

**THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY  
NORWAY**

**ARTICLE 7 UNCAC**

**PUBLIC SECTOR**

**NORWAY (EIGHTH MEETING)**

The Judicial Appointments Board is appointed by the Government to consider applications and to make recommendations regarding appointment of judges.

All open judicial positions are publically announced and the official application lists are made available online.

Judges should meet high standards as regards to professional qualifications and personal characteristics, cf. the Courts of Justice Act § 55. The Board has developed a publically available policy document (revised in May 2016) that describes the different aspects of the appointment process and the eligibility requirements.

On the basis of the applications, interviews of applicants and the Board's assessment thereof, the Board submits a recommendation to the Ministry of Justice, including a prioritized list of three candidates. The Board's prioritized list is made available to the public, but not the grounds for the recommendation, cf. the Courts of Justice Act § 55 i. The appointment is done by the Government (King in Council). In principle the Government may, after consulting the Board, appoint an applicant that is not amongst the three recommended candidates, but this has never been done. However, there has been a few cases where one of the alternative candidates has been appointed.

The Judicial Appointments Board is an independent body. It was established in 2002 and evaluated in 2006. The members of the Board are appointed by the Government (King in Council).

The Judicial Appointments Board consists of three judges from the Supreme Court, the courts of appeal or the district courts, one lawyer, one jurist employed in public sector and two members who are not jurists, cf. § 55 a.

The Council of Europe's Group of States against Corruption (GRECO) has recently evaluated corruption prevention in respect of Norwegian members of parliament, judges and prosecutors.<sup>1</sup> GRECO has previously made two recommendations regarding corruption prevention in respect of judges. One was about openness on temporary appointments of judges, and the other was on the strengthening of training and awareness including ethics and conflict of interest. GRECO considers now that both recommendations has been implemented satisfactorily.

Prison services

The Civil Servants Act applies to recruitment procedures and follow-up on personnel in the Norwegian Correctional Service. Pursuant to this act, all positions shall be noticed in public, which contributes to a fair competition. The Correctional Service has formed a service

manual for all employees in the service. In this manual, there are rules on how public notices on open positions shall be announced, application procedures and who that may decide on who to hire, legal competence etc.

The curriculum at the University College of Norwegian Correctional Service educates prison officers. The education has no fixed curriculum on corruption. There is, however, a broad curriculum on ethics, professional behaviour, and security that to some extent concerns corruption.

### Public prosecution

In general, recruitment to public prosecution follows the same rules as applies to recruitment of public servants in general.

Applicants to positions in public prosecution must have a satisfactory conduct. Information on the requirement of good conduct is announced in the vacancies. Applicants may have to document their conduct by presenting a certificate of good conduct.

Personnel in public prosecution must be lawyers. No exemptions for this requirement are made in the Higher Prosecuting Authorities and with a very few exemptions for public prosecutors serving in the Prosecuting authority in the Police. In addition to criminal law and criminal procedure, ethics has become a more central topic in the curriculum at faculties of law at Norwegian universities in recent years. As a part of this, professional code of ethics for the most common legal positions is given, including public prosecution. This curriculum should provide personnel in public prosecution with good preconditions for acting within the boundaries of conduct as given in law, regulations and codes of conduct.

Once recruited, prosecutors in the Norwegian Police undergoes an extensive basic training. Ethics and rapport of the professional role is included in this training. Completed basic training is a precondition for prosecutors in the police force to be granted extended authorisation. A considerable number of public prosecutors have background from the Police, and thus, have completed this basic training. In addition, the Director of Public Prosecutions regularly arranges seminars for newly recruited prosecutors and training is also provided through seminars. A public commission has recommended strengthening the training for prosecutors.

Positions in Public Prosecution are not subject to rotations due to time limits to the prosecutors' appointment. Public Prosecutors are senior civil servants who, according to the Norwegian Constitution, cannot be removed without verdict. This legal protection contributes to ensure independence and protects against improper influence or pressure. The Director of Public Prosecutions, however, can be dismissed by decision by the King in Council, with no prior verdict. This arrangement implies that the Public Prosecution, in principle, is not beyond political control. In individual cases, however, the Prosecution Authority is independent from political authorities.