



INTERNATIONAL SOLIDARITY & HUMAN RIGHTS INSTITUTE

Offices: P.O. Box 226, Bloomingdale OH 43910, USA Tel: (740) 381-2090
1025 Commons Circle, Naples, FL 34119, USA Tel: (239) 687-5373
contact@ishri.net www.ngovoice.com ishri.dbs@gmail.com

Society of Catholic Social Scientists

100 Franciscan Way, Steubenville, Ohio 43952 – (740) 284-5377/FAX: (740) 283-6401/catholicsocialscientists@gmail.com

The Honorable Kare R. Aas
Ambassador of Norway to the U.S.A.
Royal Norwegian Embassy
2720 34th Street, N.W.
Washington, D.C. 20008

Dear Mr. Ambassador:

Our two organizations are recognized non-governmental organizations in Roster Consultative Status with the UN's Economic and Social Council. We are writing you to express our concern from a human rights standpoint about a recent happening in your country. News reports told the story about how the Kristiansen family, which had not long ago returned to Norway from Canada where they had been living, had their 12-year-old son forcibly—literally, as he was physically subdued by police and agents of your Barnevernet (child welfare agency)—taken away from them because they removed him from one of your government-run schools to teach him at home. This is not a unique case, as the Barnevernet has attracted much attention in recent years for questionable intrusions into Norwegian families and removing children from their parents for reasons that have not involved true child maltreatment. Its conduct has even been the subject of international protests. We should point out that Article 16 of the UN Universal Declaration of Human Rights holds that, “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.” The actions of your Barnevernet in this and apparently many other cases certainly do not seem to be affording the protection of the family that the Declaration demands of the state; in fact, it seems to be outright violating the integrity of the family. In the Kristiansen case, the actions of your Barnevernet also seem to be contrary to Article 26, Section 3 of the Declaration, which holds that, “Parents have a prior right to choose the kind of education that shall be given to their children.” Further, the Barnevernet's action also seems to be on a collision course with Article 12 of the Universal Declaration, which holds that “No one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence...” Clearly, the action of the Barnevernet intruded into the privacy of the Kristiansen's family and home by coming and seizing their son just because they were educating him at home (even though, according to what the parents said, they were probably only doing this temporarily until they arranged an alternative to the problematical government-run school he was in). Actually, it is even possible that the action of the Barnevernet may also have been in violation of Article 18, Section 4 the International Covenant on Civil and Political Rights, which holds that nations which are parties to the Covenant—as Norway is—must “have respect for the liberty of parents and,

when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.” Mr. and Mrs. Kristiansen’s stated reason for homeschooling was to take their son away from serious bullying he was experiencing at the government-run school—the school apparently was not acting sufficiently to stop it—and getting him away from this could be understood as tied in with their right to shape his moral beliefs.

The following statements from documents issued by major international meetings are also pertinent to the educational rights of parents, as appeared to be infringed on by your Barnevernet in the Kristiansen case: From the Programme of Action of the World Summit for Social Development, Copenhagen, 1995 (Social Summit), referring to the obligations of nations, Sec. 39 (a): “Particular efforts should be made to protect children and youth by: Promoting family stability and supporting families in providing mutual support, including in their role as nurturers and educators of children”; From the International Conference on Population and Development, Cairo, 1994 (ICPD), Sec. 5.9: “Governments should formulate family-sensitive policies in the field of housing, work, health, social security and education in order to create an environment supportive of the family...”; Chapter II, Principle 10: “Everyone has the right to education ... The best interests of the child shall be the guiding principle of those responsible for his or her education and guidance; that responsibility lies in the first place with the parents”; From the Convention on the Rights of the Child (CRC) 1990: Art. 18: “Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child”; From the Fourth World Conference on Women 1995 (Beijing): Sec. 285 (a) says nations, in cooperation with non-governmental organizations, should “Formulate policies and programs to help the family...in its supporting, educating and nurturing roles...”

In short, this and other actions of your country’s Barnevernet are very troubling as far as international human rights guarantees are concerned and we urge that this family’s rights be immediately respected and that the agency’s practices be revamped so that it acts in accord with the internationally guaranteed rights of parents and other provisions of international human rights documents.

Sincerely,

Stephen M. Krason, J.D., Ph.D.
President, Society of Catholic Social
Scientists (SCSS); Chairman, SCSS
Human Dignity/Human Rights Committee

D. Brian Scarnecchia, J.D.
President, International Solidarity
and Human Rights Institute