

## Editorial Note

Land rights for the indigenous Sami people living in Finnmark – the northernmost county of Norway – forms the backdrop for the first article in this issue. Øyvind Ravna examines the procedures established by the Finnmark Act 2005 for surveying and recognising land rights of areas previously considered to be state-owned. In so doing, Ravna assesses whether the legal clarification process conducted by the Finnmark Commission is subject to the rules of trial within a reasonable time, and if so, to examine how best to prevent these processes from coming into conflict with the European Convention on Human Rights (ECHR), article 6(1).

Does the European human rights system, with the ECHR and the Court, promote the human rights of lesbians, gays, bisexuals and transsexuals? In this issue of the *Nordic Journal of Human Rights* Eirik Bjorge critically analyses the relationship between changing sexual discourse and relevant human rights law. Bjorge intriguingly suggests that the liberalizing human rights project of which sexual rights is a part, which at first blush looks like a liberal development, may be ripe with unintended consequences.

The editors are also pleased to present in this issue the third part and conclusions of Jørgen Aall's extensive study on waiver of human rights. This last part focuses on procedural rights laid down in article 6 of the ECHR. Aall concludes that the Court, by way of dynamic interpretations of the Convention, has lent ear to the right-holder's preference not to have enforced a right upon him in a number of cases. He notes that, with respect to certain rights, a state party may be entitled and even obliged to respect the waiver of a right under the ECHR. The editorial team is convinced that Aall's findings will provoke reactions in the human rights community.

We are proud to announce the *Nordic Journal of Human Rights'* inaugural seminar series, to be held in Oslo in October, in its continuing effort to contribute to and lead the public debate by addressing pertinent issues of contemporary human rights theory and practice. In the first seminar of the series, Professor of Law Maleiha Malik of Kings College London, along with Social Anthropologist Dr. Sindre Bangstad of the University of Oslo, will present the topic 'Anti-Islam Ideology – How Should A Liberal Political Order Respond?' on 19 October at the Norwegian Centre for Human Rights in Oslo.

In the second installment in its inaugural seminar series, Jørgen Aall will present the key arguments of his articles on waiver of human rights, followed by a

panel discussion on 21 October 2011 at Universitetsforlaget in Oslo. Both seminars are open to all with an interest in human rights.

Finally, the editors invite readers to submit articles in the aftermath of the terrorist events in Oslo and at Utøya on 22 July. These events bring to the fore conflicts and tensions within human rights. We are immediately reminded of the state's duty to protect us against terrorist attacks and to bring the perpetrators to justice. But we are also reminded, less intuitively perhaps, of our right to verbally express contentious opinions and, for those who resort to violence, the right to fair proceedings. As we seek to strengthen our security and hold terrorists accountable, we must not resort to means that unduly infringe on other core rights, such as freedom of expression, respect of privacy and the right to fair proceedings. It is in moments such as these that our commitment to the whole specter of human rights is tested. With the intention to making a special issue of the Journal, we invite our readers to submit articles addressing these tensions within human rights and the challenge of finding the right balance between conflicting interests.

The Editors