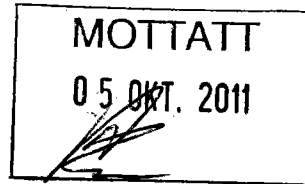




Téléfax: (41-22)-917.90.22
Télégrammes: UNATIONS, GENEVE
Téléc: 41 29 62
Téléphone: (41-22)-917.90.00
Internet: www.ohchr.org
Email: tb-petitions@ohchr.org



Address:
Palais des Nations
CH-1211 GENEVE 10

REFERENCE: G/SO 215/51 NOR (GEN)

26 September 2011

Dear Mr. Berge,

After careful consideration of the contents of your petition, we sincerely regret having to inform you that the United Nations Office of the High Commissioner for Human Rights is not in a position to assist you in the matter you raise, for the reasons indicated on the back of this letter. We must therefore unfortunately return your correspondence.

Please accept our apologies for not replying in a more personal manner. You may understand that, while we appreciate your reasons for writing to us, the existing procedures require that it is ascertained whether certain preliminary criteria are satisfied before proceeding with the examination of a petition.

For information about the procedures for the examination of individual petitions on human rights violations, I enclose fact sheets, which you may find useful.

Yours sincerely,

A large, stylized handwritten signature in black ink, appearing to be 'Mottatt'.

The Petitions Unit

1. The Human Rights Committee cannot examine petitions alleging violations of the International Covenant on Civil and Political Rights (ICCPR) unless the State is also a party to the Optional Protocol (OP). _____ is not a State party to the Optional Protocol.
2. The Committee against Torture cannot examine petitions alleging violations of the Convention against Torture (CAT) unless the State has made the declaration under article 22 recognizing the Committee's competence to receive and consider petitions. _____ has not made the declaration.
3. The Committee on the Elimination of Racial Discrimination cannot examine petitions alleging violations of the Convention on the Elimination of Racial Discrimination (CERD) unless the State has made the declaration under article 14 recognizing the Committee's competence to receive and consider petitions. _____ has not made the declaration.
- 3.a The Committee on the Elimination of Discrimination against Women cannot examine petitions alleging violations of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) unless the State is also a party to the Optional Protocol (OP). _____ is not a State party to the Optional Protocol.
- 3.b The Committee on the Rights of Persons with Disabilities cannot examine petitions alleging violations of the Convention on the Rights of Persons with Disabilities (CRPD) unless the State is also a party to the Optional Protocol (OP). _____ is not a State party to the Optional Protocol.

Considering your petition under CCPR:

4. The State party concerned has entered a reservation to the relevant treaty as a result of which your petition cannot be examined.
 5. Your complaint is being examined or has been examined by the European Court of Human Rights, by the Inter-American Commission on Human Rights or by the African Commission on Human and Peoples' Rights.
 6. The object of your petition falls outside the scope of the relevant treaty.
 7. The events complained of occurred prior to the entry into force of the Optional Protocol to the ICCPR, of the Optional Protocol to CEDAW, of the Optional Protocol to CRPD, of article 22 CAT or of article 14 CERD for the State concerned.
 8. Domestic judicial/administrative remedies do not appear to have been exhausted, and it has not been substantiated that the application of domestic remedies would be unreasonably prolonged or that the remedies would be otherwise unavailable or ineffective.
 9. The Committees are not generally in a position to review the evaluation of facts and evidence by the national courts and authorities, nor can it review the interpretation of domestic legislation.
 10. The Committees are not generally in a position to review a sentence imposed by national courts, nor can it review the question of innocence or guilt.
 11. The Committees cannot generally examine disputes between private individuals or alleged violations of human rights that have been committed by non-state actors.
 12. The Committees can only examine individual petitions presented by the alleged victims themselves or by duly authorised representatives. Anonymous petitions cannot be considered.
 13. Your petition does not provide sufficient details as to how your rights under the relevant treaty have been *personally* violated. Please note that so called "action popularis" complaints cannot be considered
- N.B. Please note that the working languages of the Secretariat are English, French, Russian and Spanish. You are therefore kindly requested to use any of these languages in future correspondence.

Fact Sheet No.7/Rev.1, Complaints Procedure

Introduction

- **Part 1: Complaints under the international human rights treaties**

- Overview

- Procedure under the Optional Protocol to the International Covenant on Civil and Political Rights

- Procedure under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

- Procedure under the International Convention on the Elimination of All Forms of Racial Discrimination

- Procedure under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

- Procedure under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

- **Part 2: Complaints to the Commission on the Status of Women**

- Human Rights Council procedure

- The procedure of the Commission on the Status of Women

- **Annexes**

- Model Complaint Form (Human Rights Committee, Committee against Torture, Committee on the Elimination of Racial Discrimination)

- Complaint Guidelines (Committee on the Elimination of Discrimination against Women)

Introduction

Anyone may bring a human rights problem to the attention of the United Nations and thousands of people around the world do so every year. What kinds of complaints about alleged human rights violations does the United Nations receive and how does it deal with them? This Fact Sheet explains the procedures open to individuals and groups who want the United Nations to take action on a human rights situation of concern to them.

It is through individual complaints that human rights are given concrete meaning. In the adjudication of individual cases, international norms that may otherwise seem general and abstract are put into practical effect. When applied to a person's real-life situation, the standards contained in international human rights treaties find their most direct application. The resulting body of decisions may guide States, non-governmental organizations (NGOs) and individuals in interpreting the contemporary meaning of the texts concerned.

Individuals have only relatively recently acquired the means to vindicate their rights at the international level. This Fact Sheet examines complaints that are brought directly under international human rights treaties and complaints filed through special procedures with the

+35226431211

MOTTATT

05 OCT. 2011

Herman J Berge
665, rue de Neudorf
L-2220 Luxembourg
Luxembourg

Phone : +352 43 12 65
Fax : +352 26 43 12 11

United Nations office of the High Commissioner
for Human Rights
Palais des Nations
CH-1211 Genève 10
Schweiz

Luxembourg September 19 2011

Att : To whom it may concern
Re : Complaint against Norway
Your reference : G/SO 215/51 - LUX (GEN)
Sent by : Mail and fax
Your fax number : +41 22 91 79 022
Pages : 7
Attachments :
Message : Asking for priority
Copy : UN Human Rights Committee; International Human Rights bodies

Sir/Ms,

1. INTRODUCTION

On August 15 2011 I filed a complaint against Norway claiming and documenting that Norway, on a continuous basis, is violating the United Nations International Covenant on Civil and Political Rights (ICCPR) Article 14, as the Norwegian Government and the Norwegian Parliament accepts that its courts are composed with "judges" who have refused to take the mandatory judicial oath as well as the mandatory office oath.

On August 22 2011 an unidentified person with the United Nations High Commissioner for Human Rights (UNHCHR) has rejected our complaint on the grounds that:

1. Domestic judicial/administrative remedies do not appear to have been exhausted, and it has not been substantiated that the application of domestic remedies would be unreasonably prolonged or that the remedies would be otherwise unavailable or ineffective.
2. Your petition does not provide sufficient details as to the facts of your case, and/or as to how your rights under the relevant treaty have been violated. According to the Article 2 of the ICCPR Optional Protocol, all claims of alleged violations must be well substantiated. In your communication dated 15 August 2011, you fail to substantiate how the mere fact of the judges not taking an oath adversely affected rights of the persons you are representing.

Before I comment on the above mentioned grounds, a few words need to be said about judicial independence, implications, the fight against human rights violations - in particular; state-abuse of membership to international treaties/bodies - and the United Nations self-proclaimed position as a protector of human rights.