



**Convention on the Elimination
of all Forms of Discrimination
Against Women**

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Third session

SUMMARY RECORD OF THE 38th MEETING

Held at Headquarters, New York,
on Tuesday, 3 April 1984, at 10 a.m.

Chairperson: Ms. IDER

later: Ms. MUKAYIRANGA

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article 18 of the Convention (continued)

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The meeting was called to order at 10.25 a.m.

CONSIDERATION OF REPORTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER
ARTICLE 18 OF THE CONVENTION (continued)

Norway (CEDAW/C/5/Add.7/Amend.1)

1. At the invitation of the Chairperson, Ms. Stoltenberg (Norway) took a place at the Committee table.

2. Ms. STOLTEMBERG (Norway) said that her Government interpreted the concept of women's equality with men quite literally. It would not consider equality to have been achieved until the traditional division of labour had been broken down, until as many women as men held the jobs which had so far been dominated by men, as many men as women worked in pre-school institutions and nursing homes for the aged and as full-time home-makers, until women were as economically independent and capable of providing for themselves and their children as were men and until husbands shared equally with wives the responsibility for housework and children. By that yardstick, Norway had at least one generation to go before it reached full equality. Formal equality under the law was only one aspect of that long-term effort, and perhaps the easiest to accomplish but formal equality and social injustice could easily coexist.

3. The only exceptions to the formal, legal equality between the sexes were the right of succession to the throne, which was through the male line only, and military service, which was compulsory for men but not for women. While women served in the armed forces, they were excluded from combat duties, a restriction which denied them certain types of training that could open up opportunities in civilian life. Other legislation which differentiated between men and women was being or had already been eliminated.

4. Political awareness and agreement on the importance of improving the status of women had constituted important steps in the long struggle to achieve equality. Until the mid-1970s, there had been much less political awareness and widespread concern that children would pay a high price for women's equality in employment. In fact, children did seem to have suffered because of the strain placed on the time and energy of the parents when both worked. It had become clear during the 1970s that the best solution to the dilemma would be to adapt working life to the needs of families with young children, rather than to expect families to adapt to the fact that the mother was working as best they could. It had also become obvious that, in a country where women had no more than two children, being the mother of a small child was not a life-long condition. Consequently, the Government's task, as well as that of employers and trade unions, was to help families through the few difficult years when children needed a great deal of parental time and care.

5. To that end fully paid parental leave upon the birth of a child had been extended to 16 weeks, and parents could take an additional 34 weeks of leave

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(Ms. Stoltenberg, Norway)

without pay if they wished. The parent of a child under the age of 10 was entitled to 10 days' paid leave of absence per year to care for it when it was sick. Parents with small children had recently been given the right to reduced working hours, although there was no compensation for the reduction in their earnings. All those rights had been accorded to both parents, but so far not many men had taken advantage of them.

6. Further reforms should include higher tax relief and increased child allowances for families with small children. Child-care institutions, which still met less than 30 per cent of the demand and operated for far fewer hours than there were in the normal working day, were still too few. Such reforms were costly and difficult to implement while efforts were being made to cut back public expenditure, however.

7. There had been a sharp rise in the employment of married women, including women with young children, over the past 10 years, but their average earnings and fields of employment showed quite clearly that formal and real equality were not identical. The average income of women was considerably lower than that of men partly because many worked part time, were employed in fields in which salaries were traditionally low, or had only recently entered the labour market and therefore occupied junior, less well-paid, posts. Part-time work was mainly a female phenomenon, reflecting the failure of men to fulfil their share of family responsibilities.

8. The most difficult problem was the sharply segregated labour market. Women tended to seek training and jobs within a narrow range of professions, mainly in the services sector, so that the jobs that they usually held were less well-paid, and they were more vulnerable to economic recessions. Lower earning capacity had become a serious problem, with the increase in the number of households headed by women. Those households probably had the lowest standard of living of the entire population. Single women also had a low standard of living.

9. While Governments could do little to reduce segregation in the labour market since the choice of training and job was up to the individual, some measures were being applied in Norway to good effect. The Government would pay a six-month salary subsidy to firms that employed women in fields that were heavily dominated by men. That option had not been fully utilized because employers had not known it existed, but in 1984 an information campaign had resulted in the depletion of the subsidy funds for the entire year in the first three months. Another successful measure was an extensive advertising campaign to encourage young girls to seek less traditional types of training.

10. As an employer, the Government had concluded an agreement with the principal civil service unions requiring each governmental sector and enterprise to plan systematically for the hiring, training and promotion of women.

11. A number of branches of the Government had applied a wide range of mechanisms in order actively to promote the interests of women. An article had recently been

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incorporated into the Equal Status Act to regulate the composition of all publicly appointed boards and committees at all governmental levels and was expected to increase women's participation in politics and decision-making.

12. The Government subsidized free legal advice for women, which was very much in demand. Those legal services helped low-income women deal with problems connected with family life and family law. As soon as crisis centres for mistreated wives and abused children had been established, they had been flooded with clients.

13. Women's studies were being promoted as an academic discipline: the social sciences, for example, had largely been devoted to the study of male society, but reality looked different when investigated from the women's point of view.

14. Norway was about to evaluate its existing anti-discrimination policies in order to plan for the future. One question which had to be raised was whether those policies benefited women of all social groups equally.

15. Ms. Makayiranga took the Chair.

16. Ms. CARON commended the Norwegian Government for recognizing that formal equality before the law was not the same as social justice. There were obstacles to de facto equality, but the Government was apparently doing its utmost to remove them. She wanted to know whether abortion was an option open to all women, whether women could institute divorce proceedings and what name was adopted by divorced women and their children. She would also welcome information on the equality of women in civil law. She asked whether any steps had been taken to increase the number of kindergartens to meet the estimated need. In its discussion of article 15, the report noted that men and women were generally equal under the law but that a few legislative acts distinguished between them, notably the Act relating to the Prevention of Fire. She asked whether the Government intended to amend that Act.

17. Ms. BIRYUKOVA said that the Norwegian report failed to describe what legislative or other measures, including penalties, had been enacted to prohibit all forms of discrimination against women. It made no comment on the implementation of articles 2 to 5 of the Convention except to refer briefly to the Equal Status Act. It failed to indicate how article 6 was being applied in practice. In accordance with articles 7 and 8 of the Convention, the Equal Status Act included provisions requiring governmental bodies to promote the equal representation of men and women at all levels.

18. Although women had equal political rights under the law and statistics pointed to a significant increase in their participation in electoral bodies, they nevertheless continued to play a very insignificant role in political life. Many of the explanations advanced for that phenomenon were unfounded or untrue. For example, women themselves were said not to be interested in taking part in political work; however, research had revealed that men did not afford them equal opportunities to express themselves and that they lacked the time and energy for

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(Ms. Biryukova)

political action, since they bore the primary responsibility for home-making. Although many women had been elected to executive bodies, power remained in the hands of men, who occupied the key posts.

19. Nothing was said in the report about the implementation of article 9 of the Convention, although there was an upward trend in the enrolment of women in educational institutions. However, the fact that only 27 per cent of the graduates of higher educational institutions were women proved that they did not fully exercise their right to education. The report acknowledged that it was more often women than men who interrupted and never completed their education, but said nothing about programmes to enable women and girls who had left school early to go back and complete their education, in accordance with article 10 of the Convention.

20. Despite the formal equality of men and women in respect of employment, the report acknowledged that women were at a disadvantage. Statistics showed that the level of unemployment among women was significantly higher than among men, and that women's salaries were usually lower than men's.

21. With regard to the principle of equal pay for equal work, in 1981 the Equal Status Commissioner had received 74 complaints from women alleging unequal treatment with regard to pensions, pay and similar matters.

22. The Norwegian press devoted considerable space to the discussion of problems which reflected clear discrimination against women: the traditional division between "women's" and "men's" jobs persisted, women were employed on less skilled jobs, they were the first to be laid off and their career development opportunities were limited. Women were also poorly represented in managerial positions. For instance, in enterprises belonging to the Norwegian Employer's Union, only 156 women occupied managerial posts as compared with 5,657 men.

23. Those facts led to the conclusion that the situation of women in Norway was far less favourable than the report seemed to indicate. The provisions of the Convention with regard to equality between men and women in all fields of political, economic and social life were far from being fulfilled and the necessary conditions did not exist to enable women to combine a career with motherhood and family responsibilities.

24. It was stated on page 3 of the report that the national plan of action for equal status was to be carried out in 1985. Did that mean that, after 1985, equal rights for women would be fully enforced de jure and de facto? On page 2 of the report it was indicated that equal status committees had been set up in over half of the country's municipalities and in a number of county municipalities. She wanted to know why such committees had not been set up in every municipality. She also wished to know what penalties were imposed in cases of actual discrimination and how an employer or an administrator could be punished for not hiring women or for dismissing them on grounds of sex.

(Ms. Biryukova)

25. She also sought information on the actual steps taken by the Equal Status Council to deal with complaints of discrimination against women and what practical results it had achieved.

26. Despite the statement in the report that the Government was helping to set up more child-care facilities thus far only 22 per cent of pre-school children were able to attend kindergarten and recently the Government had actually reduced its assistance in that area. Since the absence of such facilities was a serious impediment to women's employment, she wondered how the Government justified reduced assistance and what specific assistance it was giving to pre-school education.

27. Ms. GONZALEZ MARTINEZ said that, in presenting her country's report, the representative of Norway had not only provided valuable additional information but had been perfectly candid about the remaining impediments to de facto and de jure equality for women in Norway. Both the information in documents CEDAW/C/5/Add.7 and Amend.1 and that in the additional documents circulated the previous day, which she had not yet been able to consider in depth, confirmed that Norway had made great strides in eliminating discrimination against women, especially by comparison with many other developed and developing countries.

28. In document CEDAW/C/5/Add.7, it was stated in connection with article 7 of the Convention that the Storting had taken action to promote equal representation of men and women on public committees and similar bodies. She wished to know what happened if not enough women had the training to fill such posts or were prepared to assume such responsibilities. She also wished to know whether women representatives and deputies on Government committees, were appointed or elected. Information on the extent of women's participation in the diplomatic or consular service or in Norway's international representation in general would also be welcome.

29. In connection with article 9 of the Convention, she wished to know what steps had been taken or were planned to enforce a women's right to acquire, change or retain her nationality and to transmit it to her children. With regard to article 11 (f), she wished to know how the working conditions of women employed in air traffic differed from those of men. In connection with comments on article 11, she asked what approach had been adopted in the information campaign on contraception. For instance, had the campaign advocated the use of contraception by men and women or only by women?

30. With regard to article 13, she wished to know what family benefits other than the family allowance were available to women, what right women had to dispose of their own resources or property and whether they had access to bank loans, mortgages and other forms of financial credit.

31. She expressed gratification for the candor of Norway's report. While she recognized that much remained to be done to achieve effective equality for women in Norway, it was her feeling that many women in many countries would be only too happy to enjoy the conditions now enjoyed by Norwegian women.

32. Ms. ILIC thanked the representative of Norway for providing additional information which afforded a valuable insight into the real situation of women in Norway. Such insights were not always easy to gain from actual reports. Additional information should be provided early enough to enable the Committee to give it the attention it warranted. She suggested that the Secretariat might remind all those countries which were to submit reports in 1985 to transmit additional information well in advance.

33. Since the situation of women in Norway was much better than that in many countries, the Government's critical approach was all the more impressive. It reflected the Government's desire to do everything possible to eliminate the vestiges of inequality.

34. The large number of complaints of discrimination brought to Norway's Equal Status Commissioner and the various agencies dealing with discrimination showed that individuals were exercising their rights of recourse and reflected a high level of consciousness among Norwegian women and Norwegian society in general.

35. She noted from annex I to the report (CEDAW/C/5/Add.7/Amend.1) that cases of violence against women in their homes were on the rise and had become a serious social problem. She wanted to know whether any attempt was being made to counsel couples before their relations degenerated to the point of violence.

36. Ms. MACEDO DE SHEPPARD observed that the report and the additional information provided by Norway showed that both the Norwegian Government and Norwegian society favoured equality for women. Of course, some vestiges of traditional attitudes towards women persisted, but any questions which she might have on that score were motivated by her country's desire to learn more about possible models which it might follow in its efforts to eliminate discrimination. It was in that spirit that she would like more information on women's civil rights and on questions of nationality, international representation and programmes for rural women. She would also welcome more information on the Equal Status Commissioner and on the penalties imposed for infringements of the Equal Status Act.

37. She noted with concern from page 5 of the report that in 1980, only 27 per cent of university graduates had been women. That low figure was inexplicable in view of the relatively high degree of equality enjoyed by women in Norway and she would welcome an explanation.

38. Noting that the amendments to the Working Environment Act established a statutory right to reduced working hours for workers who required that reduction for social or health reasons, for instance in order to care for small children, she said that if that right applied only to women, it might militate against women's total integration into the work place.

39. She found somewhat surprising the Norwegian policy of providing a maternity grant to women who bore their children at home and wanted to know what was the rationale for that policy.

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(Ms. Macedo de Sheppard)

40. Moreover, it was unclear from the information on article 6 (CEDAW/C/5/Add.7/Amend.1) how prostitution and pimping were regarded under Norwegian law. Did they constitute offences and, if so, what action was being taken to prevent them?

41. She welcomed the detailed information on social security in Norway and commended the Government's efforts to eliminate the traditional inequality of access to education for men and women and to deal with violence against women. She hoped that future reports would evaluate the results of those efforts.

42. Ms. REGENT-LECHOWICZ, observing that the principle of equality of political rights for men and women in Norway was enshrined in Act No. 45 on Equal Status between the Sexes, wished to know whether that principle was also established in the Constitution. Although Norway had been one of the first countries to recognize women's political rights, subsequent progress towards women's effective enjoyment of those rights had been unsatisfactory. Norway's report gave no information on women's participation in political life and the February 1981 issue of Norway Information circulated as additional information contained out-of-date statistics. The latest statistics given were for the 1977 elections whereas elections had taken place as recently as 1983. The situation had undoubtedly changed since the latest elections and she would like to have more information on the number of women deputies now in the Storting, the number of women members of the Government, the percentage of women in political parties and the number of women elected to high political office. Further details on the equal status committees, their composition and whether their members were appointed by the Government or by organizations would also be useful. She also wished to know whether the Equal Status Commissioner was a non-governmental institution or a Government-appointed official and, in the latter case, what powers she enjoyed and whether her function was similar to that of the Ombudsman in Sweden.

43. Recalling that the Equal Status Commissioner had received over 800 complaints concerning infringements of the Equal Status Act in 1981, she asked whether infringements of the Act were punished and what were the most typical cases.

44. Observing further that, at recent local government elections, women's organizations had organized campaigns aimed at electing more women to municipal councils and that a similar campaign had been planned for the 1983 elections, she wished to know what had been the result of those campaigns and whether the number of women elected had increased.

45. She wondered why more women than men were breaking off their studies early and what results had been achieved by the measures adopted with a view to breaking down the traditional sex-role patterns in education. It would also be useful to know the level of unemployment among women and whether most unemployed women were skilled or unskilled.

46. She inquired about the role of family courts in Norway in preventing violence against women in the home. She wondered what steps had been taken to deal with the

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(Ms. Regent-Lechowicz)

problem of violence against women and whether empirical studies on the factors involved had been conducted.

47. The Norwegian National Insurance (social security) Scheme appeared to be rather complicated. Since women retired at the age of 65, at the latest, in most countries, she wondered how Norwegian women felt about retirement at 67 years of age. Furthermore, she noted that the survivor's pension was granted to a spouse if a marriage had lasted at least five years or if he or she had had children by the deceased person or was taking care of the children of the deceased person. She would like to know what happened in cases where a marriage had not lasted at least five years. She also noted, in connection with children's pensions, that if one parent was no longer living, the first child would receive an annual pension corresponding to 40 per cent of the basic pension and each of the other children would receive 25 per cent of the basic pension and asked the reason for that discrepancy.

48. The Government of Norway had submitted a comprehensive report containing valuable information and it was clearly making a genuine effort to improve the status of women in Norway, even though much remained to be done.

49. Ms. Ider (Mongolia) resumed the Chair.

50. Ms. PEYTCHEVA found that a retirement age of 67 rather high and wondered what women themselves felt about it and whether women who had worked for many years but who were still under the age of 67 could nevertheless draw a pension.

51. She wished to suggest that action might be taken at the national level to remedy the lack of a sufficient number of day care centres in Norway and inquired about the existence of a programme aimed at meeting the need for kindergartens.

52. Although the report did not contain any information on the level of unemployment among women, it did refer to the fact that in 1981 the Equal Status Commissioner had received a large number of complaints from women about being passed over for an appointment. It would be interesting to know what measures had been adopted with a view to ensuring equality of the sexes in employment and eliminating unemployment among women.

53. She was also concerned to know whether women had equal rights with respect to their children after divorce. She inquired further whether alcoholism was a problem among women in Norway and, if so, whether the Government of Norway was taking steps to deal with it.

54. In view of the great emphasis that the preamble to the Convention placed on the questions of the strengthening of international peace and security and general and complete disarmament, she would like to have additional information on participation by women in Norway in the anti-war movement. She would be particularly interested to hear about the views of Norwegian women on the Swedish proposal concerning the establishment of a nuclear weapon-free zone in central Europe.

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55. Ms. VELIZ DE VILLALVILLA said that she would appreciate further information on the Equal Status Appeals Board and on any measures adopted by the Government of Norway with a view to changing the cultural and social models prevailing in the country.

56. The number of female graduates appeared to be rather low, in view of the country's level of development and she would like to know what steps had been taken to prevent women from breaking off their education early and whether courses had been set up for women who had discontinued their education. Moreover, it would be useful to know whether kindergartens were open only to the children of working women and whether they were free of charge.

57. She wished to know what the legal status of prostitution was in Norway and whether the Government of Norway had ratified the convention on the suppression of traffic in women.

58. She agreed with Ms. Regent-Lechowicz that the social security system was rather complicated and shared her doubts concerning children's pensions, particularly since children from different marriages would receive different amounts.

59. She wondered whether an attempt had been made to solve the problem of violence against women through education and whether there were restrictions on the portrayal of sexual violence and the use of women as sex objects in the mass media.

60. Ms. BERNARD said that she wished to commend the Government of Norway for passing the Equal Status Act and for establishing the Equal Status Council.

61. She wished to know the reason for the large number of women who broke off their university studies and why a higher percentage of girls than boys had been receiving education between the ages of 17 and 19 years in 1980. She also wished to know what steps were being taken to encourage women to enter less traditional fields of employment and the effect of those measures as well as those planned for the future. She asked what was being done to encourage women to take higher-level jobs in industry. She believed that the fact that in 1981 the Equal Status Commissioner had received 156 complaints about appointments showed that the Council was playing a useful role.

62. She noted that the Constitution of Norway provided that only male heirs could succeed to the Norwegian throne. It would perhaps not be appropriate to suggest that the relevant provision should be changed. She also noted that only men were required to perform national service and wanted to know what national service actually entailed. She would also be interested to know whether a single parent could adopt a child and what the legal consequences of adoption were in Norway.

63. Ms. SALEMA said that the Government of Norway had achieved excellent results in its endeavour to eliminate both de jure and de facto discrimination against women.

(Ms. Salema)

64. She wondered whether the new provision in the Equal Status Act requiring equal representation of the sexes in the appointment of public committees, boards and councils was actually being implemented and, if so, how. She would also welcome further information about the campaign conducted by women's organizations in 1983 to have more women elected to the municipal councils, how many such organizations existed in Norway and how they operated.

65. She would appreciate clarification of the statements, in the report that the Equal Status Act applied to all sectors of society with the exception of internal conditions in religious communities and that the Equal Status Council was to draw attention to circumstances that counteracted equal status and to advise the authorities on appropriate measures.

66. Ms. GUAN Mingian observed that Norway's establishment of an Equal Status Council and Appeals Board and its appointment of an Equal Status Commissioner in pursuance of the Equal Status Act augured well for the elimination of discrimination against women in the country. She asked what kind of work the Commissioner did, how she influenced the Government and reached out to the public and what activities those three public bodies had undertaken in recent years.

67. The various measures taken by the Government of Norway to deal with the issue of violence against women in their homes discussed in annex I to the report would solve such problems only temporarily. She wanted to know how such occurrences were being handled through the legal sector of the Government and by the Equal Status Council, and whether there had been any campaigns to educate the public on the issue. The legislation enacted in implementation of article 7 of the Convention to ensure equal representation of both sexes in political life (p. 3 of the report) was commendable, but in a country where women suffered violence in their own homes, she wondered whether it was reasonable to expect that as many as half the Government posts would eventually be held by women. Achievement of that goal would help to resolve the problem of violence against women.

68. In annex I to the report, it was stated that the Government had set up funds to improve the situation of prostitutes. She asked whether prostitution was legal in Norway, and what was the attitude of the Equal Status Council towards prostitution?

69. Ms. CORTES recalled that the Committee had just been told that even in as advanced a country as Norway the elimination of discriminatory practices might take another generation. It was therefore all the more urgent for the Convention to speed the process.

70. The problem of violence against women in their homes was complicated by the fact that for many generations women had suffered in silence, and that even now the power of government authorities to intervene directly in the home was limited. Therefore, crisis centres such as those discussed in annex I to the report performed a valuable service. She wondered whether there was any relation between the increased efforts to achieve equality between men and women and the rising

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(Ms. Cortes)

incidence of violence against women, or whether it could be attributed to the readiness of women, now more aware of their rights, to speak out.

71. She would like more information on the bilateral social security agreements mentioned in annex II to the report, in particular, whether such agreements were reciprocal and what they covered.

72. In some countries, the fact that in two-income families women could earn more than their husbands and yet still be considered the secondary family wage-earners was evidence of the lingering attitude that women did not need to support themselves. Did that attitude exist in Norway?

73. She wondered whether the reluctance of men to take parental leave with pay should be attributed to their attitude or to the adverse effect it might have on their prospects in the employment market.

74. Mr. NORDENFELT said that Norway had submitted a very well-organized substantial report in which he found none of the propagandistic ambitions which one of the other experts had discerned. Only in a society with a good system of remedies and corrective action for inequalities could there be so many public complaints registered. The absence of recorded complaints in other countries was hardly a sign that all was well. The objective of the Equal Status Act was to promote equality between the sexes and to improve the position of women; it was a dynamic legislative act that set goals. The registering of complaints did not mean that the law had been violated but that all the goals had not yet been reached. It would be interesting if Norway could provide the Committee with more details on some of the complaints that had come before the Equal Status Council, the Commissioner, and Appeals Board.

75. Had any of them, for instance, been relevant to article 10 of the Convention concerning education? He would like to know the results of the measures taken by Norway to increase the number of women in schools and universities, such as preferential treatment for women and publicity campaigns to steer young people, male and female, into non-traditional fields (p. 5 of the report). He asked whether the preferential treatment implied that a quota system was being applied to bring about the desired result, similar to that being used to increase the participation of women in political life (p. 3 of the report).

76. The report stated (p. 7) that the Equal Status Commissioner had received 156 complaints from women regarding employment and had taken up nine cases on her own initiative. Had any of those cases involved men, what decisions had been taken and what had been the outcome? He also wished to know whether the sanctions available to the Equal Status Commissioner and Appeals Board in their enforcement of the Equal Status Act included legal action and, if so, what kind of cases could be brought to court.

77. He did not understand what was meant by the prohibition in paragraph 4 of the Equal Status Act (p. 7 of the report) banning the advertising of jobs for one sex

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(Mr. Nordenfelt)

only, unless there were obvious reasons for doing so. Another provision of the Act was unclear, in that it justified differential treatment of women and special rights for women "based on the existing differences in the situation of women and men". Some clarification would be helpful.

78. The report stated (p. 8) that the Working Environment Act prohibited the employment of women in work that involved radiation. Article 11.2 (d) of the Convention also covered such cases but specified that women could not be so employed during pregnancy. Was that also the case in Norway, and how, incidentally, did that regulation apply to men? The Working Environment Act of Norway was much more far-reaching than similar acts in most other countries and he would like specific information on what areas it covered and how it related to the Equal Status Act.

79. The representative of Norway had stated in her introduction that collective agreements had been reached between the State and State employees and he asked if there were similar collective agreements in the private sector and what their scope was.

The meeting rose at 1 p.m.