

NORWAY

The applications

1. The number of applications

According to the Central Authority for Norway, they received 11 incoming return and 3 incoming access applications in 1999, making a total of 14 incoming applications. Additionally, they made 23 outgoing return and 1 outgoing access application in that year. Altogether, therefore, the Central Authority for Norway handled 38 new applications in 1999.

2. The Contracting States which made the applications

(a) *Incoming return applications*

Requesting States

	Number of Applications	Percent
Finland	2	18
Sweden	2	18
Denmark	1	9
France	1	9
Germany	1	9
Portugal	1	9
UK - Scotland	1	9
USA	1	9
Cyprus	1	9
Total	11	100

The table above shows that 45% of applications received by Norway were from other Scandinavian States. While this is not surprising due to their geographical proximity, there were more applications made by Scandinavian States to Norway than to any of the other Scandinavian States.

(b) *Incoming access applications*

Two of the access applications came from Scandinavian states, namely, Denmark and Sweden. The other access application came from Spain.

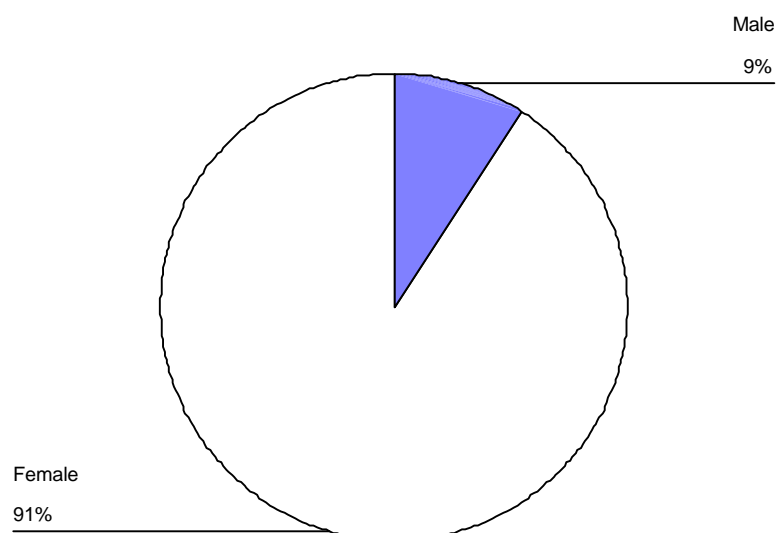
The taking person / respondent

3. The gender of the taking person / respondent

(a) *Incoming return applications*

Gender of the Taking Person

	Number	Percent
Male	1	9.1
Female	10	90.9
Total	11	100.0



The percentage of female taking persons is far above the global norm of 69%. It is interesting that this higher proportion of female taking persons was similar to the proportion in other Scandinavian States including Sweden at 86% and Denmark at 91%.¹

(b) *Incoming access applications*

Two of the respondents involved in the access applications were female. The other respondent was male.

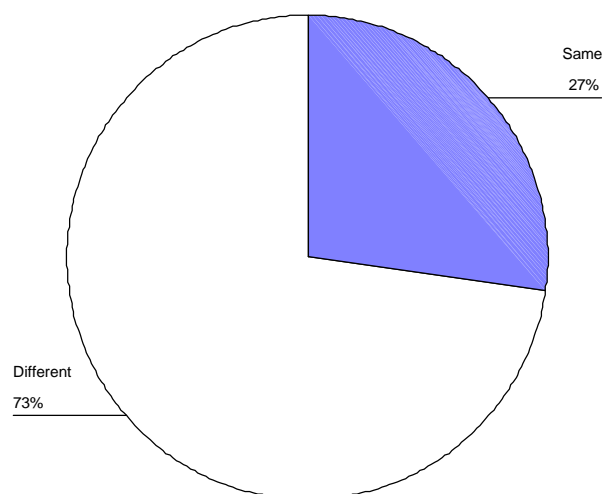
¹ There were only 4 applications to Iceland all of which involved a female taking person.

4. The nationality of the taking person / respondent

(a) Incoming return applications

Taking Person Same Nationality as Requested State

	Number	Percent
Same Nationality	3	27
Different Nationality	8	73
Total	11	100



While the proportion of female taking persons far exceeds the global norm, the proportion of taking persons having the nationality of the requested State is far below the global norm of 52%. This differs from Sweden, where 93% of taking persons had Swedish nationality, but is more in line with Denmark, where 36% (4 of the 11) taking persons had Danish nationality.

(b) Incoming access applications

In contrast to return applications, all of the respondents in the 3 incoming access applications had Norwegian nationality.

5. The gender and nationality of the taking person / respondent combined

(a) Incoming return applications



3 of the 7 female taking persons had Norwegian nationality.

The children

6. The total number of children

There were 14 children involved in the 11 return applications and at least² 4 children involved in the 3 access applications. Altogether, therefore, at least 18 children were involved in new incoming applications received by Norway in 1999.

7. Single children and sibling groups

(a) Incoming return applications

Single Child or Sibling Group

	Number	Percent
Single Child	8	73
Sibling Group	3	27
Total	11	100

² There was one application which involved a sibling group and therefore at least 2 children, however, the exact number of children was not stated. The figure quoted in the text includes 2 children who were involved in this application.

Number of Children

	Number	Percent
1 Child	8	73
2 Children	3	27
Total	11	100

There was a higher proportion of single children involved in applications to Norway, 73% as against the global norm of 63%. No application involved more than 2 children.

(b) Incoming access applications

Two of the access applications involved single children and the other involved a sibling group. The number of children was not stated.

8. The age of the children

(a) Incoming return applications³

Age of the Children

	Number	Percent
0-4 years	5	39
5-9 years	5	39
10-16 years	3	23
Total	13	100

The figures above broadly follow the global norms.

(b) Incoming access applications⁴

In the access applications, two of the children were aged between 0 and 4 years and a third child was aged between 5 and 9 years old.

9. The gender of the children

(a) Incoming return applications

Gender of the Children

	Number	Percent
Male	10	71
Female	4	29
Total	14	100

There were proportionally more male children involved in applications to Norway (71%), compared with the global norm of 53%.

³ Additionally, the age of 1 child was not stated.

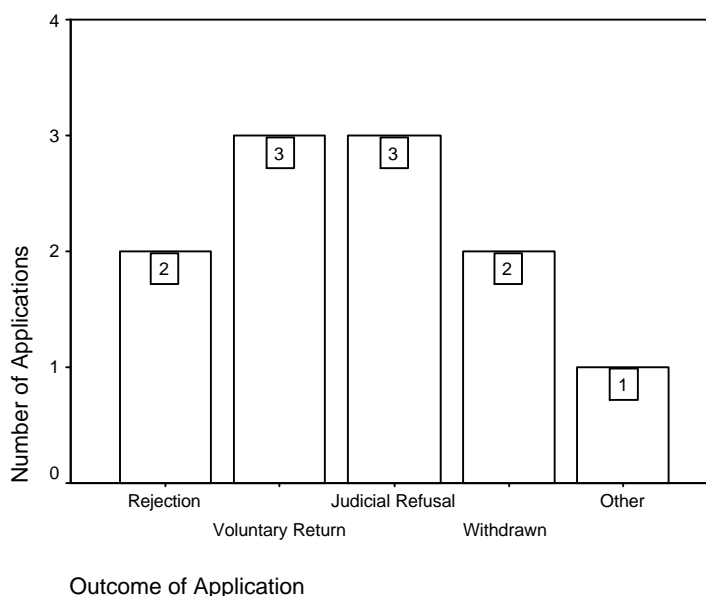
⁴ Data was only available regarding the age of 3 of the children.

(b) Incoming access applications⁵

Two of the children involved in the access applications were female and a third child was male.

The outcomes**10. Overall outcomes****(a) Incoming return applications****Outcome of Application**

	Number	Percent
Rejection	2	18
Voluntary Return	3	27
Judicial Return	0	0
Judicial Refusal	3	27
Withdrawn	2	18
Pending	0	0
Other	1	9
Total	11	100



It is interesting that Norway made no judicial returns, with all 3 cases that went to court resulting in a judicial refusal. Globally, 74% of applications going to court resulted in a judicial return. 3 applications resulted in a voluntary return, a proportion of 27% compared with a global norm of 18%. However, as there were no judicial returns, the overall return rate of 27% was below the global norm of

⁵ Data was only available regarding the gender of 3 children.

50%. 2 applications were rejected, 2 were withdrawn and one application, categorised as 'other', was stopped by the parties concerned.

(b) Incoming access applications

One application was rejected and in another, access was voluntarily agreed. The outcome of the third application was not stated.

11. The reasons for rejection

(a) Incoming return applications

The 2 applications that were rejected were both rejected on the basis of the location of the child. In one application the child was not located and in another the child was located in another country.

(b) Incoming access applications

The access application was rejected because the child was located in another country.

12. The reasons for judicial refusal

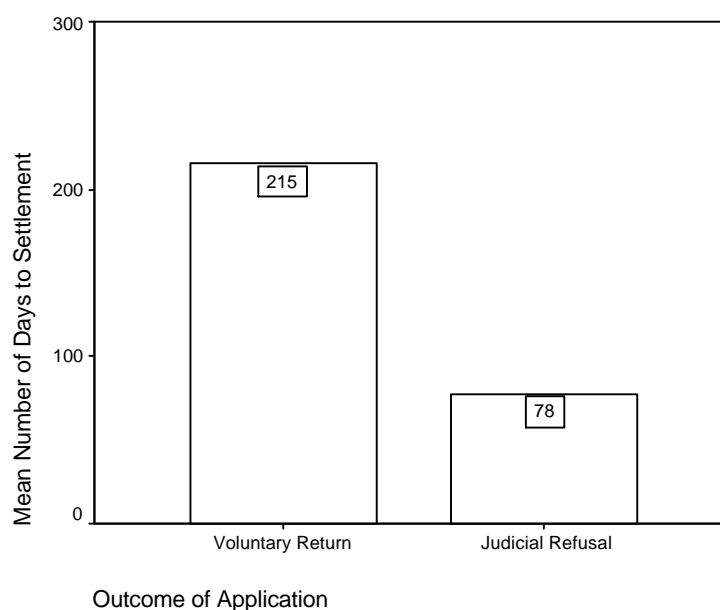
(a) Incoming return applications

The reasons for refusal were different in every application namely, the applicant having no rights of custody, Article 12, and the objections of an 8 – 10 year old child. Despite the proportionally high number of refusals, the reasons for refusal were diverse which fits with the global norm and what would be expected.

Speed

13. The time between application and outcome

(a) Incoming return applications



There were 3 voluntary returns and 3 judicial refusals. Despite the fact that cases which are judicially refused are often complex, unusually, the voluntary returns took longer than the judicial refusals. Voluntary returns took a mean average of 215 days which is substantially slower than the global norm of 84 days, and indeed was slowest of any of the Contracting States in this analysis. Conversely judicial refusals took a mean of only 78 days, (38 days, 53 days and 142 days respectively), which is substantially quicker than the global norm of 147 days.

(b) Incoming access applications

The voluntary agreed access application was resolved in 3 – 6 months.

14. Appeals

(a) Incoming return applications

One of the judicially refused cases was the result of an appeal. This case was decided in 142 days, which was faster than the global mean of 176 days.