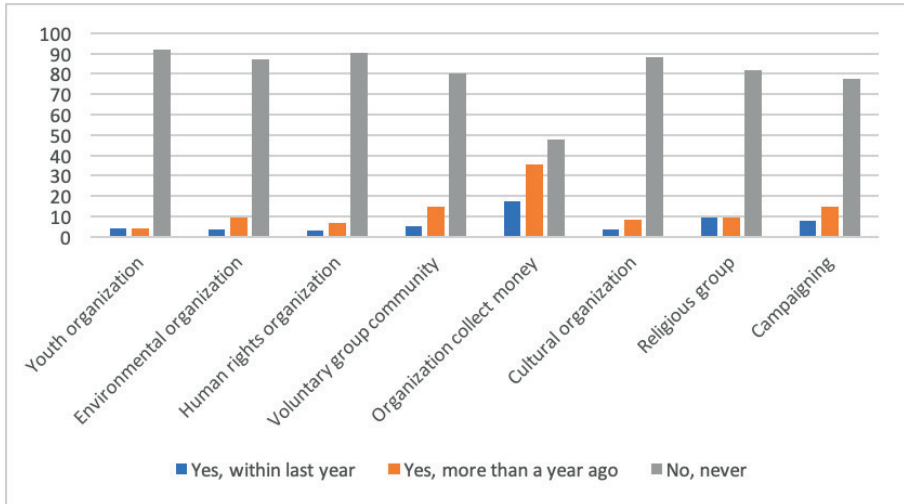


FIGURE 2.27 Participation in civic organizations for Norwegian youth (grade 8).

Source: ICCS 2009.

24. PARTICIPATION AT SCHOOL

In the annual *Elevundersøkelsen*, one of the categories deals with participation and the right to be heard at school. The students are asked if they are able to participate in deciding how the class should work in the different courses, whether it is easy for them to participate in student democracy (in the council or as representatives), whether the school listens to their suggestions, and if they have a say on their class environment. Figure 2.28 and 2.29 shows the distribution of answers from pupils in grade 7 and grade 10. The answers are scaled from 1–5 (i.e. to a very large degree, to a large degree, neither nor, to a lesser degree, not at all) (Utdanningsdirektoratet 2018). As we can see from the figures, students' experiences are relatively stable in the different grades, with a weak positive increase in level of satisfaction from 2013–2014 to 2016–2017. At the same time, there is a 0.5 point difference between grade 7 and 10, where the younger children report a higher level of participation.

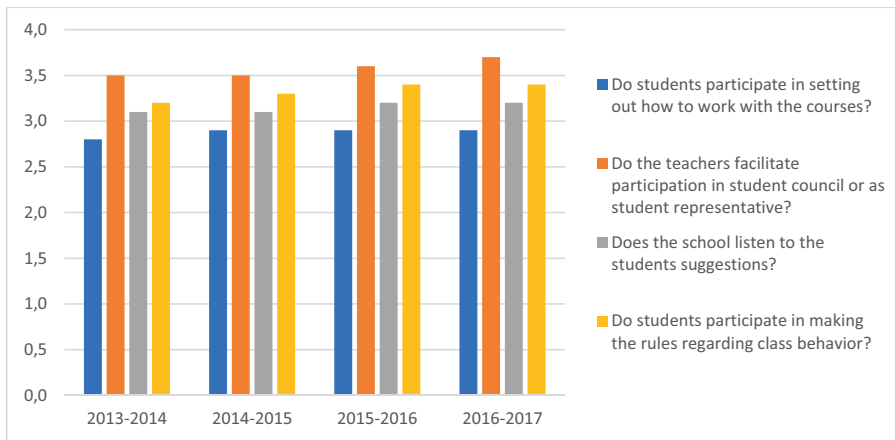


FIGURE 2.28 Grade 10.

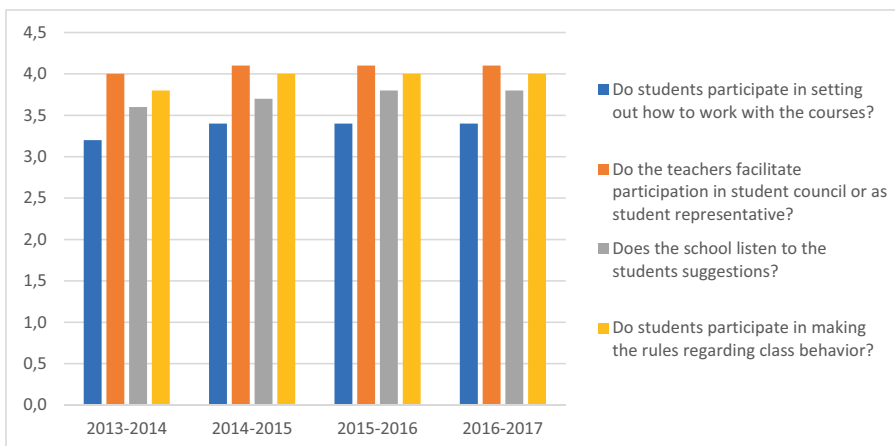


FIGURE 2.29 Grade 7.

Compared to other questions in the survey, the numbers for participation are remarkably lower (Utdanningsdirektoratet 2017). With regards to participation in deciding how the class should function, the answers for grade 10 fall just above average, while they are somewhat higher for grade 7. The answers on all indicators are quite consistent, revealing that students are less satisfied with participation with age, and that there might be room for improvement with regards to school democracy and participation. Therefore only a moderate score of 2.5 is given.

I. ACCOUNTABILITY

A key aspect of human rights is access to remedies and a general system of accountability although these terms are not specifically mentioned in the CRC. States parties to the CRC are required though to adopt appropriate legislative, administrative, and other measures to implement the Covenant.³⁰ This requires that some forms of accountability will be necessary so that the state can ensure that non-compliance is detected and addressed. Moreover, it is arguable that the right to be heard and the duty to adopt legislative measures can ground an obligation to provide children access to justice including legal remedies, or at least require the state to justify its absence. Such access to justice should arguably cover the legal status of children, their right to bring a case, their right to be heard in a case, legal assistance, and the ability of others to intervene on the part of the child.

25. LEGAL ACCESS

Norway has incorporated the Convention on the Rights of the Child in domestic law and in 1981 became the first country in the world to establish an Ombudsperson for children. However, incorporation or the existence of an ombudsperson is a poor comparative measure of accountability. The balance of power between different institutions in different domestic realities makes it difficult to establish that a specific ombudsman for children is better than a unified institution for human rights issues. To rank the power of the institution on their formal powers to protect children's rights, an in-depth study of both the children's ombudsmen and the children's department of the national human rights institutions or ombudsmen would be required.

However, the Child Rights International Network (CRIN) has collected information about children's access to justice globally and publishes country-specific and comparative reports.³¹ The ranking includes the legal status of the CRC, the legal status of the child, access to courts for children, and practical barriers for access to justice. The combination of a global ranking and country reports allows for bilateral comparisons as well as insight on possible weaknesses.

Figure 2.30 and 2.31 below shows how the countries in the OECD rank on legal access. The higher the bar, the easier the access. Norway comes in at number ten,

30. Art. 4.

31. Country reports were prepared by CRIN and partners from around the globe and cover 197 jurisdictions. The reports were amended according to comments and feedback provided by experts – including Ministries of Justice, State permanent missions to the UN, national human rights institutions, NGOs, children's rights advocates, academics, lawyers, judges and others.

behind countries such as Latvia, Finland, and Portugal – which leads to a dashboard score of 2.5. The ranking includes the legal status of the CRC, the legal status of the child, access to courts for children, and practical barriers for access to justice. This ranking does not cover the fact that Norway has yet to ratify the optional protocol to the CRC, but the ranking shows that there are other barriers to access for children in Norway – particularly on practicalities.

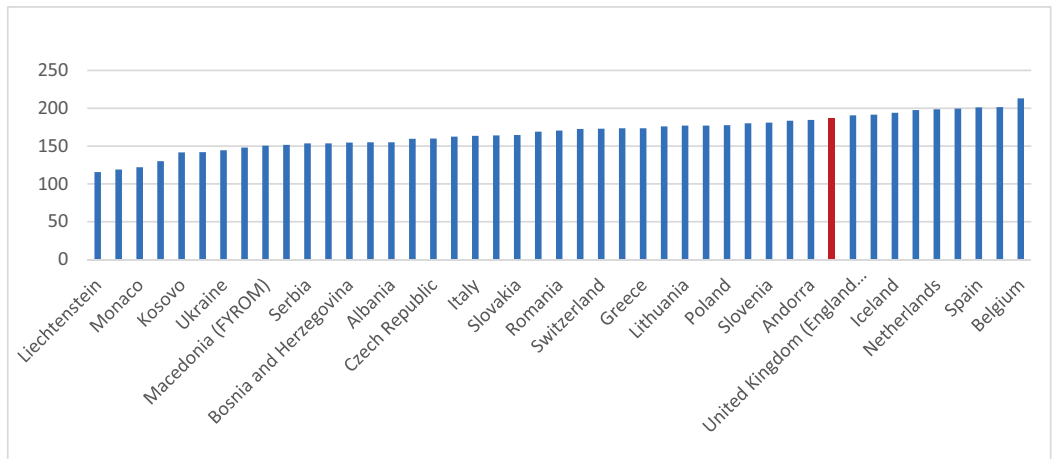


FIGURE 2.30 Legal access for children ranking.

Source: CRIN 2017.

The following graph provide the individual scores for each legal access indicator.

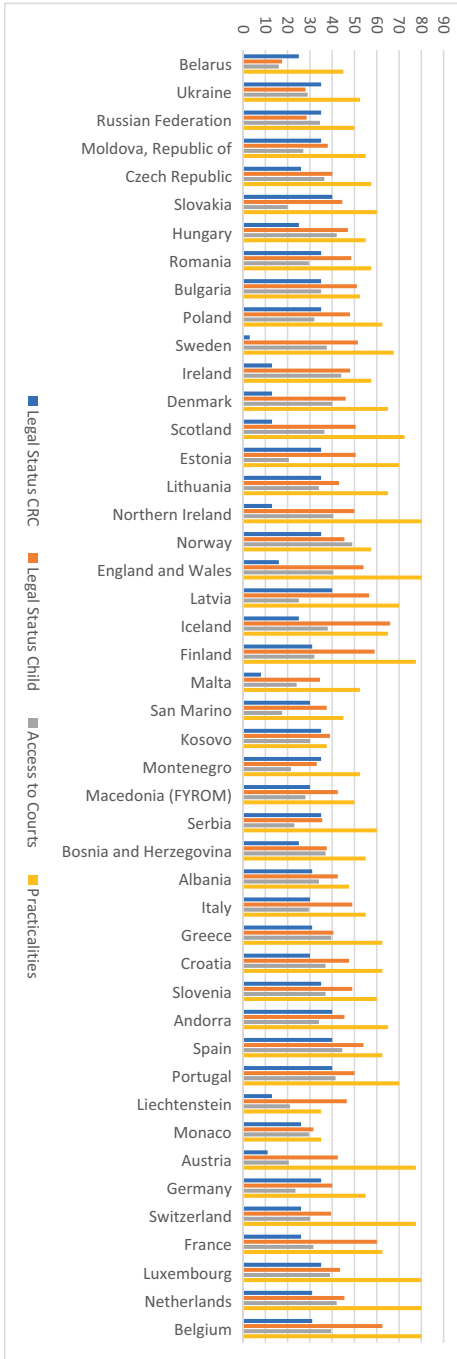


FIGURE 2.31 Legal access children.

2.5 DASHBOARD

In Figure 2.32, we have attempted to summarize the results of each indicator in terms of the 'dashboard score'. Using traffic light colouring and coding, we have indicated for each indicator overall (third column) whether Norway is performing very well (dark green, 3), relatively well (light green, 2.5), moderately well (orange, 2), moderate (purple, 1.5) or poorly (red, 1). This overall assessment is based on comparison with other European and developed countries, internal variation, and the relevant norm – which in some cases is explicitly set by the Committee or Norwegian government.

Eyeballing this table, we can identify a clear number of areas where Norway is performing well, particularly on social welfarist indicators such as overall life satisfaction, health, education and use of prison for child offenders. However, the scores fall when they are disaggregated according to region or a ground of discrimination (e.g., disability, ethnicity). Some of the trends are in a negative direction (e.g. income poverty) while others are moving in a positive direction (e.g. teenage suicides). Turning to the civil and political indicators, we find a more mixed picture. We have graded areas such as protection (e.g. verbal, physical and digital bullying) as poor or moderate while scores for political rights and accountability are rated as average. While one can argue and quibble over each assessment, the dashboard indicates that the key challenges lie most in engagement of disadvantaged groups with welfare systems, protection from third parties, and participation in civil, political and legal arenas.

Right/Area	Indicator	Overall	Trend	Total
A. Life/Overall	1. Life satisfaction			2.5
	2. Well-being		↑	3
B. Living standard	3. Poverty – Relative/Absolute		↓	2.5
C. Education	4. Equality of access - Parental background		↑	2.5
	5. Performance within Norway			2
	6. Disability access			2
	7. Youth in education / drop-out rate			2
	8. Early childhood		↑	2.5
D. Health/Security	9. Teenage suicide		↑	2
	10. School nurse			2.5
	11. Obesity		↓	2
	12. Mental health			2
E. Protection	13. Children in care			2
	14. Homicide		↑	3
	15. Bullying		↑	2
	16. Internet bullying		↓	2.5
	17. Unwanted sexual attention		↑	1.5
F. Liberty	18. Children in prison			3
	19. Children in custody			2
G. Discrimination	20. Asylum children			2
	21. LGBT rights			3
	22. Tolerance and discrimination			2
H. Participation	23. Voting age		↓	2.5
	24. Participation at school		↓	2.5
I. Accountability	25. Legal access index			2.5

FIGURE 2.32 Dashboard of selected indicators.

2.6 DEVELOPMENT OF NEW INDICATORS

This review and selection of existing indicators underlies the need to improve the measurement of children's rights. Some particular areas that require attention are

discussed below. This, however, is not an exhaustive list. In terms of moving forward, one could focus on key *core* indicators that are needed or move right-by-right in seeking to develop a *comprehensive* set of indicators. Below we name some areas that require in our view immediate attention.

2.6.1 CIVIL RIGHTS

Although there is data on the numbers of children in detention and the length of stay in custody, there are several issues related to prisoners that should be considered in order to evaluate Norway's compliance with the CRC. In their chapters, Gröning and Sætre find deficiencies in the treatment of children kept in custody or in custody, and emphasize the need for follow-up and supervision measures for children, and across all districts. Furthermore, they recommend development of indicators on the number of children in custody and alternatives to imprisonment and how long they are imprisoned. Related to imprisonment of children is the use of power against children in public (and private) institutions. The use of force or compulsion is meant to be recorded, and summary data of use of power should be made available.

Racial profiling has been a regular concern for the CRC committee and the European Commission against racism and intolerance. In the United States and in some states in Europe, profiling has been the subject of extensive research and development of statistics. In Norway, the situation is very different (see chapter 6). The subject has largely only been dealt with by the media for specific alleged events, for example, in December 2017, Statistics Norway admitted that they could not estimate the number of arrests and prosecutions affected by racial profiling (Andersen, Holtmark and Mohn 2017: 23). There is thus a great lack of both quantitative and qualitative research on racial or ethnic profiling, both in terms of adults and children.

2.6.2 THE RIGHT TO BE HEARD AND PARTICIPATION

A core right in the CRC is the right to be heard and participate. It is also a right that can be particularly challenging to measure. It is possible to count whether children can participate in matters pertaining to themselves (e.g. elections), but it is more difficult to count whether they are heard (e.g., through youth councils). Nevertheless, concrete and operationalisable goals should be established for children's participation than we have today, both in public, in politics, in education, in the family and in conflicts. For example, part of the right to be heard and partici-

pation in education is captured in the Peer Examination with questions about influence. In terms of publicity and politics, there is room for participation through, for example, youth councils. Data on youth councils and their impact is lacking, with little available data on whether they are active and what areas they work within. Finally, all legal cases should be made available in Law Data to facilitate research on child hearing.

2.6.3 ACCESS TO SERVICES

Few regular studies have been conducted on the accessibility and quality of school for children with disabilities. One study showed, however, the existence of major challenges. In order to ensure that work on access goes forward, such research should be systematic and regular. Access to school is not the only a challenge for particularly vulnerable groups. In dealing with the welfare system, there are significant differences in the use of disability-related services that are designed for families. Services created to assist families in difficult situations, but which in practice have proven to be difficult to understand or access. The municipalities should have an overview of children or families with special needs. These figures can be linked to numbers on the use of public services to look for discrepancies and uncover needs. Another possible indicator should capture the length of time between applications for services to those granted.

2.6.4 DISCRIMINATION

Some children face higher levels of discrimination or neglect. Regular surveys of children's experiences with discrimination (especially between the ages of 12 and 18) would be preferable and should be disaggregated by gender and ethnic background where possible and address other facets of discrimination. In addition, better indicators could be collected for highly vulnerable groups such as child asylum seekers aged 15–18, including access to education during stay, completed age tests and deportation to unsafe countries. Other groups particularly vulnerable to discrimination are children who do not fit into the traditional understanding of gender and sexuality.

2.6.5 HUMAN RIGHTS EDUCATION

There is little available data on the implementation and effectiveness of human rights education in Norway despite the clear obligation in the CRC. Possible ways of measuring human rights education are through the content of syllabus and

knowledge objectives and outcomes for primary and secondary school, upper secondary school and teacher education as well as the outcomes discussed in chapter 14.

2.7 CONCLUSION

Glancing at various global indexes, it appears Norway is performing well with regards to the implementation of child rights. However, as seen from the dashboard of indicators, several challenges remain to secure better protection of rights, and ensure that rights realization in a positive direction. While Norwegian children enjoy a comparatively high life satisfaction and well-being, the rate of teenage suicide is still high, and the poverty rate is increasing. Similarly, despite successful efforts to reduce early childhood inequalities, children from disadvantaged groups still experience marked unequal outcomes on different indicators and question marks can be raised over discrimination in the public sphere. Schools struggle to consistently secure an inclusive environment, the implementation of the right to be heard is uneven, and the right to legal remedies largely ignored.

A challenge with measuring by numbers is to both find and identify acceptable and relevant indicators. With regards to the implementation of the CRC, this chapter only scratches the surface. Through our analysis, we have identified many desirable indicators, especially those that capture the right to be heard in the public sphere, civil rights to liberty and bodily autonomy, protection from discrimination and quality human rights education and adequate care in institutions and detention. For some of these indicators there is selected data available, however, it is largely insufficient in capturing the specificity of child rights implementation, or is not updated to reflect the current situation. Thus, further development of indicators should be on the agenda to facilitate critical overview of implementation of child rights in Norway.

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ANNEXES

ANNEX 1. ASSESSING THE EXISTING INDEXES

1.1 KidsRights Index

The KidsRights Index was established in 2013.³² It ranks how all parties to the CRC adhere to and are equipped to improve children's rights. Numeric data is sourced from UNICEF on life, health, education, protection, and child rights environment while the CRC Concluding Observations is used to construct the enabling environment indicator. As discussed above, there are multiple problems with this indicator. Other challenges include the gap in the interpretation of the state of children's rights in the countries based on the Concluding Observations. As such, it may be misleading and ineffective when it comes to comparison between countries. Moreover, there is no consideration of the challenges of quantifying concluding observations (see Kälin, 2013, O'Flaherty, 2006, Langford et al., 2017). We have scored the index at 9.6 out of 15.

1.2 Social Progress Index

The Social Progress Index is an aggregate index of social and environmental indicators that capture three dimensions of social progress: 'basic human needs', 'foundations of wellbeing and opportunity'.³³ The index measures social progress strictly using outcomes of success rather than effort. For example, how much a country spends on healthcare is viewed as much less important than the health and wellness actually achieved. However, a challenge with the social progress index is that it is difficult to understand how the scores are calculated for the different indicators, and that there is a variance in when the data was updated last. The latter may influence the actual understanding of an issue if it is not properly communicated. We scored the index as 10.9 out of 15.

32. Kid's Rights Index available at <https://www.kidsrightsindex.org/> (accessed 08.08.2017)

33. Social Progress Index available at <http://www.socialprogressindex.com/> (accessed 08.08.2017)

1.3 UNICEF – Innocenti Report Card

The Innocenti Report Card measures inequality and well-being in industrialized countries.³⁴ It relies on data from the EU, national surveys, the WHO, HBSC, the World Bank, ILO, IUS, and GSHS. The aim is to measure inequalities in child well-being in 41 EU/OECD countries to monitor those most disadvantaged as well as the societal impact. Well-being is measured by indicators on health, education, income, and life satisfaction. The Report Card has the perspective that inequality is permissible *if* they benefit all, and arise from a position of equality of opportunity. This is the baseline for the Report Card. A challenge with the report card is that it is somewhat difficult to access the data, and that it to a large degree relies on national statistics. This can create issues for comparability. It also does not cover civil and political rights explicitly. We scored the index at 11.9 out of 15.

1.4 Save the Children – Child Development Index

The Child Development Index was released in 2008 and is self-labeled as the first index to rank countries on child development.³⁵ It aims to track the progress or regress in how countries perform on child development factors: under 5 mortality rate, underweight in children under 5, and enrolment in primary school. The goal is to influence policy makers by pointing to general specific developments. However, the index is very narrow in the interpretation of development and ranks countries according to the more physical aspects of child development. Further, it relies on data from 2006, and is not a sufficient measurement of the current situation. We have given it a score of 11 out of 15.

1.5 Child's rights and Business Atlas (UNICEF + Global Child Forum)

The Child's Rights Atlas assesses the risk of infringing on children's rights for companies before investing in countries.³⁶ Following the Protect, Respect, and Remedy Framework, the atlas focuses on how states commit to implement children's rights (structural), how they implement their commitments (process), and whether or not there are cases with violations (outcome). The ranking relies on qualitative data collected through questionnaires, and focuses on state protection,

34. UNICEF Innocenti Report Card available at <https://www.unicef-irc.org/publications/series/report-card/> (accessed 08.08.2017)

35. Save the Children UK Child Development Index available at <https://resourcecentre.savethechildren.net/library/child-development-index-2012-progress-challenges-and-inequality> (accessed 08.08.2017)

36. UNICEF and Global Child Forum Children's Rights and Business Atlas available at <http://www.childrensrighsatlas.org/> (accessed 08.08.2017)

industry infringement, and industry respect for children's rights. The Child's Rights and Business Atlas is an impact assessment tool, however, rather than a ranking of rights. A closer look of the data also reveals the disaggregated numbers, but not which sources the numbers come from. It thus scores low on measurability and periodicity. It was given a score of 9.3 out of 15.

1.6 Realization of Children's Rights Index

The index is developed by Humanium based on the CRC and the best interest of the child.³⁷ It relies on data from what the hosts label "trusted sources" – which appear to be UNICEF, WHO, and HDI. It aims to measure the general realization of children's rights. The index is an indicative value from 0–10 (where 10 is best realization, and 0 is no realization) based on quantitative measures. The statistical measurements are grouped and given weighted values (life, education, food, health, water, identity, freedom, and protection). There are many challenges with the Realization of Children's Rights Index. Most importantly, it is very difficult to access information on calculation of rankings. The index is expressed through a map that gives limited information about the realization of children's rights. The selected issue-areas are aggregated without information about what is being measured – for example the content of the 'education' index. On the country level, the ranking is explained without reference to sources, limiting the credibility of the report. With regards to the data, Humanium lists sources used as a foundation in other indexes that give a much clearer view of child right implementation than the realization of children's rights index. We have given the index a score of 5.9 out of 15.

1.7 Overall assessment

In Annex Table 1 we set out our overall assessment of, and score for, each criterion for each index. The individual evaluation of each criterion qualitatively can be obtained from the authors. As can be seen, the best-performing index is the UNICEF Innocenti measure but it still struggles in a number of areas: e.g. data availability and coverage of a broad selection of children's rights.

37. Realization of Children's Rights Index available at <http://www.humanium.org/en/rcri/> (accessed 08.08.2017)

Annex Table 1. An index of indexes

		Kids Rights Index	Social Progress Index	UNICEF Innocenti Report Card	Child Development Index	Children’s Rights & Business Atlas	Realization of Child Rights Index
S	Measure what it sets out to – validity	2	2.3	2.6	2	2	1.6
M	Availability of data sources Reliability of data Legitimacy of data	1.6	2	2.3	2	1.3	1
A	Indicates correct policy action Doesn’t encourage perverse incentives In-built theory of change	2	3	2	3	2	1
R	Connection with human rights Disaggregation for discrimination	2	2.6	3	2.6	3	1
T	Periodic data collection Data comparability across time	2	1(3)	2	1	1	1.3
	Total (out of 15)	9.6	10.9	11.9	11	9.3	5.9

ANNEX 2. CORRELATIONS EDUCATION

Correlation between mean schooling of parents and child performance in science, reading, and math

Correlations					
		MeanSchooling	MeanScience	MeanReading	MeanMath
Mean Schooling	Pearson Correlation	1	,481**	,501**	,571**
	Sig. (2-tailed)		,003	,002	,000
	N	36	36	36	36

** . Correlation is significant at the 0.01 level (2-tailed).

Relationship between higher education of parents and the children's performance on PISA for Norwegian Students

Math Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error
1	,173 ^a	,030	,030	77,40812

a. Predictors: (Constant), Highest Education of parents (ISCED)

Science Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error
1	,150 ^a	,022	,022	91,39872

a. Predictors: (Constant), Highest Education of parents (ISCED)

Reading Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error
1	,143 ^a	,020	,020	90,89151

a. Predictors: (Constant), Highest Education of parents (ISCED)

Effect of the mean schooling of parents on mean performance across OECD countries

Math Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error
1	,571 ^a	,326	,306	23,19816

a. Predictors: (Constant), MeanSchooling

Science Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error
1	,481 ^a	,231	,209	24,28035

a. Predictors: (Constant), MeanSchooling

Reading Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error
1	,501 ^a	,251	,229	21,09529

a. Predictors: (Constant), MeanSchooling

Correlation between mean schooling of parents and child performance in science, reading, and math

Correlations					
		MeanSchooling	MeanScience	MeanReading	MeanMath
Mean Schooling	Pearson Correlation	1	,481**	,501**	,571**
	Sig. (2-tailed)		,003	,002	,000
	N	36	36	36	36

** . Correlation is significant at the 0.01 level (2-tailed).